

DUNES CITY COUNCIL
REGULAR MEETING

JANUARY 13, 1983

AGENDA

- I. CALL TO ORDER AND ROLL CALL
 - II. APPROVAL OF MINUTES OF DECEMBER 9, 1982
 - III. BILLS AGAINST THE CITY
 - IV. RECEIPTS OF SESSION
 - V. CITIZEN INPUT ON UNSCHEDULED ITEMS
 - VI. ANNOUNCEMENTS AND CORRESPONDENCE
 1. L-COG Meeting in Eugene January 28
 2. Lemke Settlement -- Report from Ron Gerber
 3. Awards
 - VII. INSTALLATION OF OFFICERS
 1. Election of Council President
 2. Appointments of Commissioners
 - VIII. EXECUTIVE SESSION a) Litigation, b) Personnel, c) Negotiations
 - IX. UNFINISHED BUSINESS
 1. Seaplane Ordinance -- Ron Gerber information for Council
 2. Gerber information for Council on Road at Little Woahink
 - X. NEW BUSINESS
 1. Planning Commission recommends appointing K. Tindle
 2. Surplus Government Property -- Need Council Resolution
 - XI. ADJOURNMENT
- Refreshments

DUNES CITY, OREGON

MINUTES OF THE CITY COUNCIL
JANUARY 13, 1983

I. ROLL CALL AND CALL TO ORDER

The meeting of the Dunes City Council was called to order by Mayor Bob Petersdorf at 7:30 p.m.

Present: J. Baumeister, E. Fillman, R. Schmale, E. Passenger, B. Petersdorf, B. Pitts, City Recorder B. Stocking, J. Freeland and Secretary K. Bacon

The new council members P. Tout and N. Johnson were also present. D. Brown was excused and will be sworn in at the February Council meeting.

Attorney R. Gerber was also present.

There were 18 citizens present in the audience. No members of the press were present.

II. APPROVAL OF THE MINUTES OF DECEMBER 9 and EMERGENCY SESSION OF DECEMBER 23, 1982.

ACTION Motion was made by J. Freeland and seconded by J. Baumeister to approve the minutes of December 9, 1982. Motion carried.

ACTION Motion was made by J. Baumeister and seconded by R. Schmale to approve the minutes of the Council's Emergency Session of December 23, 1982. Motion carried.

III. BILLS AGAINST THE CITY - \$7, 822.64

ACTION Motion was made by J. Freeland and seconded by R. Schmale to pay the bills against the City. E. Passenger asked that the minutes show a correction for the $\frac{1}{4}$ of Motel Tax which goes to the Florence Chamber of Commerce rather than the City of Florence. E. Passenger also pointed out a discrepancy in the Wilbur Ternyik bill for the Lemke re-planting. His original bid was \$1,750. The City had already made a payment of \$500 on that amount. The Mayor instructed the City Recorder to pay Mr. Ternyik \$1,250 and to point out that this is the correct balance on his original bid. The rest of the bills will be paid as shown.

IV. ANNOUNCEMENTS AND CORRESPONDENCE

1. L-COG Meeting. B. Stocking reminded the Council of the all-day L-COG Meeting in Eugene on January 28.
2. Letters have been sent to the people who loaned the City money to re-plant the Lemke property thanking them for their loan and repaying the money.

3. Lemke Settlement. R. Gerber gave a report to the City Council that D. Lemke had settled with the City in the amount of \$5,670.76 and that the lien has been satisfied.
4. Awards. Former Mayor Bob Read presented a special award to Mrs. Bernie LaForge for the years of service her husband had given the City. Awards were also presented to outgoing councilmen R. Schmale, J. Freeland and J. Baumeister. Mayor Petersdorf presented a special award to D. Stinger for her years of service to the City. B. Stocking presented Mayor Petersdorf with his own gavel for having been elected to three terms as Mayor.

V. INSTALLATION OF OFFICERS

City Recorder B. Stocking gave the oath of office to the new council members N. Johnson, P. Tout and Mayor Petersdorf.

1. Election of Council President. E. Fillman was elected Council President by secret ballot.

ACTION

Motion was made by E. Passenger and seconded by B. Pitts to accept E. Fillman unanimously as Council President. Motion carried.

2. Commissioner Appointments. Mayor Petersdorf read his list of commissioner appointments. (A copy of the list is included with your packets.)
3. E. Fillman made an announcement to the audience about Neighborhood Watch. Fillman said he would have a copy of the by-laws for the Council at its February meeting.

VI. UNFINISHED BUSINESS

1. Solid Waste Initiative. R. Gerber recapped for the Council and the audience what had been happening with the solid waste initiative to do away with exclusive franchises. He had reviewed the state's statutes on initiatives and referendums as well as the City's Ordinance #38 dealing with initiatives. He advised the Council members that they could enact the ordinance themselves or they could refer it to the people on the next General Election ballot unless the Council chooses to place it on a special election ballot sooner. The next General Election will be November, 1984.

ACTION

Motion was made by P. Tout and seconded by E. Fillman to refer the matter to the people rather than enacting the ordinance by Council action. Motion carried.

At this point the Mayor opened the meeting for discussion on the matter from the Council and the members of the audience. It was decided to limit the comments to five (5) minutes each.

Attorney Ann Bunnenberg representing the Political Committee Against Exclusive Franchises said that if the Council chooses not to enact the ordinance itself, she felt it was appropriate to refer it to the people.

Bob Read, who carries the City's insurance policy, said that the City ~~would~~ have a damage claim to pay if it enacts the ordinance and breaches its contract.

R. Gerber advised the Council that it would be in its best interest to wait for the next General Election to put the matter on the ballot rather than to put it on a special election ballot.

The meeting was temporarily adjourned at this point to give Attorneys D. Clark and A. Bunnenberg a chance to review the material Gerber had quoted on initiatives and referendums.

When the meeting was reconvened, Bunnenberg told the Council that if it takes no action and the initiative automatically goes on the next General Election ballot in November, 1984; without checking with her client, she was sure they would challenge the Council's action for not putting it on the next available election ballot.

R. Gerber listed for the Council the three possible outcomes he felt could occur if the initiative was passed by the voters:

1. Proceeding could be brought in Circuit Court to test the validity of the City's ordinance.
2. An action by Mr. Parker claiming damages because of the improperly issued ballot title.
3. Mr. Johnson's corporation could institute a breach of contract.

Gerber felt the City would win in a case of Writ of Review. He felt Mr. Parker's chances were pretty dim in a damage claim because the courts insist that the complainant list specifically any lost profits rather than speculate on them. Gerber felt that Mr. Johnson's chances of winning were greatest since there would be an outright breach of contract if the ordinance was passed.

ACTION

Motion was made by E. Passenger and seconded by P. Tout to have the Council put the matter on the next General Election ballot and would like the record to show that they are following

the letter of Ordinance #36, Section #20. Motion carried.

The Council said they agreed that they needed to educate the voters on the consequences to the City if they vote to breach the contract with Mr. Johnson.

E. Fillman asked if Gerber could prepare an ordinance or addendum to Ordinance #73 doing away with exclusive franchises after they have run their course. There was a discussion of this among the Council members. Gerber suggested it be made an initiative or referendum.

Gerber recapped for the Council at this point what they had done during the meeting.

1. The Council decided not to take Council action to enact the ordinance.
2. It had decided to refer the matter to the voters.
3. It had decided not to exercise its prerogative to move the election from November, 1984, to an earlier special election.
4. The Council had decided to propose a counter-initiative measure.

ACTION

E. Fillman made the motion and N. Johnson seconded that the Council instruct R. Gerber to draft a counter-proposal stating the Council's intention to let their exclusive franchises expire and then go to a licensing system.

AYES: E. Fillman, N. Johnson, E. Passenger
NAYES: B. Pitts, P. Tout

The motion carried.

2. Road at Little Woahink. P. Tout had checked on the condition of the road at Little Woahink and reported on his findings to the Council. It was decided there is a problem there although it is not urgent. R. Gerber advised the Council not to assess a lien against Mr. Lemke but to tie up the unsold lots in the subdivision and refuse to issue building permits on the lots till Lemke cleans up erosion that is washing onto the road. Mayor Petersdorf wanted to give Mr. Lemke another chance to comply. Gerber suggested sending out a complaint letter with a notice of abatement stating that the City will begin abatement proceedings in 30 days if he fails to comply.

Gerber advised the Council to instruct the City Recorder to send letters to the owners of two

pieces of property in the Little Woahink subdivision that they are in violation of the Soil Erosion Ordinance and need to contact the City about what they intend to do to correct the problem. P. Tout will show B. Stocking on the map the two pieces of property in question. Gerber's office will take care of the letter to Mr. Lemke.

3. Seaplane Ordinance. R. Gerber directed the Council to a memorandum from him in their packets regarding the Seaplane Ordinance. He brought the new council members up to date on what had happened with the Seaplane Ordinance. The Council discussion indicated that most council members do not feel there is a problem with seaplanes at this time.

ACTION

Motion was made by N. Johnson and seconded by E. Passenger to drop the matter. Motion carried.

4. Cable TV Franchise. Gerber advised the Council that the Cable TV franchise is due to come up this year and recommended that a sub-committee be appointed to study the matter and make a recommendation. Mayor Petersdorf will have people to suggest for the committee at the February Council meeting.

VII. NEW BUSINESS

ACTION

1. Planning Commission Appointment. Motion was made by E. Passenger and seconded by B. Pitts to approve K. Tindle's appointment to the Dunes City Planning Commission. Motion carried.
2. Surplus Government Property. B. Stocking directed the Council to information in their packets on the City's opportunity to buy at reduced rates surplus government property along with a copy of a resolution the Council needed to pass before the City would be eligible.

ACTION

Motion was made by P. Tout and E. Fillman seconded it to pass the resolution thereby making Dunes City eligible to receive the list of government property that is available. Motion carried.

VIII. ADJOURNMENT

The meeting was adjourned at 10:20 p.m. Refreshments were served.



MAYOR PETERSDORF



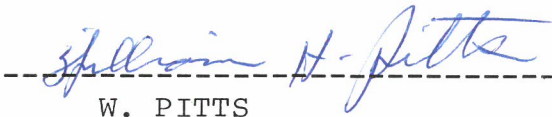
SECRETARY



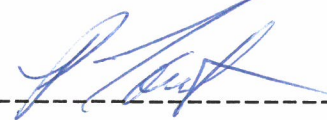
E. FILLMAN



N. JOHNSON



W. PITTS



P. TOUT



E. PASSENGER

D. BROWN

DUNES CITY COUNCIL

REGULAR MEETING

FEBRUARY 10, 1983

AGENDA

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF JANUARY 13, 1983
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF SESSION
- V. CITIZEN INPUT ON UNSCHEDULED ITEMS
- VI. ANNOUNCEMENTS AND CORRESPONDENCE
 1. Marriage Proclamation
 2. Letter to Chuck Ivey regarding the Annex
 3. Florence Chamber of Commerce
 4. Letter from the Governor regarding disasters
 5. Quasi-Judicial Hearing Process
 6. Packwood regarding Forests
- VII. REPORTS
 1. Road Chairman
 2. Neighborhood Watch
- VIII. EXECUTIVE SESSION (a) Litigation, (b) Personnel, (c) Negotiations
- IX. PUBLIC HEARING
 1. Gary J. Foglio - Conditional Use Permit
- X. UNFINISHED BUSINESS
 1. Little Woahink
- XI. NEW BUSINESS
 1. Central Lincoln P.U.D. Agreement
- XII. ADJOURNMENT

DUNES CITY, OREGON

MINUTES OF THE CITY COUNCIL
REGULAR MEETING

FEBRUARY 10, 1983

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 7:35 p.m. by Mayor Bob Petersdorf.

PRESENT: Mayor Petersdorf, E. Fillman, E. Passenger, N. Johnson P. Tout, B. Pitts. Don Brown was in the audience but had not yet been sworn in as councilman. Also present were B. Stocking, Secretary K. Bacon and Attorney R. Gerber.

There were four citizens present in the audience including a Siuslaw News reporter.

II. APPROVAL OF MINUTES

ACTION Motion was made by E. Passenger and seconded by E. Fillman to approve the minutes of January 13, 1983, with one correction on page 3. Motion carried.

III. BILLS AGAINST THE CITY - \$4,024.52

ACTION Motion was made by E. Fillman and seconded by N. Johnson to pay the bills against the City. Motion carried.

R. Gerber pointed out that he had talked with Wilbur Ternyik about the discrepancy in his bill brought up at the January 13 meeting; and Ternyik had said it was an error on his part and the City had, in fact, paid him the correct amount.

Road Commissioner E. Passenger asked for a copy of the McCormick Backhoe bill.

IV. RECEIPTS OF THE SESSION WERE \$3,243.78

V. OATH OF OFFICE TO DON BROWN

City Recorder B. Stocking administered the Oath of Office to new Councilman D. Brown.

VI. CITIZEN INPUT ON UNSCHEDULED ITEMS

Rick ^{Gehlke}~~Grikey~~ from the Northwest Bass Club thanked the Council and the Dunes City residents for their cooperation with the Bass Club in sponsoring their annual Bass Classic. This year it will be held March 12-13 at the Public Boat Ramp in Westlake.

VII. ANNOUNCEMENTS

1. Marriage Proclamation. B. Stocking read a proclamation from Mayor Petersdorf declaring February 13, 1983, World Marriage Day in Dunes City.
2. Letter to Chuck Ivey. B. Stocking read a copy of a letter she had sent to Lane County Commissioner Chuck Ivey urging him to re-open the Lane County Annex in Florence. P. Tout suggested the City Recorder write another letter to Ivey asking that the County get a toll-free number if they do not re-open the Annex. E. Passenger said she understood the County Commissioners were going to decide at the end of February whether or not to open the Annex so it was decided to wait until after the end of February to write to Ivey regarding the Annex.
3. Florence Chamber of Commerce. B. Stocking directed the Council to a copy of a letter in their packets she had sent to the Florence Chamber of Commerce with a check representing 1/4 of the Motel Tax.
4. Letter from Governor. B. Stocking directed the Council to a letter from the governor stating that in the event of a natural disaster or civil disorder a state, county or local authority can receive assistance only upon request to the governor's office.
5. Quasi-Judicial Bulletin. B. Stocking had received a bulletin discussing the quasi-judicial process. She has a copy of it on file in the office if anyone wants to read it.
6. Packwood Letter Regarding Forests. B. Stocking read a letter from Sen. Bob Packwood. Packwood stated that a fund had been accumulating from duties on imported timber that was intended to be channeled back into American forests. This year they are going to begin using the money for reforestation and 2,600 Oregonians should find employment in the forests.
7. League of Oregon Cities Bulletins. Betty is beginning to receive legislative bulletins regarding the current legislative session from the League of Oregon Cities. She is posting them on the bulletin board the the office and encouraged the Council and audience to read them.

VIII. REPORTS

1. Road Chairman Report. Road Commissioner E. Passenger distributed copies of a release agreement to the Council to consider approving. E. Passenger told the Council Ira Mann, the Road Chairman, has the opportunity to buy a used, heavy duty saw with 60 hours of time on it. They are asking \$600 for the saw, a Husqvarna; but Ira thought he might be able to get it for \$500. The release form Passenger distributed would be used by any member of the Road Committee only who wished to sign out the saw to do brush cutting for the City.

ACTION

Motion was made by E. Fillman and seconded by N. Johnson to instruct the City Recorder to work with the Road Chairman, Ira Mann, in getting a surplus government brush cutter if one of comparable quality is available. If the government does not have a surplus saw, the Council authorized Mr. Mann to negotiate the purchase of the used Husqvarna saw not to exceed \$600. The Council set a two-week time limit for this transaction. E. Passenger asked B. Stocking to contact Ira after she calls the government surplus office. Motion carried.

ACTION

Motion was made by E. Fillman and seconded by E. Passenger to use the release agreement that had been distributed. Motion carried.

E. Passenger said the Road Committee needs a list of roads that have been accepted by the City and brought up to standards.

2. Neighborhood Watch. E. Fillman presented the Council with the by-laws for the Neighborhood Watch.

ACTION

Motion was made by N. Johnson and seconded by E. Passenger to accept the Neighborhood Watch by-laws with one correction. Motion carried.

E. Passenger reminded the Council of its original motion to give Neighborhood Watch another \$500 after the by-laws had been presented. B. Stocking was instructed to pay the other \$500.

3. Dunes City Audit. R. Gerber recommended to the Council that they pass a resolution accepting the Audit Report dated June, 1982, from Williamson and Anderson. He pointed out that in preparing the budget the bookkeeper omitted funds the City received from the Maintenance Grant. The Council said they will have the bookkeeper prepare an amended budget to take care of this omission.

ACTION

Motion was made by E. Passenger and seconded by E. Fillman to pass a resolution accepting the Audit. Motion carried.

4. Exclusive Franchise Ordinance. R. Gerber said he had drafted an ordinance regarding exclusive franchises that will be in the Council packets for March. This ordinance regards the discussion to place the proposed ordinance on the ballot with the initiative petition.
5. Cable TV Franchise. R. Gerber reminded the Council that the renewal for the cable tv franchise is coming up for consideration in May. Mayor Petersdorf asked for two volunteers to serve on a committee with him and R. Gerber to prepare considerations for this. The committee members will be D. Brown, B. Pitts, R. Gerber and Mayor Petersdorf.
6. Woahink Trailer Park. Attorney Jim Hilborn has not submitted his expenses to the City for the work he did on the Woahink Trailer Park. The City will contact him to send those to us. The matter will be on the March City Council agenda.

IX. PUBLIC HEARING - GARY FOGLIO - CONDITIONAL USE PERMIT

Mayor Petersdorf opened the public hearing at 8:24 p.m.

Judy Smith, Chairman of the Planning Commission, presented the Council with the Planning Commission's recommendations regarding the Conditional Use Permit request of Gary Foglio. She read into the record the following letters incorporated herein by reference. Copies of these letters are on record.

Hugo Christensen - Tax lot 1801 - sent to the City and received February 2, 1983.

Carl E. Coyne - Tax lot #6200 - received by the City Jan. 31, 1983.

William Frandsen - Tax lot #6300 - received by the City Feb. 1, 1983.

Don Lemke - Tax lot #1815 and #1819 - received by the City Feb. 1, 1983.

Ronald Benson - Tax lot #4900 and #4901 - received by the City Jan. 17, 1983

The Planning Commission recommended approving the request with the following conditions:

1. Mr. Foglio will keep no more than three horses on the property.
2. Mr. Foglio will keep the area for the horses properly fenced.
3. Mr. Foglio will use no more than two acres of the 4-acre total lot size for the horses.

R. Gerber recommended to the Council that the Conditional Use Permit be granted with the condition that it be reviewed after two years to see how it is going. The Council raised the question of how Mr. Foglio will dispose of the waste from the horse(s). Mr. Foglio said they will probably haul it away.

The public hearing was closed at 8:47 p.m.

ACTION Motion was made by E. Fillman and seconded by P. Tout that the Conditional Use Permit be reviewed two years from today, February 10, 1983. Motion carried.

ACTION Motion was made by E. Passenger and seconded by N. Johnson that the Conditional Use Permit will be void if Mr. Foglio sells the property. Motion carried.

ACTION Motion was made by E. Fillman and seconded by N. Johnson to grant the Conditional Use Permit with the recommendations of the Planning Commission under Findings of Fact and Conclusions of Law with the following conditions:

1. Mr. Foglio will keep no more than three horses on the property.
2. Mr. Foglio will keep the area for the horses properly fenced.
3. Mr. Foglio will use no more than two acres of the 4-acre total lot size for the horses.
4. The Conditional Use Permit be reviewed two years from today, February 10, 1983.
5. The Conditional Use Permit will be void if Mr. Foglio sells the property.

AYE: B. Pitts, E. Fillman, ~~D. Brown~~, N. Johnson, E. Passenger., P. Tout

NAYE: P. ~~Tout~~ D. Brown

Motion carried.

X. UNFINISHED BUSINESS

1. Little Woahink Subdivision. The Council discussed the erosion caused by cuts along the roadways in the Little Woahink Subdivision. The Council discussed whether the erosion was caused by recent road cuts or previous road cuts. E. Passenger pointed out that the roads had never been accepted by the City.

ACTION

Motion was made by E. Passenger and seconded by N. Johnson requesting Don Lemke to stabilize the side cuts, re-establish the ditch for drainage and repair the bottom of the road where sand is eroding.

AYE: B. Pitts, P. Tout, E. Fillman, N. Johnson,
E. Passenger.

NAYE: D. Brown

Motion carried.

This will be on the March agenda.

XI. NEW BUSINESS

1. Central Lincoln P.U.D. Agreement. R. Gerber asked to have the P.U.D. Agreement tabled until the March City Council meeting to allow him to review his notes and minutes. E. Passenger asked if the Council could have a copy of "Appendix A" which was not included in the material the P.U.D. sent the City before the Council meeting. The matter was tabled until the March meeting.
2. Lars Lind. In the August 12, 1982, City Council meeting, the Council passed a motion to allow Mr. Lind to remove two trees and grade the road, to be replanted in natural vegetation within 60 days after removal of the trees. The City had received a letter from Nicholson and Clark, attorneys representing Mr. Lind, asking what permits were necessary to remove the trees and how much of the road Mr. Lind could grade. The home of Mr. T. Reiterman is built in the right-of-way. The Council instructed City Recorder B. Stocking to write a letter to Mr. Nicholson asking what kind of excavation Mr. Lind plans and how it affects the house in the right-of-way.

Mayor Petersdorf announced to the Council that there will be a special Council meeting February 17 to consider a request for a Conditional Use Permit to place a mobile home.

D. Brown said he would be happy to schedule a CPR class for Dunes City if the Council would like since it has been 2½ years since the City had one. B. Stocking was instructed to work with Brown on scheduling a class and to place a notice in the paper.

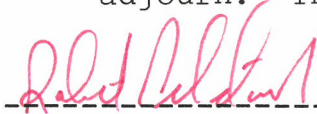
Mayor Petersdorf reported to the Council that he felt the League of Oregon Cities meeting that was held in Eugene was very worthwhile. He, N. Johnson, B. Pitts, B. Stocking and K. Bacon attended the all-day meeting. At the meeting the group noticed on the Eugene City Council Chambers a form used for public testimony. B. Stocking is going to make copies of the form to be used in our City Council meetings.

Mayor Petersdorf also reported on his attendance at the L-COG meeting he attended.

XII. ADJOURNMENT

ACTION

Motion was made by P. Tout and seconded by E. Fillman to adjourn. The meeting was adjourned at 9:50 p.m.



MAYOR PETERSDORF




SECRETARY



E. FILLMAN



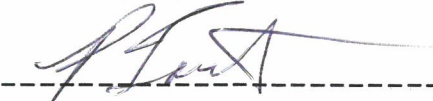
E. PASSENGER



B. PITTS



N. JOHNSON



P. TOUT



D. BROWN

DUNES CITY COUNCIL

SPECIAL MEETING

FEBRUARY 17, 198³₂

I. CALL TO ORDER AND ROLL CALL

The Special Meeting of the Dunes City Council was called to order by Mayor Petersdorf at 7:00 P.M. on the 17th day of February, 1982.

ROLL CALL

Present: Mayor Petersdorf, N. Johnson, E. Passenger,
B. Pitts, E. Fillman, B. Stocking, Acting Secretary
D. Stinger
Absent: D. Brown, Attorney Gerber (excused)
P. Tout

Phil Tout arrived at 7:02.

II. PUBLIC HEARING

Mayor Petersdorf opened the Public Hearing for Mr. & Mrs. Donald Lund, at 7:02.

J. Smith, Planning Commission Chairman gave the report and recommendation of the Planning Commission.

Mr. & Mrs. Donald Lund, 84293 Wright Rd., Dunes City, property located at #19-12-14-1, TL # 5701, requested a Conditional Use Permit to place a Mobile Home on the property.

The Planning Commission recommended to the City Council to approve the request for a Conditional Use Permit to Mr. & Mrs. Lund with one condition:

1. That the Mobile Home be skirted at the time of installation.

The Public Hearing was closed at 7:04.

The Council had a short discussion as to the size of the Mobile Home, where the water supply would come from, and the year and condition of the mobile home.

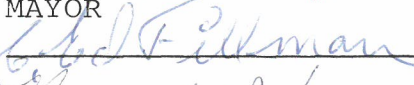
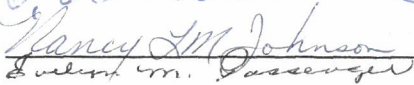

ACTION

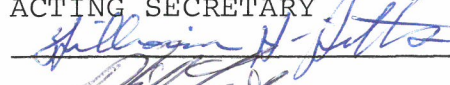

E. Passenger moved that the City Council accept the recommendation of the Planning Commission and issue a Conditional Use Permit to Mr. & Mrs. Donald Lund, with the one condition that the Mobile Home be skirted at the time of installation.
N. Johnson seconded and the motion carried.

III. ADJOURNMENT - 7:06


MAYOR


ACTING SECRETARY

DUNES CITY COUNCIL

REGULAR MEETING

MARCH 10, 1983

AGENDA

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF FEBRUARY 10, 1983
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF SESSION
- V. CITIZEN INPUT ON UNSCHEDULED ITEMS
- VI. ANNOUNCEMENTS AND CORRESPONDENCE
 1. Thank you card from Johan Mehlum
 2. U. S. Post Office
- VII. REPORTS
- VIII. PUBLIC HEARING - VARIANCE REQUEST FROM T. O. FURBY
- IX. EXECUTIVE SESS a)Litigation, b)Personnel, c)Negotiations
- X. UNFINISHED BUSINESS
 1. Little Woahink - Letter from Lemke - Passenger Report
 2. Woahink Trailer Park
 3. Little Woahink Report
 4. Central Lincoln P.U.D. Agreement
- XI. NEW BUSINESS
 1. C.P.R. Class - Don Brown
 2. Energy Commissioner - Phil Tout
- XII. ADJOURNMENT

DUNES CITY, OREGON

MINUTES OF THE CITY COUNCIL MEETING
REGULAR MEETING

MARCH 10, 1983

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 7:30 p.m. by Mayor Bob Petersdorf.

PRESENT: Mayor Petersdorf, E. Fillman, E. Passenger, N. Johnson, P. Tout, B. Pitts and Don Brown. Also present were B. Stocking, K. Bacon and Attorney R. Gerber.

There were no members of the press present. Mr. T. O. Furby was the only member in the audience.

II. APPROVAL OF MINUTES

ACTION

Motion was made by E. Fillman to accept the minutes of the special meeting held February 17 with one correction in the date. Motion carried.

TION

Motion was made by E. Passenger and seconded by D. Brown to accept the minutes of the regular meeting of February 10 with corrections. Motion carried.

III. BILLS AGAINST THE CITY - \$4,008.04

ACTION

Motion was made by P. Tout and seconded by B. Pitts to pay the bills against the City. Motion carried.

IV. RECEIPTS OF THE SESSION - \$6,523.69

V. CITIZEN INPUT ON UNSCHEDULED ITEMS - NONE

VI. ANNOUNCEMENTS AND CORRESPONDENCE

1. Betty read a thank you note the City had received from Johan Mehlum for flowers sent at the time of his wife's funeral.
2. The Council deferred talk about the Westlake Post Office until later in the meeting.
3. The Lane County Public Works Department sent the City a copy of their Five Year Capital Improvement Program. E. Passenger said the Five Year Plan had been sent to her thinking that she was still chairman of the Planning Commission. The Council directed the City Recorder to pass the material on to the Planning Commission making note of the second hearing which is scheduled for March 22 at the County Annex in Florence.

VII. REPORTS

Cable TV. R. Gerber reported on the meeting held by the committee appointed to study the Cable TV franchise. They generally discussed the quality of the tv service in Dunes City. The cable tv franchise is due for a review in May. The committee also went over what it would take to challenge the existing rates. The consensus was that the price charged in this area is similar to what is being charged up and down the coast, but the quality in Dunes City is not comparable to some other areas.

D. Brown mentioned the need for citizen input and suggested a telephone survey. The Mayor scheduled a special meeting for Thursday, March 17, at 7:30 p.m. The meeting will be with Veva Hughes and/or Carroll Lockhart from the Florence Cable TV Co. Betty was asked to have them bring their financial records for the past two years and the number of tv hookups they have in Dunes City. Mayor Petersdorf was going to check with Mayor Greg Anderson of Florence to see what Florence had to do to request an audit of Florence Cable TV. The meeting will be advertised and open to the public. It is hoped that there will be several people from the community come to voice their opinions. D. Brown said that if enough people come, the City won't have to do a telephone survey.

Police Commissioner Report. E. Passenger was called out on a dog complaint on Ford Way and Lake Boulevard and found that a nuisance does exist. She gave a copy of her report to the mayor; another will be sent to the people, and they will be asked to be at the April City Council meeting.

E. Passenger also felt a health hazard exists at EPW2 just off Highway 101. There are two big piles of garbage there. She requested that a letter be sent to them advising them of the condition. She would also like to have included in the letter a mention to them that mud runners have been using their property down off Clear Lake Road and have really torn it up. She thought they may wish to post it and notify the sheriff's department now that there are four patrols. Mayor Petersdorf wanted B. Stocking to advise them in the same letter to re-seed their hillside since it is still eroding.

E. Passenger has received another dog complaint that she hasn't had time to check out, but she will do it and report to the mayor.

Evelyn reported that she had received a complaint about Bob Jackson's marina. She has been informed that he is keeping people from having access to the lake there. The Mayor said Bill Riesenhuber has talked to him several times about the same thing. Attorney Gerber suggested having Passenger go out and talk to Bob Jackson about what he has to say about Riesenhuber's complaint. If he says he has never restricted anyone (in particular, Mr. Riesenhuber), then the City will write a letter to both Mr. Jackson and Mr. Riesenhuber saying that Mr. Jackson has said Mr. Riesenhuber can use the property.

Road Committee Report. The Road Chairman's report was included in the council packets. He reported placing stop signs at three intersections. Since these intersections open onto county roads, the committee felt it should be the county's responsibility to place the signs. The Road Committee would like B. Stocking to write a letter to Jim Miller of the Highway Department in Florence asking that they either reimburse Dunes City for the stop signs they have placed or give the City replacement signs. The committee also asked that the Highway Department place a stop sign at the intersection of Canary Road and Little Woahink.

The Road Committee would like to have Emile Mortier check a power line that John Allen, a new house on Woodland Lane, has running from his pump to the lake through a Dunes City culvert. Ira almost cut it when he was cleaning the culvert.

VIII. PUBLIC HEARING - THURMAN FURBAY VARIANCE

The Mayor opened the public hearing on the Furby Variance at 8:24 p.m. to receive public testimony. Since there was no one present to testify, the public hearing was closed at 8:25 p.m. and opened to comments from the Council. Mayor Petersdorf and N. Johnson had each checked the property and P. Tout drives by the property a couple of times each day.

Chairman J. Smith of the Planning Commission was unable to attend the City Council meeting because of an emergency in Eugene. The Council had in their packets the Planning Commission's recommendation, Findings of Fact and Conclusions of Law.

ACTION

Motion was made by P. Tout and seconded by N. Johnson to grant the Variance to Mr. Furby with the following additions to the Findings of Fact and Conclusions of Law.

#7 under Findings of Fact: The City had received a phone call from District #5 in Eugene of the State Highway Department saying that they have no objection to granting the Variance.

#5 under Conclusions of Law: Mr. Furby has no other practical place to build his office addition.

Motion carried.

X. UNFINISHED BUSINESS

1. Little Woahink. E. Passenger reported that on March 1 Mayor Petersdorf, Don Lemke, P. Tout, B. Pitts and herself met on the property for a site review. Mr. Lemke said that if the City will tell him what needs to be done, he will see that it is done. The following is what they decided needed to be done at the site review:
 - A. Stabilization of the corner lot of Dave Jackson's property. Clean ditch so culvert will work. It is plugged on the west end.
 - B. East of Mr. Jackson's corner lot. Stabilization. Cut brush along blacktop.
 - C. West side from top of hill to Canary Road. Ditch and stabilize sides of hill.
 - D. Clean culvert by driveway to old Flippin house.
 - E. Take tree out across from driveway to old Flippin house.

Mr. Lemke stated he had no interest in the property now; it belongs to Mr. Herb Robbins of Lumber Services, Inc. - P. O. Box 688 - Eugene, OR 97440. When the roads are brought up to standard and accepted by Dunes City, he would like Mr. Robbins notified and a copy sent to himself.

R. Gerber recommended that the above information about what needs to be done be sent in a letter to Mr. Robbins, and in the letter tell him that the City expects the work to be done in sixty (60) days. Point out to him that we have been informed by people who should know that if the work is not done in sixty days Robbins won't be able to do it until next fall, and that if the work is not done in sixty (60) days we will begin abatement proceedings. Tell him, also, that the City will review the work in six months after it is completed to see how it is doing before accepting the roads.

The mayor asked B. Stocking to send Mr. Robbins a copy of the Dunes City subdivision ordinance showing the standards for streets. E. Passenger asked about the contract between Lemke and Wildish. She said that she was sure the subdivision ordinance that was in effect at the time was the one prior to 1979.

2. Woahink Trailer Park. The mayor called Attorney J. Hilborn asking him to send us his bill for the work he did on Woahink Trailer Park. (This has to do with assessing costs.) He will send the bill to us right away. The Council will probably have work to do on this at its April meeting.
3. Central Lincoln P.U.D. Agreement. R. Gerber recommended tabling this matter until the City receives the entire agreement. P.U.D. has not yet sent Appendix A of the agreement which is the list of street lights.

VI. NEW BUSINESS

1. CPR Class. Mayor Petersdorf asked D. Brown if he had set a date for a CPR class. The Mayor asked Brown to get together with B. Stocking and set up a date for the class so that it can be advertised.

There was a discussion of a request from the Road Chairman for a First Aid kit to carry in his truck.

ACTION

Motion was made by N. Johnson and seconded by E. Passenger to grant Road Chairman Ira Mann up to \$25 to assemble whatever items he feels are necessary for a First Aid kit.

AYE: B. Pitts, P. Tout, E. Fillman, N. Johnson, E. Passenger.

NAYE: D. Brown

Motion carried.

2. Energy Commissioner Report. P. Tout reported on a public hearing he attended in Florence on the Northwest Power Act sponsored by Central Lincoln P.U.D. P. Tout said that the main thrust of their planning to create energy is conservation. This is ultimately going to result in increased rates as power use decreases so that power companies can pay their bills. They expect to implement their plan in the next two years. The building codes will be more stringent to make new construction more energy efficient. Dunes City and all of Oregon will have to come into compliance with this Power Act. P. Tout pointed out that it may necessitate writing new building code ordinances for Dunes City if the state hasn't revised its building codes in time to come into compliance. Tout suggested writing letters to our senators and congressmen protesting the two years as an unreasonable length of time and to suggest, instead, a five-year deadline for putting the plan into effect.

Oregon Petroleum Contingency Plan. P. Tout pointed out that this plan tells what happens if we run out of fuel. He suggested alerting the public so that they are prepared for a contingency. The price on fuel will increase as the supply of fuel decreases. There are no provisions made for emergency vehicles, hospitals, or for those who earn their living by traveling. The Contingency Program suggests that the City sponsor meetings with petroleum distributors and the general public and find out how long the distributors in this area wait before replacing their supply -- when they are low or when they are out of fuel.

Street Light at Entrance to Boy Scout Camp. N. Johnson feels the City needs a street light at the entrance to Camp Baker as a safety for all the boys who use the camp and walk along that road. There is currently a pole in place without a light. The Mayor asked B. Stocking to check with Central Lincoln P.U.D. and see if the City is entitled to any lights that we don't have at present.

ACTION

Motion was made by N. Johnson and seconded by B. Pitts to have a street light installed on the pole just before the Boy Scout Camp entrance. Motion carried.

Westlake Post Office. There was discussion on a letter that had been received by the City concerning the Westlake Post Office from the U. S. Postal Service office in Eugene.

ACTION

Motion was made by P. Tout and seconded by N. Johnson to have the City write a letter to the U. S. Post Office saying the City Council would like to see the name of the Westlake Post Office changed to Dunes City, that an attempt should be made to centralize the location within Dunes City, and that the rural routes be handled out of that post office for all of Dunes City rather than from the Florence Post Office.

AYE: B. Pitts, P. Tout, E. Fillman, N. Johnson, D. Brown.

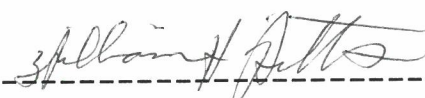
E. Passenger abstained because of the potential difficulty she felt could arise from mail being addressed to her husband, the Florence Fire Chief, being sent to a Dunes City address.

XII. ADJOURNMENT

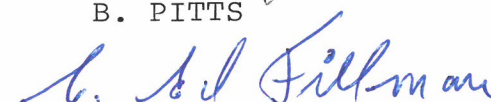
The meeting was adjourned at 9:45 p.m.



MAYOR PETERSDORF




B. PITTS




E. FILLMAN



KAY BACON, SEC.

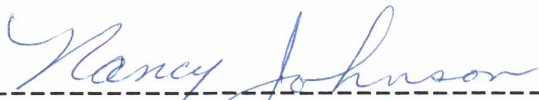


P. TOUT



D. BROWN

Dunes City Council
March 10, 1983
Page 7



N. JOHNSON



E. PASSENGER

DUNES CITY, OREGON

MINUTES OF THE CITY COUNCIL
SPECIAL MEETING

MARCH 17, 1983

The meeting was called to order by Mayor Petersdorf at 7:40 p.m.

PRESENT: E. Fillman, E. Passenger, B. Pitts, D. Brown, Mayor Petersdorf, Attorney R. Gerber, N. Johnson, P. Tout, B. Stocking and K. Bacon.

There were four citizens present in the audience. Carroll Lockhart and Veva Hughes from Florence Cable TV came into the meeting at 8 p.m.

The Mayor introduced the topic for the meeting and turned the meeting over to Attorney Gerber who laid the background information for the City Council members and the audience.

Bruce Herbert, a teacher from Waldport, said he had lived in this area for 14 years. He had written a memo for the City Council on cable tv systems in the Waldport/ Yachats area -- specifically the Alsea River Cable and the Liberty Cable systems. The memo listed the monthly charges and channels available for both systems.

E. Passenger said her only complaint is the disparity of service and quality between the areas south and north of the Siuslaw River Bridge.

Attorney Gerber brought Mr. Lockhart and Mrs. Hughes up to date on what had been discussed as they entered the meeting at this time. E. Passenger told them the City council had felt that they would like to receive a list of subscribers in Dunes City and what they are paying for when Florence Cable TV sends in its franchise fee.

Lockhart and Hughes were told by Attorney Gerber that Ordinance #26, the cable tv franchise ordinance, does not allow Florence Cable to make additional charges to its customers in Dunes City for Showtime. They were told they would need to make application to the City Council for permission to make additional installation and monthly charges.

Lockhart said that cost was an important factor when asked why Dunes City does not receive the Community Bulletin Board channel.

Attorney Gerber asked how much capital replacement cost was put back into Florence Cable TV. Lockhart didn't know and declined to estimate, but he said the information could probably "be derived".

Lockhart said they are going to try to improve Channel 8 with a translator.

Gerber asked if there are any plans to add additional stations. Lockhart said they are negotiating to sell Florence Cable TV and are not planning any major changes because of the pending sale.

Bruce Herbert asked if it would be possible to invite another cable system to make a bid to provide service within Dunes City without granting an exclusive franchise. Gerber said that it is not usually practical because of the phenomenal costs involved to have competing cable systems in small areas.

Herbert asked Lockhart how long it would be before the Dunes City system would be comparable to the Alsea or Liberty systems. Lockhart said there is no timetable set for it.

"The problem, then, is not that you cannot get the signal but the cost involved in going to where you can get the signal and bring it back," Gerber said in summarizing what had been discussed to this point.

Lockhart said Florence Cable TV has three employees and two office staff (which includes Mrs. Hughes). Florence has the largest number of subscribers per mile (60) and Dunes City has only 20 subscribers per mile.

Gerber strongly urged the City Council to consider hiring a consultant since no one on the Council has expertise. Gerber asked Lockhart for the following information to be included in the City Council packets for April and told him the information would have to be in the Dunes City office by April 1 to be included in the packets:

1. The number of Showtime subscriptions in Dunes City.
2. The number of regular subscriptions in Dunes City.
3. An estimate of the capital improvements Florence Cable TV has made.
4. Future additions planned to the system with proposed time schedules.
5. Plans on local programming.

Gerber was going to check his records to see if it is May or November of this year when the franchise is reviewed.


The meeting was adjourned at 9:50 p.m.

Special City Council Meeting
Cable TV Franchise
March 17, 1983

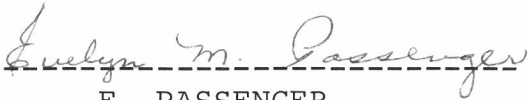
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MAYOR PETERSDORF



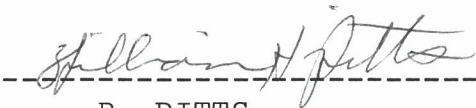
E. FILLMAN



E. PASSENGER



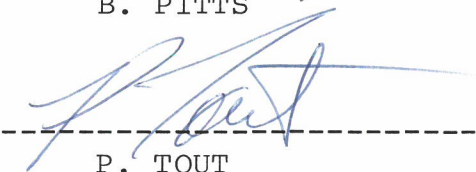
N. JOHNSON



B. PITTS



D. BROWN



P. TOUT



K. BACON

DUNES CITY COUNCIL
REGULAR MEETING

APRIL 14, 1983

AGENDA

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF MARCH 10, 1983, and SPECIAL MEETING MARCH 17, 1983
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF SESSION
- V. CITIZEN INPUT ON UNSCHEDULED ITEMS
- VI. ANNOUNCEMENTS AND CORRESPONDENCE
 1. Letters - Northwest Power Council
 2. Thank you note from the L.D.S. Relief Society
 3. Letter to Commissioner DeFazio Re. Room Tax
 4. Lars Lind letter
 5. Builders' Board letters
- VII. REPORTS
 1. Police Commissioner - John Allen and dog complaint
 2. Fire Commissioner - CPR Class
 3. Neighborhood Watch
 4. Road Committee
- VIII. PUBLIC HEARINGS
 1. Tom Nicholson - Variance
 2. Parks and Recreation Ordinance
- IX. EXECUTIVE SESSION a)Litigation, b)Personnel, c)Negotiations
- X. UNFINISHED BUSINESS
 1. P.U.D. Light on Boy Scout Road
 2. Liquor License Renewal for Fisherman's Market
 3. Florence Cable TV
- XI. NEW BUSINESS
- XII. ADJOURNMENT

DUNES CITY, OREGON

MINUTES OF THE CITY COUNCIL
REGULAR MEETING

APRIL 14, 1983

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order by Mayor Petersdorf at 7:30 p.m.

PRESENT: Attorney R. Gerber, B. Pitts, P. Tout, E. Fillman, Mayor Petersdorf, N. Johnson, E. Passenger. D. Brown was at a fire and entered the meeting at 7:50 p.m. Also present were B. Stocking and K. Bacon, secretary. There were 13 citizens present in the audience and 1 member of the press.

II. APPROVAL OF MINUTES OF MARCH 10 and MARCH 17

ACTION Motion was made by E. Passenger and seconded by B. Pitts to accept the minutes of the March 10 meeting. Motion carried.

ACTION Motion was made by E. Passenger and seconded by E. Fillman to accept the minutes of the March 17 Special Meeting. Motion carried.

III. BILLS AGAINST THE CITY - \$3,401.18

ACTION Motion was made by P. Tout and seconded by B. Pitts to pay the bills against the City in the amount of \$3,401.18. Motion carried.

IV. RECEIPTS OF THE SESSION - \$9,948.87

V. CITIZEN INPUT ON UNSCHEDULED ITEMS

B. Stocking read a letter to the Council from the business owners of Westlake regarding the change in the name of the Westlake Post Office, the highway sign at Highway 101 and Pacific, and the use of the Room Tax.

B. Stocking told the group that the City pays the U. S. Forest Service \$20 annually for lease on the land for the sign. N. Johnson suggested it might be nice to have a more attractive sign, similar to the one for Old Town in Florence, for Westlake as people come in from the south. The Mayor suggested that N. Johnson meet with Dorothy Premer and business owners of Westlake to remedy the sign. He would like them to work through the Planning Commission.

Minutes of Dunes City Council
April 14, 1983

Page 2

Westlake Post Office. There was a discussion among the Council and audience members of the Westlake Post Office and the proposed name and location change. B. Stocking read the letter to the audience from the U. S. Post Office which had generated the Council action from the previous month.

Room Tax. There was a discussion of using the room tax collected in Dunes City to promote tourism. The City allocated half the room tax in 1982 to the Florence Chamber of Commerce. The Mayor said the Chamber of Commerce had used the money to promote the Bass Tournament in Westlake. Attorney Gerber suggested the businessmen form an organization to make suggestions to City Council on how to allocate the room tax. Mayor Petersdorf said the upcoming budget meetings would be publicized and it would be nice if some of the businessmen would volunteer to serve on the budget committee.

Bob Jackson Marina. Bob Jackson was in the audience and expressed that he was upset to learn that a complaint had been filed against him saying that he had restricted access to ~~Weahink~~ Lake. E. Passenger said she had talked to Mayor Petersdorf; and said that rather than follow the action outlined in the March meeting, she was going to talk to the State Land Board about who owns the right-of-way.

Siltcoos Lake

This was
corrected in
the July 14,
1983, Council
meeting

VI. ANNOUNCEMENTS AND CORRESPONDENCE

B. Stocking read letters to the audience that had been sent to the Northwest Power Council, a thank you note from the Latter-Day-Saint Relief Society, a letter to Commissioner De Fazio regarding the room tax, and a letter written to Lars Lind and letters to and from the Builders' Board.

VII. REPORTS

Police Commissioner. E. Passenger reported that John Allen had removed the electric wire from the City culvert, and he will patch the road when the weather dries up a little.

She also reported on two dog complaints. Attorney Gerber suggested she contact Herb Sauter to see what had been done about the dogs he had complained about. The meeting was recessed briefly to call Mr. Sauter. During the recess B. Stocking called Mr. Sauter; and when the meeting was reconvened, she reported that the nuisance of the dogs had not abated.

ACTION

Motion was made by E. Fillman and seconded by B. Pitts that the City Council finds probable cause to begin nuisance abatement proceedings against Geri Smith. The City office staff will draft a nuisance abatement order which will be posted on the property by the Police Commissioner. A copy of the order will be sent by certified mail to Ms. Smith and the owner of the property, Mr. Robert McCrea, of Eugene.

E. Passenger was going to call Marcus Lam and tell him that although he had done two of the three things the City had asked him to do, the dogs were still barking.

EPW 2. E. Passenger reported that part of the garbage on the EPW 2 property that was discussed at the March meeting had been taken care of. Mr. Wilkes will have the City custodian haul off remaining garbage and he will bill Mr. Wilkes. Mr. Wilkes has examined the damage done by off-road vehicles on the property. He has posted the property off Highway 101 and also Clear Lake Road, and Evelyn will notify the sheriff's office to patrol.

Fire Commissioner. D. Brown reported that during the previous month 51 residential safety surveys and 6 commercial property fire inspections had been done. The CPR Class has been scheduled for April 21, 27 and 28 at Dunes City Community Center from 7 to 10 p.m. Enrollment will be approximately 14 to 16 people.

Neighborhood Watch. B. Pitts reported that Dunes City Neighborhood Watch has over 40 members and is still growing. They have had two joint training sessions with the Florence Neighborhood Watch group. They have had three trial patrols during the past two weeks. At their April 19 meeting they were going to plan weekly patrols, money-making projects and social activities.

Road Committee. Ira Mann gave the Road Committee report. The Mayor had given him some information just before the Council meeting on the streets in Dunes City which are public. The list showed that Parkway was a public street. Mann had understood until this time that it was private because there was a sign posted that it was private property. Ira said he had gotten one proposal to put paving the 500 feet down the length of Parkway for \$5,600, and that would put it in "top notch condition". He thought he could patch Parkway for about \$1,000. The Mayor said that the patching would be fine.

VIII. PUBLIC HEARING - TOM NICHOLSON - VARIANCE

The Public Hearing opened at 9:25 p.m. Chairman Judy Smith of the Planning Commission read the following Findings of Fact, Conclusions of Law and recommendation of Planning Commission to approve the request with the condition that the vegetation be left between the street and the woodshed. D. Brown said he had inspected the property.

FINDINGS OF FACT

1. The lot is zoned R-1; Residential.
2. The lot is about 6/10 of an acre.
3. All property owners within 300' were notified.
4. The woodshed will be 15' within the 25-foot setback.
5. The terrain of the property has over a 12% grade.
6. Mr. Nicholson wishes to some day build a garage in the northwest corner of the lot.
7. The area to the immediate south of the proposed woodshed is reserved for a secondary drainfield.
8. The woodshed does meet the definition of an accessory building.

CONCLUSIONS OF LAW

1. He meets all criteria for a Variance.
 - a. It would be an unnecessary hardship to build the woodshed anywhere else because of the steep slope.
 - b. The slope is too steep to build anywhere else.
 - c. Without the Variance, it would restrict him from enjoying privileges enjoyed by others in the same area; i.e., having a woodshed.
 - d. Granting the Variance will not be detrimental to the public health, safety or welfare.
2. There does not appear to be any other spot on the lot suitable to build the woodshed.

The Public Hearing was closed at 9:36 p.m.

ACTION

Motion was made by E. Passenger and seconded by P. Tout accepting the Planning Commission's Findings of Fact and Conclusions of Law and to grant the Variance to Tom Nicholson for his woodshed with the condition that he leave the vegetation between his woodshed and the street. Motion carried.

PUBLIC HEARING - PARKS AND RECREATION ORDINANCE

The Public Hearing on the Parks and Recreation Ordinance was opened at 9:40 p.m. J. Smith asked the Council if it was their intent by creating this ordinance to open up areas within Dunes City for parks. Mayor Petersdorf answered that yes, eventually they will. There was discussion among Council members how the parks would be supported financially. There was also a discussion of whether there was a need for parks with so many forest and beach areas available. Most Council members felt there was value in the recreation aspect of the ordinance. D. Brown raised the question of the need for additional liability insurance if the City develops parks. Mayor Petersdorf said Bob Read said the addition would be practically nil.

Attorney Gerber said he feels the City needs to develop a policy so the City proceeds in an orderly fashion.

ACTION

Motion was made by E. Passenger and seconded by E. Fillman to table the matter until the May meeting. The proposed ordinance will be advertised in the paper for a public hearing and first reading for the May City Council meeting. Motion carried.

X. UNFINISHED BUSINESS

P.U.D. Light on Boy Scout Road. Mayor Petersdorf had talked to Marilyn Adkins of P.U.D. and the cost of putting in a light on the existing pole outside the entrance to Camp Baker would be \$700 to \$1200 because there is no secondary wire to the pole or a transformer nearby. P.U.D. is going to do some more work on the proposal to see if they can bring the cost down.

Mayor Petersdorf gave Attorney Gerber the Appendix A to the P.U.D. Franchise Agreement that the City had been waiting for. Mr. Gerber will have the contract ready for the next meeting. Gerber mentioned that Ira Mann should have a copy of Appendix A for the Road Committee so they can see what it would cost to run a light to the intersection of View Terrace and Clear Lake Road.

Liquor Licenses.

ACTION

Motion was made by P. Tout and seconded by E. Fillman to approve the liquor licenses for the Landing, Fishermen's Market and Darling's Resort. Motion carried.

Florence Cable TV. Attorney Gerber went over the information given to the City by Florence Cable TV. Gerber suggested the City should write to Florence Cable TV and ask for their cost per channel. Review of the Cable TV Franchise comes up for review in November rather than May for the next five years of the contract.

He reported that, among other things, the TV Committee is concerned that there be a plan for an orderly replacement of the cable wires throughout the City as the need arises. The TV Committee had two meetings with the prospective buyer of Florence Cable TV and a joint meeting with them and representatives from the City of Florence.

Gerber said the Council may change the rate or leave it the same. He suggested the City hire a consultant once the bulk of the information is collected to advise the City on what would be a reasonable rate of return so that the rate payers are not overcharged. Over a five-year period, even a \$1 or \$2 overcharge per month paid by each rate payer can amount to several thousand dollars.

ACTION

Motion was made by E. Passenger and seconded by E. Fillman giving Attorney Gerber authority to write to Mrs. VeVa Hughes of Florence Cable TV requesting information on what her investment and contract costs are, her cost per channel and authority to draft an ordinance for review by the Council at its May meeting on a tv franchise tax of 25¢ per subscriber per month. Motion carried.

Mayor Petersdorf will contact Mayor Greg Anderson of Florence to see if Florence wants to coordinate with Dunes City on the cable tv franchise.

ACTION

Motion was made by D. Brown and seconded by P. Tout to authorize Mr. Gerber to draft a letter to the consultants for the mayor to look at. Motion carried.

ACTION

Motion was made by P. Tout and seconded by E. Fillman to carry the meeting beyond 11 p.m. Motion carried.

Travel Trailers. J. Smith asked the City Council if they wanted any restrictions drafted on living in travel trailers. The Council asked that the Planning Commission have a public hearing on travel trailers to see how the people feel about it.

Health Awareness Proclamation. B. Stocking read a proclamation co-signed by Mayors Petersdorf and Anderson declaring April 14-30 a fortnight of health awareness.

XII. ADJOURNMENT

ACTION

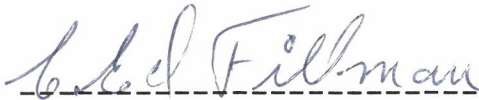
Motion was made by D. Brown and seconded by P. Tout to adjourn. The meeting was adjourned at 11:30 p.m.



MAYOR PETERSDORF



SECRETARY




E. FILLMAN



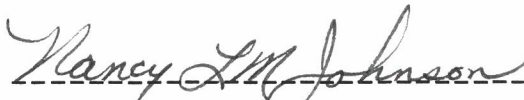
B. PITTS



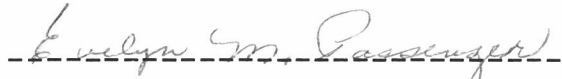
P. TOUT



D. BROWN



N. JOHNSON



E. PASSENGER

DUNES CITY COUNCIL

REGULAR MEETING

MAY 12, 1983

AGENDA

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF APRIL 14, 1983
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF SESSION
- V. CITIZEN INPUT ON UNSCHEDULED ITEMS
- VI. ANNOUNCEMENTS AND CORRESPONDENCE
 1. Letter from Geri Smith regarding Herb Sauter dog complaint
- VII. REPORTS
 1. Cable TV Workshop
 2. Thompson - Woahink Mobile Home Resort
 3. Road Chairman Report
- VIII. PUBLIC HEARING - Parks Ordinance
- IX. PUBLIC HEARING - Cable TV Franchise Tax
- X. EXECUTIVE SESSION a)Litigation, b)Personnel, c)Negotiations
- XI. UNFINISHED BUSINESS
 1. P.U.D. Agreement (Appendix A)
 2. Little Woahink - Scott Robbins - Evelyn report
- XII. NEW BUSINESS
 1. Appoint Budget Committee
 2. Westlake Tavern OLCC License Renewal
- XIII. ADJOURNMENT

DUNES CITY, OREGON

MINUTES OF THE CITY COUNCIL
REGULAR MEETING

May 12, 1983

I. CALL TO ORDER AND ROLL CALL

The regular meeting of the Dunes City Council was called to order by Mayor Petersdorf at 7:35 p.m. on the 12th day of May, 1983.

PRESENT: Mayor Petersdorf, E. Fillman, D. Brown, E. Passenger, B. Pitts, N. Johnson, P. Tout, Attorney Gerber, City Recorder B. Stocking, and Acting Secretary D. Stinger.

There were four citizens present in the audience.

II. APPROVAL OF MINUTES OF APRIL 14, 1983

ACTION

E. Passenger moved that the minutes of April 14, 1983, be approved. E. Fillman seconded and the motion carried.

III. BILLS AGAINST THE CITY - 903.50

ACTION

The bills against the City totaled \$903.50. P. Tout moved that the bills be paid. D. Brown seconded and the motion carried.

IV. RECEIPTS OF SESSION - \$1,672.47

V. CITIZENS INPUT ON UNSCHEDULED ITEMS

D. Brown stated that at his last CPR class he had eight students and none of them were from Dunes City. His next class will be held at Greentrees, but it will be for Greentrees members only, per their policy.

VI. ANNOUNCEMENTS AND CORRESPONDENCE

B. Stocking read a letter from Geri Smith concerning the Dog Nuisance filed by Herb Sauter. It stated that she had repaired the dog pens and felt that the problem had been taken care of. E. Passenger stated that she called Mr. Sauter and spoke to him about the complaint. He said that he felt that the problem had been taken care of.

VII. REPORTS

1. Cable TV Workshop. The Council discussed their feelings about the workshop and what they felt they got out of it. All comments were positive.
2. Alice Thompson - Woahink Mobile Home Park. The Council

discussed fines on the Woahink Mobile Home Resort's owner, Alice Thompson. The costs involved were the attorney fees of \$429.00, administrative costs of \$163.90 for a total of \$592.90. The City is entitled to charge an additional 15% above the total costs. This equaled \$88.94, for a grand total of \$681.84.

ACTION

E. Passenger moved that the City assess Alice Thompson, owner of Woahink Mobile Home Resort, \$681.84. B. Pitts seconded and the motion carried.

Mr. Gerber stated that he would notify Mrs. Thompson and her attorney.

*** Note: According to the tape of the 5-12-83 meeting, the figures in the minutes are correct. However, going over the figures on paper, the administrative costs should be \$163.80 and the grand total should be \$681.74. ***

3. Roads. Ira Mann was present to give a road report. He stated that the road committee's last meeting was on May 5. They discussed the issue of Parkway Drive being a private street or a City street. The committee feels that it is a City street, however, the sub-committee still is not certain.

The Council discussed with Mr. Mann the repair that is needed to be done on Parkway as it goes down the hill to the lake. Mrs. Passenger stated that at the last meeting Mr. Mann stated that with the cement strips left on the sides, the road could be repaired for \$1000. Mr. Mann said that there was no way it could be done for that amount. As far as he could tell, the estimate would be more like \$4600 to \$5000.

Mayor Petersdorf instructed the secretary to go over last meeting's tapes tomorrow (May 13) to see what was stated.

Don Brown left the meeting at 7:50 to go to a fire.

Mr. Mann then went over some of the specifications for some of the road work that needed to be done in Dunes City before the next fiscal year. Mrs. Passenger had several questions concerning the specifications on the road jobs. She felt that they needed to be more detailed so that the companies bidding on the jobs would all be bidding on the same thing. The Council discussed this thoroughly. It was brought up that the City has a great need for a Master Road Plan, stating how long and how wide ALL of the City streets are as well as having a map showing which streets are City and which are private streets.

Mr. Mann stated that the Road Committee has been working on the streets for over a year trying to decide which are which. He felt that in some cases there just wasn't the information needed. He also stated that he felt that a Master Road Plan would have to be done by a surveyor.

It was brought up that about four years ago LCOG stated that they would assist the City, free of charge, on a Master Road Plan. Mayor Petersdorf stated that he would inquire about it at the next LCOG meeting. Mayor Petersdorf also stated as far as the specifications on these road jobs, that possibly E. Passenger and Ira Mann could get together and come up with some detailed specifications. Mrs. Passenger declined.

4. Police Report. E. Passenger stated that the Dog Nuisance on Ford Way had been taken care of. She spoke to Mr. Judd Browne, one of the complainants, and he felt it had been taken care of.
5. Neighborhood Watch. B. Pitts stated that there was a very nice write-up in the Siuslaw News about the Dunes City Neighborhood Watch. He also stated that the next meeting was Tuesday, May 17, and there would be a pot luck at that meeting.

B. Stocking said that there is an election that day and it was her understanding that there could be nothing else going on in the building. Some members of the Council disagreed with this and said that since the room can be divided, there should be no reason for not holding the meeting and potluck in the building. B. Stocking stated that Julie Bower should be contacted before Tuesday and informed.

E. Fillman stated that he was contacted by the Sheriff's office and they will hold the May training session here at the Community Center on Monday, May 23, for the Dunes City Neighborhood Watch and the Florence Neighborhood Watch.

6. Dunes City Sign. N. Johnson stated that she spoke to the NRA about the sign at the intersection of Highway 101 and Pacific. The stated that there would be no problem with upgrading the sign as long as the City stayed with the same size and a drawing of what is proposed is presented to the NRA before the work is done. Mrs. Johnson stated that Jim Fish, one of the local merchants, is the chairman of the sign committee. She has not heard from the committee since she spoke to the NRA.

7. Custodian. B. Stocking stated that the custodian has been cleaning the restrooms over at the park and asked about keeping the grass up, etc. Mayor Petersdorf stated that the custodian should only be keeping up the grass around the Community Center and cleaning these restrooms. The only time he was to clean at the park was for the Bass Tournament.

VIII. PUBLIC HEARING - Parks Ordinance

The public hearing was opened at 8:26 p.m. There was no citizen input and the hearing was closed at 8:30.

The Council had a short discussion on the Ordinance. Mrs. Johnson stated that she was in favor of the Ordinance because the local Boy Scouts have to go to the Florence Area to do their projects; and with this Ordinance, they would be able to stay in our community and do things.

(D. Brown returned at 8:35 p.m.)

ACTION

E. Passenger moved that the first reading of the Parks and Recreation Ordinance #78 be read by short title. Mr. Fillman seconded.

AYES: E. Passenger, N. Johnson, B. Pitts, E. Fillman,

NAYES: P. Tout, D. Brown

Motion carried.

Mr. Gerber gave the first reading:

"AN ORDINANCE ESTABLISHING A PARK AND RECREATION COMMISSION FOR THE CITY OF DUNES CITY, OREGON, AND DESCRIBING ITS DUTIES"

ACTION

E. Passenger moved that the first reading of the Ordinance #78, establishing a Parks and Recreation Commission, be accepted. N. Johnson seconded the motion.

AYES: E. Fillman, N. Johnson, B. Pitts, E. Passenger

NAYES: P. Tout, D. Brown.

The motion carried.

The second reading is to be held at the June, 1983, meeting of the City Council.

IX. PUBLIC HEARING - Cable TV Franchise Tax

Mr. Gerber stated that this would be in violation of Federal Law and he advised that this agenda item be withdrawn. The Council agreed.

X. EXECUTIVE SESSION

There was none.

XI. UNFINISHED BUSINESS

1. P.U.D. Agreement. Mayor Petersdorf stated that the Council had the agreement in their packets to study ahead of time.

ACTION

P. Tout moved that the P.U.D. Agreement be approved with Appendix "A" attached. E. Fillman seconded. The motion carried.

2. Little Woahink - Scott Robbins. Mrs. Passenger stated that Mr. Robbins was in the audience. She also said that she, Mr. Tout, Mr. Fillman and Mayor Petersdorf went over and reviewed the work that had been done. They felt that a great effort has been made, and things are looking good. The east ditch still has to be cleaned.

Mr. Robbins stated that the work is to begin on June 6th on the ditches. The work will be done with a backhoe. Mr. Tout had some disagreement about having a backhoe do the work instead of a grader. This was discussed. Mr. Robbins asked that the committee get together again on the sixth to look over the work as it is being done.

E. Passenger stated that Mr. Robbins should be commended on the work he has accomplished so far.

XII. NEW BUSINESS

1. Budget Committee. Mayor Petersdorf stated that the budget committee needs another person on it because Emily Hunt's term has expired. Mr. Fillman suggested Jim Fish. However, he had not asked him prior to the meeting if he would serve. Mayor Petersdorf suggested that the Council take a break and call E. Hunt to see if she would like to serve again.

2. Westlake Tavern License. E. Passenger moved to approve the renewal of the Westlake Tavern's liquor license. P. Tout seconded the motion. Motion carried.

ACTION

RECESS - The meeting was recessed at 8:55

RECONVENED - 9:00

Mayor Petersdorf stated that he contacted E. Hunt and she stated that she would be glad to serve on the budget committee for another three-year term.

ACTION

Mr. Tout moved that the City Council appoint Emily Hunt to the budget committee for another three-year term to end in 1986. Mrs. Johnson seconded and the motion carried.

3. Cable TV Sale. Mayor Petersdorf stated that in the audience was Mr. Carroll Lockhart, engineer for the Florence and Dunes City Cable TV systems; and also a representative from McCaw Cablevision, the prospective buyers of the cable system.

Mr. Carroll Lockhart, of Florence Cable TV, addressed the Council concerning the presentation to the City of Dunes City on the sale of Florence Cable TV system to McCaw Cablevision.

Mr. Douglas Beach, representing McCaw Cablevision, came before the Council to answer any questions about the presentation.

Mr. Gerber stated that the City Council met half an hour before the regular City Council meeting to discuss the presentation. He stated that his advice to the Council was that no decisions be made until the City has the chance to review the transfer documents of the sale to justify giving a 20-year extension of the franchise along with the new rate increase.

Mr. Beach stated that he had no authority to decide on that matter.

The Council had a few questions for Mr. Beach concerning the significant rate increase on all services.

Mr. Beach stated that the company would be increasing the number of channels to the system along with upgrading the service. Also, with their capital outlay on the purchase price, they felt that they needed the rate increase. He felt that this increase was not a lot considering the fact that the rates had not gone up since 1978.

The Council explained why they felt that they needed to see the financial documents in order to OK such a rate increase. They had to know that the sale was a fair market price.

The Council had a lengthy discussion on the matter, raising the same questions on the rate increases, channel increases and whether the citizens actually want these channels, and the fact that according to the Franchise Ordinance, the City has the right to review the transfer documents.

The City Council discussed the idea of hiring the consultant to do the negotiation.

4. Resolution to Assess Transfer Fees. Attorney Gerber presented to the City Council a resolution to Assess transfer fees on the cable tv system to cover attorney fees in the negotiations. He estimated a figure of \$3,000. The Council had some question as to whether this would cover the attorney fees for sure. After some discussion, the Council decided that they would ask for a ~~\$2,000~~ payment at first and at the end another ~~\$3,000~~ for a total of \$5,000. The City's fees are not to exceed \$5,000. However, if the amount is under \$5,000, the excess is to be refunded to the cable tv company.

correction:
\$3,000 first payment
and \$2,000 final
payment. Corrected
according to tape of
meeting.

RMB

Some of the wording of the resolution was discussed and changed.

ACTION

E. Passenger moved that Resolution 5-12-83 to Assess Transfer Fees be approved with changes. Mr. Fillman seconded and the motion carried.

Mr. Gerber stated that he would have the resolution re-typed and ready for the Mayor to sign in the morning.

Mr. Gerber also stated that he had a draft letter in front of the Council concerning the City's demand on the right to see transfer documents, to be sent to Mrs. Hughes.

He then stated that he did not want the City to act on this letter tonight. He felt that this should be studied and a decision on the letter could be made at the workshop on the Cable TV sale.

4. House Bill 898. Mr. Gerber gave the Council some information on House Bill 898 concerning the deregulation of cable tv systems. He felt that the City should send some sort of response to the House on the bill. The Council discussed this briefly.

ACTION

E. Fillman moved that the City approve and send the draft letter with corrections from Mr. Gerber concerning House Bill 898. D. Brown seconded and the motion carried.

RESOLUTION 5-12-83

A RESOLUTION ESTABLISHING A TRANSFER FEE PURSUANT TO A REQUEST TO TRANSFER THE FRANCHISE FROM FLORENCE CABLE TV.

WHEREAS, the city of Dunes City, received on May 11, 1983 a request to transfer the cable television franchise from Florence Cable Television to McCaw Cablevision, and

WHEREAS, Ordinance 73 provides the City shall be entitled to recover expenses incurred in such a transfer, and

WHEREAS, it is estimated the City will incur \$5,000.00 in expenses processing this transfer request.

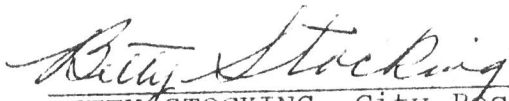
THEREFORE, be it resolved that a transfer fee shall be assessed and paid prior to any action taken by the City upon the requested transfer in the sum of \$3,000.00, and an additional \$2,000.00 upon approval of the transfer.

IT IS FURTHER RESOLVED that should the actual expenses of the City incurred in this transfer request be less than the \$5,000.00 sum levied, the difference shall be returned to the party paying the application fee. To the extent of the City's actual expenses, the application fee is nonrefundable.

IT IS SO RESOLVED this 12 day of May, 1983.


ROBERT PETERSDORF, Mayor

ATTEST:


BETTY STOCKING, City Recorder

5. Solar Ordinance. Mr. Tout stated that he felt that the City Council should give some direction to the Planning Commission concerning the Solar Ordinance that they were working on.

The Council discussed this briefly and decided that Mr. Tout should attend the Planning Commission's meeting concerning the Solar Ordinance and give some direction.


6. Cable TV Workshop. The Council decided that they would hold a workshop for the City Council concerning the Cable TV sale on Thursday, May 19, at 7:00 p.m. at the Dunes City Community Center.
7. CPR. Mr. Brown stated that he would be having another CPR class on May 26 and 31 at the Laurelwood Center in Florence. Also, on Saturday, May 14, the Rural Fire Department would be at the Dunes Village Shopping Center with a display of their equipment. This will be from 11 a.m. to 2 p.m.

XIII. ADJOURNMENT

The meeting was adjourned at 10:55 p.m.



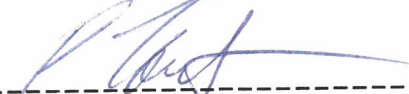
MAYOR PETERSDORF



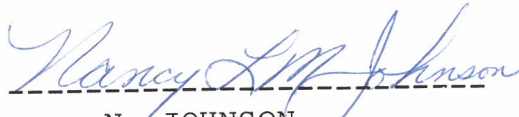
D. STINGER, SECRETARY



E. FILLMAN



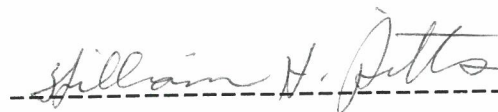
P. TOUT



N. JOHNSON



E. PASSENGER



B. PITTS



D. BROWN

MEMO

TO: CITY COUNCIL

FROM: KAY BACON

DATE: MAY 25, 1983

SUBJECT: Transcription of the tape of the April 14, 1983, meeting concerning road repairs.

Ira: Something I would like to talk about while I'm here is on this Parkway. We've been tabling for the last year and a half it seems like, and these documents you've given me today helps. It really clears that up. I don't know. I was misinformed about that street when I first took this job. That's been back about four years ago. And I've never taken care of it because it had a "Private Road" sign up there at the top of that hill. I don't know if you people ever saw it or not. Had you?

Mayor: Yes. What's really bad about that sign. The reason that sign was put there years ago was when you go down the hill, it ends right where the concrete is. If you run down that way then you hit private property, and there's no place to turn around. The only way you can go back up is to back up the hill because you can't turn around once you get down there. That's what's wrong with that road because it goes down and ends right there and there's no place to turn around.

Johnson: That sign has been removed.

Passenger: It was also put there so that not every Joe Blow would come down and launch their boat there. Bernie put it there to start with because it was to be used for the people in that subdivision.

Ira: Now if we go improve that project, and I'm sure now that that street is a City street; but I feel that we shouldn't put too much money into that road. I can maintain that road patching it so that it will be almost as good as new.

Mayor: Well, that's all they're asking for because that is the worst road in Dunes City right now.

(Council discussion of what they thought were the worst streets in Dunes City.)

Ira: But getting back to Parkway. I've got one proposal on that road to put a strip all the way down it - \$5600 for 500 feet - and that's to build it up first class. If I go the other option, it will cost \$4200. But I think I can do it. Well, I know I can do it for around about \$1,000.

Memo on road repairs

Page 2

Mayor: That's okay. That's what we want. That's what we've got you there for -- to come up with the (unfinished statement). You know the county police they use that to launch their boat down there. And the state uses that quite a bit to launch their boat.

Johnson: Now I want to ask some questions on this. Just what do you have in mind when you say patching?

Ira: That patching. I'll go down through there and I'll patch all those chuck holes.

(At this point the tape ended and in changing the tape some of the conversation is lost.)

Ira: . . .top all the way down. I don't think you'll need that kind of (Mayor spoke over the top of the last word.)

Mayor: See that dip in between the concrete deals was put there for a purpose. At that time the water was running down off that hill so fast that when we built up that concrete, you were supposed to drive on that concrete, and then the water was supposed to go in between these two deals and then hit the lake.

Ira: If we go to fool around with that concrete strip and dig all that out and it has to have a new (never finished statement)

Mayor: You could never dig all that out.

Ira: It could cost \$4200 to do that.

Mayor: There's big piping like that that runs down through the center of all that concrete and stuff.

Ira: There is. Well, what I want to do is maintain that (word unclear. It sounds like "bikal") strip and then they'll have the blacktop and also they'll have part of that concrete. They'll get by and we'll get around some day to put an overlay all the way down to the lake. But we've got so many other places to maintain that is just as bad as that is.

(There was a Council discussion at this point on how bad other roads in the City are.)

Mayor moved the Council discussion on to other matters at this point.

DUNES CITY COUNCIL

REGULAR MEETING

JUNE 9, 1983

AGENDA

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF MAY 12, 1983
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF SESSION
- V. CITIZEN INPUT ON UNSCHEDULED ITEMS
- VII. ANNOUNCEMENTS AND CORRESPONDENCE
- VIII. REPORTS
 - A. PLANNING COMMISSION RECOMMENDATION RE: TRAVEL TRAILER OCCUPANCY
 - B. PLANNING COMMISSION ON SOLAR ENERGY
 - C. POLICE COMMISSIONER
 - D. ROAD CHAIRMAN
 - E. NEIGHBORHOOD WATCH
 - F. DUNE CITY SIGN
- IX. PUBLIC HEARINGS
 - A. SECOND READING PARKS ORDINANCE
 - B. STREET VACATION POSTPONED TO JULY 14, 1983
- X. EXECUTIVE SESSION a) Litigation, b) Personnel, c) Negotiations
- XI. UNFINISHED BUSINESS
 - A. ATTORNEY GERBER RE:
 - 1. LAROCCO
 - 2. THOMPSON
 - 3. CABLE T.V.
- XII. NEW BUSINESS
 - A. BIDG COMM. - Lighting
- XIII. ADJOURNMENT

DUNES CITY, OREGON
MINUTES OF THE CITY COUNCIL
REGULAR MEETING

JUNE 9, 1983

I. CALL TO ORDER AND ROLL CALL

The regular meeting of the Dunes City Council was called to order at 7:30 p.m. by Mayor Bob Petersdorf.

PRESENT: N. Johnson, B. Pitts, E. Fillman, B. Petersdorf, P. Tout, D. Brown, E. Passenger, City Recorder B. Stocking, Attorney Ron Gerber and secretary K. Bacon. Also present in the audience were former mayor Shirley Merz, the Road Chairman, the Planning Commission Chairman, and three citizens. There were no members of the press present.

II. APPROVAL OF THE MINUTES OF MAY 12, 1983

ACTION

Motion was made by E. Fillman and seconded by P. Tout to approve the minutes of the May 12, 1983, City Council meeting. Motion carried.

III. BILLS AGAINST THE CITY - \$1,628.35

E. Passenger asked that it be noted in the record that Passenger Fire Extinguisher Service is owned by her son, and that she has no connection with it. A bill from Davis Rentals for \$15.00 for the rental of a generator was added to the bills after they had been printed bringing the total to \$1,628.35.

ACTION

Motion was made by E. Passenger and seconded by P. Tout to pay the bills for the session with the addition of the bill from Davis Rentals for \$15.00. Motion carried.

IV. RECEIPTS OF THE SESSION - \$4,676.52

V. CITIZEN INPUT ON UNSCHEDULED ITEMS

- A. Greater Siuslaw Economic Forum. Carolynnda Erskine from the Greater Siuslaw Economic Forum was present to say that the group had dissolved because of lack of participation of most of the members. She thanked Dunes City and E. Fillman, the City's representative to the Forum, for their support.

Dunes City, the City of Florence, and the Florence Chamber of Commerce had each contributed \$200 to the Forum. There was a cash balance of \$91.99 when the group dissolved. Mrs. Erskine requested that the City consider donating their one-third share of the cash carryover to the Florence Community Concert Association. The by-laws of the Forum do not allow the money to be returned to those who contributed it. The Mayor said that the Council would think about it and thanked Mrs. Erskine.

- B. Reducing the Speed Limit. N. Johnson asked if it would be possible to lower the speed limit going through Dunes City to 45 mph as they have done recently in Glenada. S. Merz suggested the City write to Mr. L. E. George, who is secretary of the State Speed Control Board. She suggested that June is a good time to contact them because the Board meets in July to set speed limits. She also suggested adding a flashing overhead light at the junction for Honeyman Park.

The Mayor directed B. Stocking to write to Mr. George of the State Speed Control Board and ask for a review of the present speed limit and recommend that they change the speed limit to 45 mph from Ford Way to the southern limits of Dunes City.

VII. ANNOUNCEMENTS AND CORRESPONDENCE

Attorney Gerber announced that there will be a Town Hall meeting to talk about the upcoming hospital bond issue at Dunes City Community Center June 23 at 7:30 p.m.

VIII. REPORTS

- A. Travel Trailers. The Planning Commission had recommended to the City Council a change in the zoning ordinance to restrict the use of travel trailers as a residence without proper sanitation. The Council discussed the implications of the recommendation. J. Smith, Planning Commission Chairman, explained the purpose of the recommendation.

ACTION

Motion was made by P. Tout and seconded by D. Brown to table the proposed travel trailer restriction, to hold a combined meeting between the Planning Commission and C.C.I., and to come up with a recommendation for the Council. Motion carried. B. Stocking will advertise the meeting when it is scheduled and will attend.

- B. Solar Energy. J. Smith asked the City Council to table the solar energy report. She had been given a copy of the Redmond Solar Energy ordinance just before the City Council meeting and wanted time to present it to the Planning Commission. She presented to the City Council the list of items considered by the Planning Commission to be included in a Dunes City solar ordinance. J. Smith said the purpose of the solar ordinance is to protect solar access for future building and subdivisions but also for people who may want to convert their present home to solar. She asked the City Council if there was someone who could come and give them some help on how to begin. Jim Archer from Florence was suggested.
- C. Roads. The Mayor asked Ira Mann to contact the residents of Ford Way to tell them the City will not replace the street sign if it is stolen again. He added that he did not mean to imply that he thinks it's the residents who are stealing it.
- D. Neighborhood Watch. B. Pitts reported on the Neighborhood Watch training session held June 7. The next meeting will be June 21. Don Davidson has offered his lodge for a July Neighborhood Watch picnic.
- E. Dunes City Sign. Jim Fish from Westlake presented a sign proposal designed by Stewart Henderson that the merchants had agreed upon. The colors still need to be decided. The proposed cost will be \$600 to \$800. N. Johnson said that when she takes the final proposal to the NRA she will ask for permission to cut down the brush that has grown around the sign. Mr. Fish suggested that the lighting should also be improved.
- F. Building Lighting. E. Fillman said he had gotten in touch with three electrical contractors to submit bids for changing the lighting in the Dunes City Community Center. Tidewater Electric bid \$815 for 14 4-foot fluorescent wrap-around lights and two flood lights with a photoelectric cell over each of the two front doors. Hal's Electric bid \$670 for the same thing.

ACTION

Motion was made by E. Passenger and seconded by D. Brown to accept the bid from Hal's Electric for the lighting. Motion carried.

IX. PUBLIC HEARING

- A. Roads. The City Council opened sealed bids for resurfacing three Dunes City streets. Two bid forms were picked up from the office, but only Ray Wells submitted a bid. The bid was to resurface View Terrace, Ford Way and Huckleberry Lane.

ACTION

Motion was made by E. Passenger and seconded by P. Tout to accept the bid of Ray Wells for \$6,170 to resurface View Terrace, Ford Way and Huckleberry Lane as per bid specifications. Motion carried.

- B. Parks and Recreation Ordinance. The Mayor opened the public hearing on the Parks and Recreation Ordinance at 9:18 p.m.

ACTION

Motion was made by E. Passenger and seconded by N. Johnson to have the second reading of Ordinance #78 by short title only. Motion carried.

Attorney Ron Gerber read Ordinance #78 by short title only.

"AN ORDINANCE ESTABLISHING A PARK AND RECREATION COMMISSION FOR THE CITY OF DUNES CITY, OREGON, AND DESCRIBING ITS DUTIES."

ACTION

Motion was made by E. Fillman and seconded by N. Johnson to accept the second reading by short title only.

AYES: N. Johnson, B. Pitts, E. Fillman and E. Passenger
NAYES: P. Tout and D. Brown.

Motion carried. The public hearing was closed at 9:20 p.m.

- C. Street Vacation. The street vacation hearing was postponed until the July 14 meeting.

X. UNFINISHED BUSINESS

- A. Vincent LaRocco. Mr. Gerber brought the City Council up to date on what had been happening with Mr. Vincent D. LaRocco and his property and his correspondence to Mr. LaRocco. He also advised the City Council as to the City's position. Bucksin Bob trespasses on Mr. LaRocco's property, but it has been in the same place longer than ten years. Therefore, the property under the road now belongs to the City by "adverse Possession". Mr. LaRocco is being taxed for the property the road is on, and Mr. Gerber advised him to appeal to the Board of Equalization and Taxation.

- B. Alice Thompson and Woahink Mobile Home Park. Gerber had an order drafted assessing costs and 15% to Alice Thompson. The amount came to \$681.84.

The meeting was recessed at 9:30 and reconvened at 9:50 p.m.

- C. Cable TV. Gerber said it is his feeling that the cable tv negotiations require the services of a consultant, and he feels Florence and Dunes City should proceed together and share the cost of the consultant. Dunes City has not received a transfer fee. Mr. Gerber advised the City not to do too much until the City receives that money. He advised that they wait for Florence to decide what they want to do then meet with them; and if Dunes City agrees with their ideas, join them and together share the cost of a consultant. If not, Dunes City should hire its own consultant.

McCaw Cablevision's offer is that the basic package will remain the same as the present service. McCaw does not want to divulge its sale documents. Gerber objects to this but would not object if a financial consultant checked the documents McCaw would provide and found that they had enough material available to determine a reasonable rate of return.

ACTION

Motion was made by P. Tout and seconded by E. Passenger to table the cable tv matter until another meeting. Motion carried.


XI. ADJOURNMENT

ACTION

Motion was made by P. Tout and seconded by D. Brown that the meeting be adjourned. Motion carried and the meeting adjourned at 10:10 p.m.



MAYOR PETERSDORF



SECRETARY K. BACON




B. PITTS

P. TOUT

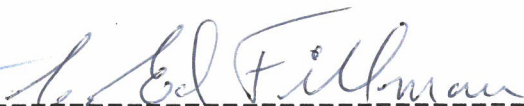


N. JOHNSON

E. PASSENGER



D. BROWN



E. FILLMAN

DUNES CITY COUNCIL

REGULAR MEETING

JULY 14, 1983

7:30 P.M.

AGENDA

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF JUNE 9, 1983
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF SESSION
- V. CITIZEN INPUT ON UNSCHEDULED ITEMS
- VI. ANNOUNCEMENTS AND CORRESPONDENCE
 - A. L.E. GEORGE, SPEED CONTROL BOARD
 - B. HELMUTH LETTER
 - C. DEBRA STINGER ANNOUNCEMENT
- VII. REPORTS
 - A. TRAVEL TRAILER OCCUPANCY
 - B. ROAD CHAIRMAN SPECIAL CITIES ALLOTMENT
- VIII. PUBLIC HEARING
 - A. VACATION OF HEMLOCK ELMER PETERSEN
- IX. EXECUTIVE SESSION a) Litigation, b) Personnel, c) Negotiations
- X. UNFINISHED BUSINESS *Touche Ross*
- XI. NEW BUSINESS
- XII. ADJOURNMENT

DUNES CITY, OREGON

MINUTES OF THE CITY COUNCIL
REGULAR MEETING

JULY 14, 1983

I. CALL TO ORDER AND ROLL CALL

The regular meeting of the Dunes City Council was called to order at 7:35 p.m. July 14, 1983, by Mayor Bob Petersdorf.

NOTE: At the Aug. 11 City Council meeting, Mr. Tout asked that the minutes be corrected to read as above.

PRESENT: N. Johnson, B. Pitts, E. Fillman, Mayor Petersdorf, D. Brown, Attorney Ron Gerber, City Recorder Betty Stocking and Secretary Kay Bacon.

ABSENT: P. Tout "ABSENT AND DISCOURTEOUS" See note in margin.

ABSENT AND EXCUSED: E. Passenger

There were three citizens present and one member of the press.

II. APPROVAL OF THE MINUTES OF JUNE 9, 1983

ACTION Motion was made by E. Fillman and seconded by N. Johnson to approve the minutes of the meeting of June 9, 1983, and to make a correction in the minutes of April 14, 1983, page 2. Bob Jackson's marina is located on Siltcoss Lake rather than Woahink Lake as it says in the minutes. Motion carried.

III. BILLS AGAINST THE CITY - \$12,672.61

ACTION Motion was made by B. Pitts and seconded by D. Brown to pay the bills against the City in the amount of \$12,672.61. Motion carried.

IV. RECEIPTS OF THE SESSION - \$8,164.74

V. CITIZEN INPUT ON UNSCHEDULED ITEMS - NONE

VI. CORRESPONDENCE

- A. Speed Control Board. B. Stocking directed the Council to copies of correspondence between the City and Mr. L. E. George of the State Speed Control Board concerning lowering the speed limit on Highway 101 to 45 mph within the Dunes City limits. A gentleman had come from the Speed Control Board and together with the Mayor had observed the stretch of highway in question. Nothing final had been decided on it yet.
- B. Helmuth letter. B. Stocking told the Council what had been done about a letter she had received from Abie Helmuth regarding a classified ad in the June 2, 1983, issue of the Siuslaw News concerning renting a lot for a mobile home. Copies of Mrs. Helmuth's letter and Mrs. Stocking's reply were in the Council's packets.

- C. Debbie Stinger announcement. B. Stocking read the birth announcement from Debbie Stinger. Mrs. Stinger has a new baby boy.
- D. Walking for the Health of It. B. Stocking had received a letter from the Governor about a new project entitled "Walking for the Health of It". The idea is to encourage people to walk. D. Brown volunteered to be in charge of organizing the program within Dunes City.

NOTE: At the

Aug. 11 City E. Dog Complaint. B. Stocking had received a dog complaint Council meeting, that she will turn over to E. Passenger. Mrs. Passenger This Dog complaint will also be asked to investigate a complaint about a was changed to mobile home on the corner of Clear Lake and Canary Roads. a letter of apprecia-

VII. REPORTS
tion to the Mayor for his handling of a dog bite incident.

- A. Travel Trailer occupancy. The Planning Commission has scheduled a meeting for Aug. 10 with the C.C.I. The meeting has been published as a public hearing. Mr. Gerber has drafted a proposed resolution that will be presented to the Planning Commission regarding occupying a recreational vehicle as a home.
- B. Road Chairman. Ira Mann, the Road Chairman, submitted a proposal for a special City allotments program in which he suggested Wright Road as a project to be widened.
- C. Dunes City Sign. N. Johnson read a letter from the Siuslaw National Forest giving permission to replace the sign at the intersection of Pacific and Highway 101 as long as the sign meets the overall dimensions of the present sign, is green with yellow lettering as per the design submitted, and it will be in the same location as the present sign. The design was done by Stewart Henderson Signs, and he estimated the cost of the sign at \$656. B. Stocking was asked to call Henderson and ask if the figure includes installation.
- D. Greater Siuslaw Economic Forum. E. Fillman reported that the board of the Greater Siuslaw Economic Forum turned over the \$90 surplus left after disbanding the Forum to the Florence Booster Club to help with the Senior Nutrition Program.
- E. Insurance on Glass. Mayor Petersdorf said that Bob Read, the City's insurance carrier, had talked to him about glass insurance. The City had decided not to renew coverage on glass breakage due to vandalism. As a result, when the door to the building was replaced because it had been broken by vandals, it was not insured.

F. Little Woahink Roads. B. Stocking read a letter from Scott Robbins of Lumber Services, Inc. In the letter Mr. Robbins stated that on July 11 J & V Excavating had re-established the ditch along the west side of Little Woahink Drive. Mr. Robbins asked that the roads within Little Woahink, second addition, be accepted by the City. The Mayor said he had seen the work that had been done, and he thought it looked "real nice". However, the matter was referred to the Road Committee to review the work that has been done and to make a recommendation to the City Council.

VIII. PUBLIC HEARING - VACATION OF HEMLOCK

The public hearing was opened by the Mayor at 8 p.m. The only member of the audience present to testify was Mr. Elmer Petersen who had requested vacating a 20' strip on the east side of Hemlock.

The Mayor wanted the record to note that he had reviewed Mr. Petersen's property along with Attorney Gerber, B. Pitts, and D. Brown. Mr. Petersen said that if the City would vacate the 20' strip, he would maintain the street.

The public hearing was closed at 8:08 p.m.

The Mayor wanted it noted in the record that the property owners of lots 6501 and 6701 had signed the petition requesting the vacation.

The Planning Commission had recommended granting a 10' vacation since the City street code now requires a 50' width rather than the 60' width dedicated for Hemlock.

ACTION

After some discussion among the Council, motion was made by D. Brown and seconded by N. Johnson to vacate a 20' strip on the east side of Hemlock from the intersection of Hemlock and Pacific to Mr. Petersen's existing property line on the south. The rest of Hemlock would remain its dedicated 60' width from that point to Ocean Boulevard.

AYES: Mayor Petersdorf, B. Pitts, N. Johnson and D. Brown
NAYE: E. Fillman

Motion carried.

X. UNFINISHED BUSINESS

A. Cable TV. Attorney Gerber gave a progress report on the cable tv negotiations. Mayor Petersdorf requested that B. Pitts be the liaison between the City Council and the negotiators.

ACTION

Motion was made by B. Pitts and seconded by E. Fillman to hire Touche, Ross and Co. to be the financial consultant;

to hire Keith Martin, Florence City Attorney, to be the negotiator; and to hire Les Page to be the technical consultant. Motion carried. N. Johnson had temporarily left the meeting to make a phone call and did not vote.

ACTION

Motion was made by D. Brown and seconded by B. Pitts to accept the City of Florence's proposal for sharing the cost of funding the consultants based on the number of tv subscribers. Motion carried.

XI. NEW BUSINESS

A. Building Security. B. Pitts brought up the need for making the Dunes City Community Building more secure. The Mayor asked B. Pitts and E. Fillman to come up with a proposal for discussion at the August City Council meeting.

ACTION

B. Revenue Sharing Resolution. Motion was made by E. Fillman and seconded by D. Brown to approve the Revenue Sharing Resolution No. 7-14-83. Motion carried.

C. Ordinance #79. Attorney Gerber gave the second reading of Ordinance #79 by short title only.

"AN ORDINANCE DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES FOR 1983-84"

ACTION

Motion was made by E. Fillman and seconded by N. Johnson to accept the second reading of Ordinance #79 by short title. Motion carried.

XII. ADJOURNMENT

The meeting was adjourned at 8:45 p.m.



MAYOR PETERSDORF



SECRETARY K BACON



N. JOHNSON



B. PITTS



E. FILLMAN



D. BROWN



P. TOUT

E. PASSENGER

DUNES CITY COUNCIL
REGULAR MEETING
AUGUST 11, 1983

AGENDA

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF JULY 7, 1983
- III. BILLS AGAINST THE CITY.
- IV. RECEIPTS OF SESSION
- V. CITIZEN INPUT ON UNSCHEDULED ITEMS
- VI. ANNOUNCEMENTS AND CORRESPONDENCE
 - A. Dunes Country-R. Wert
- VII. REPORTS
 - A. C.C.I./PLANNING COMMISSION
 - B. Energy Commissioner RE: B.P.A. Grant
 - C. Governor's Walk Program-Don Brown
 - D. Alder Drive
- VIII. EXECUTIVE SESSION a) Litigation, b) Personnel, c) Negotiations
- IX. UNFINISHED BUSINESS
 - A. ROAD CHAIRMAN REPORT, LITTLE WOAHIK
 - B. Cable T.V. Bill Pitts & Ron Gerber
- X. NEW BUSINESS
 - A. Sherman Question
 - B. Insurance Renewal
 - C. Transfer of property between adjacent lots.
- XI. ADJOURNMENT

NOTE: There will be bid openings on road work at 8 p.m.

DUNES CITY COUNCIL MEETING

REGULAR MEETING
AUGUST 11, 1983

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 7:30 p.m. by Mayor Petersdorf.

All Council members were present as well as City Recorder B. Stocking and secretary K. Bacon. Attorney Gerber was not present because he had to attend a hospital meeting. He entered the City Council meeting at 8:45 p.m. There were five citizens present, including the Road Chairman Ira Mann, and one member of the press.

II. APPROVAL OF MINUTES OF JULY 20, 1983

P. Tout objected to being considered absent without excuse and asked that the minutes be corrected to read "Absent and Discourteous". E. Passenger pointed out a change on page 2, section E, under Dog Complaint.

ACTION

Motion was made by D. Brown and seconded by B. Pitts to approve the minutes of July 20, 1983, as corrected. Motion carried.

III. BILLS AGAINST THE CITY - \$2,634.35

ACTION

Motion was made by E. Fillman and seconded by P. Tout to pay the bills against the City in the amount of \$2,634.35. Motion carried.

IV. RECEIPTS OF THE SESSION - \$3,140.62

V. ANNOUNCEMENTS AND CORRESPONDENCE

A. Dunes Country Brochures. B. Stocking read a letter written by the City to Regina Wert of Dune Country Enterprises in Reedsport with regard to some brochures they had sent Dunes City. The brochures listed things to do on the central Oregon coast but neglected to identify Dunes City and things that are available to tourists within Dunes City. The letter asked that Dunes City be included in the next brochure they publish.

- B. Speed Limit. B. Stocking reported to the Council on a conference call between her, Mayor Petersdorf and Dave Weaver of the State Speed Control Board. The memo on the call was given to the Council members and is on file in the Dunes City office.

VI. REPORTS

- A. Recreational Vehicles. D. Brown gave a report on the joint meeting between the C.C.I. and Planning Commission to discuss regulating recreational vehicles as a residence. The group decided to get information from Lane County and other similar communities on how they have handled recreational vehicles. The group will meet again Sept. 14 at 7:30 p.m.
- B. Energy Report, re: BPA Grant. P. Tout reported that Dunes City had been asked by L-COG if the City would like to be included in the grant application L-COG was submitting for several small cities. The grant is to work on developing solar ordinances. Dunes City accepted their offer. The grant will be split between the applicant cities.
- C. Governor's Walk Program. D. Brown reported that the brochures for keeping an individual personal walk record have not been available. The Governor's office said they should be available through Safeway. Safeway has not been able to get them and is checking with their headquarters.
- D. Alder Drive - Lars Lind. It was reported to the Council that Lars Lind had taken down more than the two trees he was granted a permit to remove along Alder Drive. The Mayor said there have been no written complaints from neighbors.

ACTION

Motion was made by N. Johnson and seconded by E. Passenger to approve the work that Lars Lind has already done in removing trees to widen the road.

AYE: N. Johnson, E. Fillman, D. Brown, P. Tout, E.

Passenger

NAYE: B. Pitts

Motion carried.

E. Passenger suggested that the City write a letter to Lind advising him that he violated conditions of the permit that was issued to him to remove two trees. The City Council decided not to penalize him for this violation, but they will assess a penalty for any future violations.

ACTION

N. Johnson made the motion and E. Passenger seconded to send a letter of reprimand to Lars Lind.

AYE: N. Johnson, E. Fillman, D. Brown, P. Tout, E. Passenger
NAYE: B. Pitts

Motion carried.

- E. Road Sign. N. Johnson reported that she had talked with Stewart Henderson about the proposed road sign for the corner of Highway 101 and Pacific. His bid of \$656 does include installation. Mr. Jim Fish and a couple of Westlake businessmen had said they would help with the installation.

ACTION

Motion was made by N. Johnson and seconded by E. Fillman to accept the bid of Stewart Henderson of \$656 for the sign, which will include installation. Motion carried.

- F. Owens Property. E. Passenger had checked on the Owens property at the corner of Clear Lake and Canary Roads and did not find any raw sewage apparent. Mrs. Owens said the station wagon left in front of their place was not theirs. The State Police were notified, and the vehicle was removed. Mrs. Owens was told she would have to apply for a Conditional Use Permit to have the mobile home on their property. Mrs. Owens said they are not living in the mobile home; her son moved it onto the property while he works on it. E. Passenger said she felt the Lane County sanitarian should check on the property. The Mayor said he would like another report on this at the September City Council meeting.

VII. ROAD BIDS

Ira Mann, Dunes City road chairman, opened the one sealed bid the City had received for road repair work for Hilltop, Parkway and Myrtlewood Drive. The bid was submitted by Ray Wells, Inc. who bid the following:

| | |
|------------------|------------------|
| Myrtlewood Drive | 588.00 |
| Parkway | 4,886.00 |
| Hilltop | 3,509.00 |
| | <hr/> |
| | \$8,983.00 TOTAL |

Ira felt the bids were reasonable.

ACTION

Motion was made by P. Tout and seconded by N. Johnson to accept the bids of Ray Wells, Inc. for a total of \$8,983.00. Motion carried.

Ira said they should be able to start within a week.

VIII. UNFINISHED BUSINESS

- A. Roads in Little Woahink. The Mayor said the last lightning storm and heavy rain had caused some heavy damage to the banks along the roads in the Little Woahink subdivision. The Council agreed that the roads are worse now than they were before. The Mayor asked B. Stocking to write to Mr. Scott Robbins and tell him the last rains had torn up the work he had done to stabilize the roads and that he needs to do something else.

Last sentence corrected at 9-8 meeting to: ... "work he had done to stabilize the ditching of the roads on the west side. . ."

IX. NEW BUSINESS

- A. Sherman Property. B. Pitts said he was out and had seen the property and talked with Mrs. Sherman and her son, Mike. He feels they should be commended for the job they have done, but made the motion that they be fined a token \$50 for violating Ordinance #59. The motion died for lack of second.

ACTION

E. Passenger made the motion and N. Johnson seconded it to open the matter for discussion from the Council. Motion carried.

Corrected at 9-8-93 meeting to say that they brought in two truckloads of sand or 20 cubic yards

P. Tout talked about his call to the State Water Resources Board about the sand the Shermans brought in onto the beach along their property on Woahink Lake. They did not bring in enough sand to be in violation, according to what he had learned from the board. E. Passenger asked Mike Sherman how much sand they had brought in. He thought it was probably two cubic feet.

ACTION

Motion was made by E. Fillman and seconded by E. Passenger to send a letter to the Shermans telling them they are in violation of Ordinance #59. Fillman later withdrew his motion and Passenger withdrew her second.

ACTION

N. Johnson made the motion and E. Fillman seconded it to send the Shermans a letter saying that after the hearing before the City Council, the Council found they were not in violation of Ordinance #59 and no further sanctions would be taken.

AYE: B. Pitts, N. Johnson, E. Fillman, P. Tout
NAYE: D. Brown and E. Passenger

Motion carried.

D. Brown suggested that the Council may want to review Ordinance #59 with an eye toward improving it. Attorney Gerber agreed it was needed. The Mayor suggested that Ordinance #59 be referred to C.C.I.

- B. Insurance Renewal. Bob Read of Read Insurance reported in a letter that the City's annual insurance premium is down from last year and suggested the City should add glass coverage - including vandalism - and Siltcoos Park Liability.

ACTION

Motion was made by N. Johnson and seconded by D. Brown to increase the City's insurance coverage to include options 4 and 6 of Read Insurance's proposal. The proposal is on file in the City office. Motion carried.

- C. Transfers of Property. Attorney Gerber briefly recapped what this entailed and referred council members to the letter he had written which was in their packets and is incorporated herein by reference. The letter is on file in the City office. There was Council discussion. Attorney Gerber said he will draft an ordinance and bring it to the September meeting.
- D. Parks and Recreation applicants. The city has received one applicant to serve on the Parks and Recreation committee. It will be advertised one more week. The City Council will discuss applicants at its September meeting.
- E. Yard of the Month. B. Pitts suggested that he has noticed on his Neighborhood Watch patrols that there are a number of well-kept yards. He suggested that during the spring and summer months or from April to October, the City award a yard of the month. The Council was very favorable to the idea. They discussed placing a sign in the prize yard each month and sending the recipient a letter of commendation.

N. Johnson suggested it might be handled by the Parks and Recreation committee. The Council agreed. B. Pitts will talk with Jim Baumeister before the September Council meeting about signs.

X. EXECUTIVE SESSION

The meeting was recessed at 9:30 for an executive session to discuss the threat of litigation and to discuss contract negotiations between the City and a party who wishes to obtain a 25-year cable t.v. franchise.

The meeting was reconvened at 10:23 p.m.

XI. ADJOURNMENT

The meeting was adjourned at 10:25 p.m.



MAYOR PETERSDORF



SECRETARY



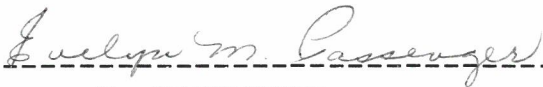
E. FILLMAN



N. JOHNSON

B. PITTS

P. TOUT



E. PASSENGER



D. BROWN

DUNES CITY COUNCIL

REGULAR MEETING
SEPTEMBER 8, 1983

AGENDA

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF AUGUST 11, 1983
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF SESSION
- V. CITIZEN INPUT ON UNSCHEDULED ITEMS
- VI. ANNOUNCEMENTS AND CORRESPONDENCE
 - A. Letter from the League of Oregon Cities about meeting Nov. 13-15 in Portland.
 - B. Thank you note from Shermans
 - C. Letter from the Speed Control Board
- VII. REPORTS
 - A. Owens Property
 - B. City Sign - N. Johnson
 - C. Parks and Recreation Board - N. Johnson
 - D. Sign for Yard of the Month - N. Johnson
 - E. Neighborhood Watch - E. Fillman
 - F. Letter about Road Paving - B. Pitts
- VIII. EXECUTIVE SESSION a)Litigation, b)Personnel, c)Negotiations
- IX. UNFINISHED BUSINESS
 - A. Scott Robbins - Roads in Little Woahink
- X. NEW BUSINESS
 - A. Draft of Ordinance re. Transfers of Adjacent Property
- XI. ADJOURNMENT

DUNES CITY COUNCIL MEETING

REGULAR MEETING

SEPTEMBER 8, 1983

I. CALL TO ORDER AND ROLL CALL

The regular meeting of the Dunes City Council was called to order at 7:30 p.m. by Mayor Robert Petersdorf.

PRESENT: Attorney Ron Gerber, E. Passenger, E. Fillman, N. Johnson, D. Brown, City Recorder B. Stocking and secretary K. Bacon. Also present were Scott Robbins representing the Little Woahink property and Linda Campillo of the Siuslaw News.

ABSENT AND EXCUSED: B. Pitts and P. Tout

There was a quorum present.

II. APPROVAL OF MINUTES OF AUGUST 11, 1983

ACTION Motion was made by E. Fillman and seconded by N. Johnson to approve the minutes of the August 11, 1983, meeting with corrections in the sections on Little Woahink roads and the Sherman property. Motion carried.

III. BILLS AGAINST THE CITY - \$2,144.75

ACTION Motion was made by D. Brown and seconded by E. Passenger to pay the bills against the City in the amount of \$2,144.75. Motion carried.

IV. RECEIPTS OF THE SESSION WERE \$3,406.91

V. CITIZEN INPUT ON UNSCHEDULED ITEMS - NONE

VI. ANNOUNCEMENTS AND CORRESPONDENCE

A. League of Oregon Cities Conference. City Recorder B. Stocking read a letter from the League of Oregon Cities announcing its annual meeting Nov. 13 - 15 in Portland. Reservations for the conference need to be in by Oct. 21. The Mayor said the City will pay the registration fee and contribute toward the cost of gas to the conference if those attending will carpool.

- B. Sherman Thank You. B. Stocking read the thank you note printed in the Siuslaw News from the Shermans.
- C. Speed Control Board. B. Stocking directed the Council members to copies in their packets from the State Speed Control Board regarding a change in the speed limit along Highway 101 from 212 feet north of Ford Way to .30 mile north of Clear Lake Road. The Board has agreed with the City's request to lower the speed limit to 45 miles per hour within that area.

ACTION

Motion was made by D. Brown and seconded by N. Johnson to approve the proposal of the Speed Control Board. Motion carried. The City will send them a letter accepting the proposal.

- D. Special Election. B. Stocking announced that there will be a special election Sept. 20, and the City Building will be a polling place.
- E. Letter from Commissioner Chuck Ivey. The Mayor referred the City Council to a letter in their packets from Lane County Commissioner Chuck Ivey. Mr. Ivey wrote to the City in response to a letter from the City regarding an abundance of signs at the Myrtlewood Factory. Mr. Ivey said that the county has no sign ordinance and suggested that the City write to the state since the property in question is located on a state highway and is under jurisdiction of the state sign regulations. Mr. Chick Chickering will be advised of Mr. Ivey's letter since he requested the initial letter be sent.

VII. REPORTS

- A. Owens Property. B. Stocking contacted the county sanitarian's office and requested an inspection of the Owens' property. She had not heard from them but was informed that they make their calls from 8 to 10 a.m. and from 3 to 5 p.m. Since these are hours when the City office is closed, Attorney Gerber suggested that the sanitarian call him or the Mayor.
- B. City Sign. N. Johnson reported on the progress of the sign being made by Stewart Henderson for the intersection of Highway 101 and Pacific. She said she had talked to Mr. Henderson, and he plans to have the sign done by the end of September.
- C. Parks and Recreation. It was announced that the City has received only one application for the Parks and Recreation Board.

- D. Yard-of-the-Month. N. Johnson reported on the sign for the Yard-of-the-Month project. She has found a volunteer who will make the sign, and it will not cost the City any money. The sign will be completed by April when the City begins the project.
- E. Neighborhood Watch. E. Fillman said that Neighborhood Watch will change its meeting date to Sept. 19 rather than Sept. 20 because of the special election on that date. They will also have a potluck dinner at the City Building on Sept. 23rd. Neighborhood Watch is planning a White Elephant sale at the City Building Oct. 8 from 9 to 5 p.m.

VIII. UNFINISHED BUSINESS

- A. Little Woahink Roads. Mayor Petersdorf introduced Scott Robbins from Lumber Services, Inc. He asked the Council for the procedure he must go through to have the roads in Little Woahink approved. He asked what the Council would like to have him do to bring the roads up to standard, and he asked if the Council would approve the roads after he invested the additional time and money into repairing them. J & V Excavating suggested to him that putting a "sludge" on the rock in the ditch would firm up the ditch. The Council agreed that it sounded workable. Robbins said he will have J & V Excavating re-shape the ditch and add the sludge. When it is near completion, B. Stocking will notify the Council so that they can have a site review while J & V Excavating is still there to make any corrections that may be necessary.

IX. NEW BUSINESS

- A. Cable T.V. Attorney Gerber mentioned that the same night (September 8) the cable t.v. negotiators were having a meeting. Gerber suggested setting a special meeting date to consider the cable t.v. proposal since the negotiators were getting close to settlement. The Council set Sept. 22 at 7:30 as the date and time for the meeting with an Executive Session at 7 p.m. The Mayor and Attorney Gerber will draft a news release.
- B. Transfer of Property Between Adjacent Parcels. Attorney Gerber had a draft of a proposed ordinance to handle the transfer of property between adjacent parcels. The Council discussed the ordinance. The ordinance will be published for a first reading at the Oct. 13 City Council meeting.

X. EXECUTIVE SESSION

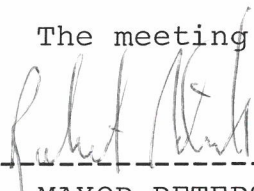
The meeting was recessed at 8:30 p.m. to hold an executive session on the cable t.v. negotiations.

The meeting was reconvened at 8:40 p.m.

- C. Bob Jackson's Marina. Mr. Bill Riesenhuber addressed the Council with a complaint about Bob Jackson's Marina. He feels Mr. Jackson has a dock that is illegal. E. Passenger asked that the City write to the State Land Board and ask them to check the dock Mr. Jackson has built and ask them if the structures are legal or illegal and whether it is under City jurisdiction or state. The City will notify Mr. Riesenhuber after it receives a reply.
- D. Wampler House. N. Johnson said she was upset about the mess left when the Dunes N.R.A. removed the Wampler house. D. Brown said the N.R.A. plans to clean up the site and return it to a natural state.
- E. Martha Jakob's property. E. Passenger asked if Martha Jakob's permit allows her to have colored penants. The Mayor asked B. Stocking to pull her file and check it.
- F. Siuslaw Rural Fire Department. D. Brown said the rural fire department needs more volunteers. He suggested that everyone at the meeting talk to others and see if they can interest more people into volunteering.

XI. ADJOURNMENT

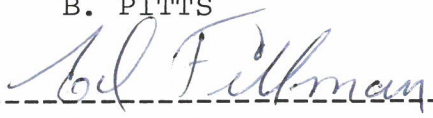
The meeting was adjourned at 9 p.m.



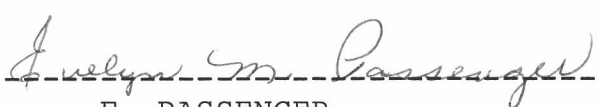
MAYOR PETERSDORF



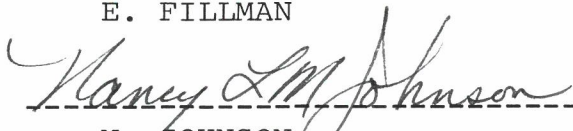
SECRETARY K. BACON

B. PITTS


E. FILLMAN

P. TOUT


E. PASSENGER



N. JOHNSON



D. BROWN

DUNES CITY COUNCIL MEETING

SPECIAL MEETING

SEPTEMBER 13, 1983

The special meeting of the Dunes City Council was called to order at 7:25 p.m. by Mayor Bob Petersdorf in the home of councilman Ed Fillman because the Dunes City Community Center was being used by another group.

PRESENT: E. Fillman, Attorney Ron Gerber, City Recorder B. Stocking, B. Pitts, P. Tout, N. Johnson, Mayor Petersdorf and secretary K. Bacon. Representing McCaw were Doug Beach; Mr. John Allen, the company's head engineer; and Mrs. Jenny Marsh, the company's attorney. There was one representative of the press present. Mr. Keith Martin, the negotiator, was also present.

ABSENT AND EXCUSED: Mr. D. Brown

Mr. Keith Martin was introduced to those present by the mayor. He said there were two corrections in the draft of the ordinance the Council had been given granting a non-exclusive franchise to McCaw Cablevision. The corrections were on page 3 in the definition of "territorial limits". The City of Florence should be changed to Dunes City. The other correction was on page 17 under Payment to City. The franchise fee rate should be changed to 3% from 4%. Mr. Martin said the City must have FCC approval to go above 3%, and he didn't feel it was worth the trouble to do so. He thanked Mr. Pitts, Mr. Gerber and the representatives of McCaw for their help during the negotiations.

Mr. Martin explained that the Council does not have to become involved in rate setting, but they may if they wish to do so. McCaw must submit substantiation for a rate adjustment.

Phil Tout brought up the question of establishing the business's base purchase price as being necessary to determine a reasonable rate of return. Mr. Martin said the City can have someone examine the company's records as long as they keep the information confidential and discuss it with the Council only in an executive session.

McCaw will notify the City 30 days in advance if they plan to change the programming, according to the agreement.

N. Johnson questioned having the new rates in effect for only a year before McCaw can request a rate change.

E. Passenger asked if the company will honor the payments of customers who have already paid for a year in advance. Mr. Beach said they will honor those payments; but, in the future, the company will not offer a discount for those who pay for a year at a time.

The group discussed the hook-up rate. There will be \$15 rate for each additional hook-up and an increase in the monthly rate to \$2 for each additional hook-up. N. Johnson wanted to say on the record that she is against the increase in the additional rate.

The Mayor asked for clarification of Attachment A - the Service Extension Policy. Mr. Martin explained it for the group.

Mr. Gerber distributed copies of a draft of an enforcement ordinance to handle damage of communications equipment or theft of the signal.

The Council wanted time to consider the information that had been given to them and delayed taking action until a special meeting scheduled for September 22, 1983, at 7:30 p.m.

The meeting adjourned at 8:20 p.m.



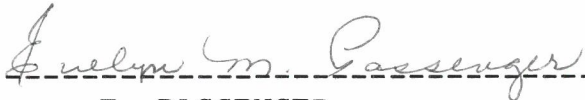
MAYOR PETERSDORF



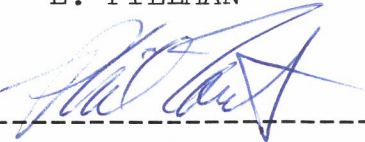
SECRETARY K. BACON



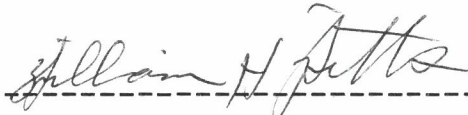
E. FILLMAN



E. PASSENGER



P. TOUT



B. PITTS



N. JOHNSON



D. BROWN

DUNES CITY COUNCIL

SPECIAL MEETING

SEPTEMBER 22, 1983

The Special Meeting of the Dunes City Council was called to order at 7:45 p.m. by Mayor Bob Petersdorf to discuss granting a non-exclusive franchise to McCaw Cablevision.

PRESENT: Attorney R. Gerber, B. Pitts, B. Petersdorf, E. Fillman, P. Tout, D. Brown, E. Passenger, City Recorder B. Stocking and secretary K. Bacon. N. Johnson came in later.

There were two representatives of the press; four representatives of McCaw Cablevision; Carroll Lockhart from Florence Cable TV and Bruce Herbert, a concerned citizen, also present.

The meeting was recessed immediately for an Executive Session.

The meeting was reconvened at 8 p.m.

Attorney Gerber recapped what had been discussed during the Executive Session.

The meeting was opened for public discussion. Bruce Herbert asked for a list of the new channels that will be added. He was told by Mr. Gerber that within 90 days McCaw would add CBN, Nickelodeon and Modern Cable Network to the basic tier. Mr. Herbert was dissatisfied with the choices and called them "basically junk channels".

The public hearing was closed at 8:15 p.m.

The Mayor stressed to those present that the comments he had heard from citizens were that they didn't care how many channels they had or how much they were paying for cable t.v. service, but they did expect to have good reception.

ACTION Motion was made by E. Passenger and seconded by D. Brown to have the first reading of Ordinance #80 in its entirety. Motion carried.

Mr. Gerber gave the first reading of Ordinance #80 granting a non-exclusive franchise to McCaw Cablevision Limited Partnership to operate and maintain a cable communication system within the city limits of Dunes City in its entirety. This ordinance will repeal Ordinance #26.

There was a correction on Page #25 in the address of Dunes City.

Dunes City Council
Special Meeting
September 22, 1983

Page 2

ACTION Motion was made by E. Passenger and seconded by P. Tout to accept the first reading of Ordinance #80 with the correction on Page #25. Motion carried.

ACTION Motion was made by E. Passenger and seconded by P. Tout to have the second reading of Ordinance #80 by short title only. Motion carried. Attorney Gerber gave the second reading of Ordinance #80 by short title only.

ACTION Motion was made by P. Tout and seconded by D. Brown to accept the second reading of Ordinance #80. Motion carried.

Mayor Petersdorf instructed B. Stocking to notify Keith Martin, the City's negotiator, and ask that he correct Page #25 and send Dunes City an original copy.

The City Council then discussed the need for proposed Ordinance #81, an ordinance concerning damages to communication equipment. This ordinance would amend Ordinance #51, the nuisance ordinance.

The Council discussed the possibility that any criminal theft of signal or damage to equipment could be prosecuted through Lane County Justice Court rather than to amend the nuisance ordinance. Gerber said that as part of the negotiation, McCaw requested an amendment to the nuisance ordinance as a way of protecting their "product".

ACTION Motion was made by N. Johnson and seconded by D. Brown to drop proposed Ordinance #81.

AYE: E. Fillman, N. Johnson, D. Brown
NAYE: B. Pitts, P. Tout, E. Passenger, Mayor Petersdorf

The motion failed.

ACTION Motion was made by D. Brown and seconded by E. Passenger to table Ordinance #81 until the regular October meeting. Motion passed.

The meeting was adjourned at 9:10 p.m.



MAYOR PETERSDORF



SECRETARY K. BACON



N. JOHNSON



E. FILLMAN



B. PITTS



P. TOUT



E. PASSENGER



D. BROWN

DUNES CITY COUNCIL

REGULAR MEETING

OCTOBER 13, 1983

AGENDA

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF: September 8, September 13 & September 22
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF SESSION
- V. CITIZEN INPUT ON UNSCHEDULED ITEMS
 - A. Gary Darnelle of LCDC - Re revision and codification of ordinances.
- VI. ANNOUNCEMENTS AND CORRESPONDENCE
 - A. Thank you note from Mike and Debbie Sherman
 - **B. State Speed Control Board
 - C. Legislative Summary
 - D. Gerber review of ORS Agreement
 - E. City of Gardena Re: Resolution
- VII. REPORTS
 - A. Roads - Request of Camp Carol Tree Farm
 - B. C.C.I. - Meeting on Recreational Vehicles and Soil Erosion Ordinance
 - C. Neighborhood Watch
 - D. Sign Progress
 - E. Energy Grant - Phil Tout report on call from Les Tumidaj
 - **F. Division of State Lands Re: Jackson Mini Marina - Nancy Johnson
- VIII. PUBLIC HEARING
 - A. Ordinance Concerning Transfer of Property between Adjacent Parcels.
 - **B. Cable TV Ordinance #80 - second reading
- IX. EXECUTIVE SESSION a)Litigation,b)Personnel, c)Negotiations
- X. UNFINISHED BUSINESS
 - A. League of Oregon Cities Conference
 - **B. Owens Property
 - C. Report on Little Woahink
- XI. NEW BUSINESS
 - **A. Doran Request
- XII. ADJOURNMENT

DUNES CITY COUNCIL MEETING

OCTOBER 13, 1983

REGULAR MEETING

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 7:32 p.m. by Mayor Bob Petersdorf.

PRESENT: B. Pitts, N. Johnson, E. Fillman, Mayor Petersdorf, D. Brown, P. Tout, E. Passenger, City Recorder B. Stocking, Attorney R. Gerber, and secretary K. Bacon. Also present in the audience were Gary Darnelle from L-COG; J. Smith, the Planning Commission Chairman; Linda Campillo of the Siuslaw News; and two citizens.

II. APPROVAL OF MINUTES OF SEPTEMBER 8, SEPTEMBER 13 and SEPTEMBER 22

ACTION

A motion was made by E. Fillman and seconded by B. Pitts to approve the minutes of September 8, September 13 and September 22, 1983. Motion carried. There was a correction to the September 13 minutes. Carroll Lockhart's name will be added to those who were present. P. Tout objected to the use of "absent and excused" in the minutes. Attorney Gerber advised that the City charter be researched to see if it specifies that a motion needs to be made to excuse someone from council meetings.

III. BILLS AGAINST THE CITY - \$14,856.42

ACTION

A motion was made by E. Passenger and seconded by N. Johnson to pay the bills against the City in the amount of \$14,856.42. Motion carried.

IV. RECEIPTS OF THE SESSION - \$5,395.37

V. CITIZEN INPUT ON UNSCHEDULED ITEMS

A. Codifying Ordinances. Mr. Gary Darnelle from L-COG was present to talk about revising and codifying the City ordinances. Mr. Darnelle gave a brochure to the City Council which outlined the ordinances services available from the Bureau of Governmental Research and Service. Darnelle said the City could send a copy of the ordinances to the Bureau which would review them and give an estimate of the cost of compiling them. The Bureau classifies ordinances according to general and specific. It also makes recommendations on ordinances to approve or repeal. Darnelle estimated it would probably cost Dunes City \$3,000 to \$3,500 to have the ordinances compiled. Under an Urban Service Program, the Bureau will provide copies of model ordinances free to the City since the City is a member of the League of Oregon Cities. He felt the Bureau could review the ordinances within two weeks after receiving them. The Bureau does not deal with resolutions in the compilation. However, they do suggest making an index of

of the resolutions. Darnelle said to send a copy of the ordinances to Sandra Arp of the Bureau. B. Stocking was also instructed to contact L-COG and order 50 copies of the current subdivision ordinance.

ACTION

A motion was made by D. Brown and seconded by N. Johnson to send a copy of the City's ordinances to L-COG and the Bureau of Governmental Research and Service for a cost estimate. Motion carried.

- B. Stop Sign. J. Smith asked about the stop sign by the county dock. She was advised that it is maintained by the county and was told to contact Jim Miller about having the brush around it trimmed. D. Brown talked about maintaining stop and street signs within Dunes City. He also asked if anything could be done to improve the Kiechle Arm Road. He had trouble getting a fire truck down the road to a fire recently because the road was in such bad shape. He was told the road is a private road, but later during the meeting it was noted that Ordinance #72 deals with work on the roads and would apply to this situation.

Attorney Gerber advised that the road chairman or police commissioner talk to the owner of the road and explain the hazards he created when he ditched across the road and removed name and street signs. The police commissioner, E. Passenger, said she would talk with the owner.

corrected at
11/10/83 meeting

- C. Fire Department. D. Brown said the Siuslaw Rural Fire Department #2 still is looking for more members.

VI. ANNOUNCEMENTS AND CORRESPONDENCE

- A. Thank you note. B. Stocking read a thank you note from Mike and Debbie Sherman.
- B. State Speed Control Board. B. Stocking referred the Council to a letter in their packets from the State Speed Control Board regarding the change in the speed zone to 45 m.p.h. In the letter sent to the City September 16, Mr. L. E. George said they had shortened the distance along Highway 101 which would be designated 45 m.p.h. They had done this because they felt there wasn't enough congestion around the Sand Dunes Frontier to warrant a slower speed limit in that area. Because the most recent proposal from the Speed Control Board is different from the one earlier agreed to by the Council, the Mayor instructed B. Stocking to send copies of both proposals to the State Speed Control Board and indicate that the first proposal is the one the City Council had agreed to.

- C. Legislative summary. Stocking showed the Council a copy of a legislative summary received by the City office which lists all the bills passed by the 62nd session of the legislature. It is on file in the City office.
- D. Gerber Review of ORS Agreement. Copies of this agreement will be given to the City Council for the November meeting.
- E. Letter from the City of Gardena. The City of Gardena had sent a letter to all cities along the west coast saying that they had repealed a resolution made in 1942 relating to the relocation of Japanese residents. The City of Gardena was requesting that other cities which might have similar resolutions repeal theirs as well. The Council agreed that as a courtesy B. Stocking should respond and tell Gardena that Dunes City was not incorporated until 1963.
- F. Sales Tax. B. Stocking had received a request from the League of Oregon Cities asking that the City Council take a position on the sales tax. Attorney Gerber advised that if a majority of governmental units endorse the measure, it will be placed on the ballot so that the voters may decide. If a majority does not endorse it, the measure will not be placed on the ballot. He also advised the City Council to read the bill before voting on it. B. Stocking was asked to respond to the League of Oregon Cities that the Council is waiting to form an opinion on the bill until the members have a chance to read it. She will also write and get copies of the bill for each council member.
- G. Social Security Letter Re: PERS. The Council requested that copies of the Mayor's letter to the legislators as well as the letter from the legislators be included in the November Council packets.

VII. REPORTS

- A. Roads. The Camp Carol Tree Farm had requested the City Council's permission to open up a dedicated road to the property. Mrs. Wood from the tree farm and Mr. Mann, the road chairman, were unable to be at the meeting. D. Brown asked that the City office staff go through past City Council and Planning Commission minutes and check for information relating to a similar request from the same person in the past. E. Passenger asked that the information indicated on the back of the application form; i.e., vicinity map, plot plan, etc., be included in the November Council packets. Mrs. Passenger said that Ordinance #72

indicates Mrs. Wood needs to apply for a permit to do road work, and it should be inspected by the City building inspector. The Mayor asked B. Stocking to notify Mrs. Wood that she needs to apply for permits. Attorney Gerber asked B. Stocking to advise Mr. Mortier, the City Building Inspector, of the City's wishes regarding Mr. Foss's turn-around that is built into the dedicated roadway. It was decided that the Mayor would call Mrs. Wood, and Mrs. Passenger would go out to the site the morning of October 14 to be sure the contractor does not begin work until Mrs. Wood gets a permit.

- B. C.C.I. D. Brown reported on the C.C.I. meeting held October 12. At the meeting the group worked on re-drafting a proposed ordinance. The group also discussed solar energy. It was decided to contact Gary Darnelle of L-COG and ask for help. The committee also made a rough draft of a letter to send to contractors advising them of the need to apply for permits within Dunes City. The next meeting will be November 2 at 7:30 p.m.
- C. Neighborhood Watch. E. Fillman reported on the rummage sale which netted close to \$400 for the Neighborhood Watch. Motion was made by E. Passenger and seconded by B. Pitts to donate the old light fixtures to the next Neighborhood Watch rummage sale. The light fixtures were removed from the ceiling of the Dunes City Community Center when the new ones were installed. Motion carried.
- D. Sign at Pacific and Highway 101. The sign has been installed, but it is not complete. Mr. Henderson had asked that he be paid. Attorney Gerber advised that Mr. Henderson be paid part of his bill until the work is completed. Mrs. Johnson said she will contact Mr. Henderson and tell him the sign must be finished as per the design he submitted which was approved by the City Council and the Dunes N.R.A.

ACTION

ACTION

A motion was made by E. Passenger and seconded by N. Johnson to pay Mr. Henderson 75% of the total and then pay him the rest when the job is finished.

AYE: B. Pitts, N. Johnson, E. Fillman, Mayor Petersdorf, P. Tout and E. Passenger

NAYE: D. Brown

Motion carried.

Mrs. Johnson will tell Henderson the citizens will raise the sign so that it can be seen, and the City Council would like "Pub" put on the sign even though Dunes City does

corrected 11/10/83

insert: in the Westlake area.

not currently have one. N. Johnson said that more brush needs to be removed so that the sign may be seen. City Recorder is to write to Ron Ellson of Central Lincoln P.U.D. and thank him for donating the poles for the sign.

- E. Energy Grant. P. Tout reported that the energy grant applied for jointly by Dunes City and other small cities has been approved. The grant application was submitted by L-COG. Les Tumidaj will come and work with the Planning Commission on developing a solar energy ordinance.
- F. Division of State Lands Letter Re: Jackson's Mini-Marina. Since Mr. Riesenhuber has dropped his complaint, the Mayor asked that the letter from the State Lands Board be filed for future reference; and the City will drop the matter. The letter from the Division of State Lands discussed the lease Mr. Jackson has for his marina.
- G. Police Commissioner Report. E. Passenger reported that Sheriff Dave Burks will be meeting with the county commissioners, and he thinks they will be giving the sheriff's department more money. Burks said he was interested in providing a deputy for this area and wondered if the City would be interested in entering into a contract.

VIII. PUBLIC HEARING

- A. Transfer of Property Between Adjacent Parcels. The public hearing was opened at 9:51. There was considerable discussion between the Council and Attorney Gerber on the proposed ordinance to regulate the transfer of property between adjacent lots. The Council questioned the stipulation that a conditional use permit would be necessary if the resulting lot size would be less than the building code would allow.

ACTION

A motion was made by P. Tout and seconded by D. Brown to have the first reading of an amendment to Ordinance #50. The amendment will become Ordinance #81.

AYE: B. Pitts, N. Johnson, E. Fillman, Mayor Petersdorf,
D. Brown, P. Tout
NAYE: E. Passenger

Motion carried.

Attorney Gerber read Ordinance #81 by short title only.

"An amendment to Ordinance No. 50, Dunes City Zoning Ordinance, making substitute changes in Ordinance 50, to permit, under controlled circumstances the transfer of property between adjacent parcels."

ACTION

A motion was made by E. Fillman and seconded by P. Tout to accept the first reading of Ordinance #81 by short title.

AYE: B. Pitts, N. Johnson, E. Fillman, Mayor Petersdorf,
D. Brown and P. Tout
NAYE: E. Passenger

Motion carried.

B. Cable TV Ordinance.

ACTION

A motion was made by P. Tout and seconded by E. Fillman to have the second reading of Cable TV Ordinance #80 by short title. Motion carried.

Attorney Gerber read the second reading of Ordinance #80:

"An ordinance of the City of Dunes City, granting a non-exclusive franchise to McCaw Cablevision limited partnership - Florence, to operate and maintain a cable communications system within the City limits of Dunes City, and repealing Ordinance No. 26."

ACTION

A motion was made by E. Passenger and seconded by D. Brown to accept the second reading of Ordinance #80 by short title. Motion carried.

IX. UNFINISHED BUSINESS

- A. League of Oregon Cities Conference in Portland. B. Stocking asked if anyone would be able to attend the League of Oregon Cities conference in Portland November 13 to 15. Attorney Gerber was the only one who indicated he would be going.
- B. Owens Property. The Mayor referred the Council to a letter from Bruce Mower, a Lane County sanitarian. Mr. Mower had found that a washing machine was draining directly onto the ground at the Owen's property in violation of Lane County regulations. He asked them to correct it. It was decided that the City Council has no authority over using a "crummy" as sleeping quarters.

- C. Roads at Little Woahink. Several Council members had visited the site and said the work that J & V Excavating had done to stabilize the ditch looked good.

ACTION

A motion was made by E. Passenger and seconded by D. Brown to accept the roads in Little Woahink, second addition. Motion carried. B. Stocking was instructed to write to Scott Robbins, advise him that the City Council had accepted the roads, and ask that they be deeded to the City.

- D. Light Request. The City had received a written request from Mr. Charles A. Doran for a light to be installed on the power pole on Laurel Avenue between Pine Street and Siltcoos Lake.

ACTION

A motion was made by P. Tout and seconded by N. Johnson to approve Mr. Doran's request for a light subject to a transformer being available nearby. The motion carried.

B. Stocking was asked to notify Central Lincoln P.U.D. and see if a transformer is nearby and the cost to the City.

corrected 11/10/83

E. Road to Waxmyrtle Campground. E. Passenger said she would like to see the City Council members write some letters to the state forester, governor, and others requesting that the road be re-opened to Waxmyrtle Campground.

ACTION
beach closures
or beach access
closures.

A motion was made by the Mayor and seconded by E. Fillman to ask that Mrs. Passenger draft a letter to the state forester, governor, and others she feels would apply to be signed by the City.

AYE: B. Pitts, N. Johnson, E. Fillman, Mayor Petersdorf,
D. Brown and P. Tout

NAYE: E. Passenger

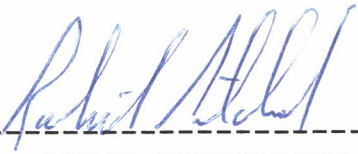
Motion carried.

X. ADJOURNMENT

The meeting was adjourned at 10:55 p.m.

Dunes City Council Meeting
October 13, 1983

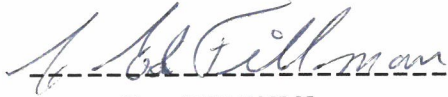
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MAYOR PETERSDORF



SECRETARY K. BACON




E. FILLMAN



N. JOHNSON



B. PITTS



D. BROWN



P. TOUT



E. PASSENGER

DUNES CITY COUNCIL

REGULAR MEETING
NOVEMBER 10, 1983
AGENDA

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF OCTOBER 13, 1983
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF THE SESSION
- V. CITIZEN INPUT ON UNSCHEDULED ITEMS
 - A. Gary Darnelle Re. Ordinance Compilation
- VI. ANNOUNCEMENTS AND CORRESPONDENCE
 - A. State Speed Control Board
 - B. ORS 190 Agreement
 - C. PERS Letters
 - D. Letter from I.P. regarding lowering Tahkenitch Lake
- VII. REPORTS
 - A. Reports on League Resolution Material
 - 1. Water - Nancy Johnson
 - 2. Energy - Phil Tout
 - 3. Davis/Bacon - Attorney Gerber
 - 4. Cable TV - Bill Pitts
 - 5. Budget - Ed Fillman
 - 6. Roads - Evelyn Passenger
 - B. Report on 911 Meeting - Mayor
 - C. C.C.I. Meeting - Don Brown
 - D. Sign at Pacific and Highway 101 - Nancy Johnson
 - E. Road Report - Evelyn Passenger. Including installation of light on Laurel Street
- VIII. EXECUTIVE SESSION a)Litigation, b)Personnel, c)Negotiations
- IX. PUBLIC HEARING
 - A. Amendment to Ordinance #72 - First and second reading
 - B. Second reading of Ordinance #81
- X. UNFINISHED BUSINESS
 - A. Request of Ruth Wood to open portion of Salal.
 - B. Gerber memo on private roads.
 - C. Sales Tax Bill
- XI. NEW BUSINESS
 - A. Ordinance #50, page 11 - Amendment to read 4 feet for chain link
 - B. Merz-Davidson street dedication
 - C. Don Lemke - Little Woahink, first addition
 - D. Westlake Post Office
- XII. ADJOURNMENT

DUNES CITY COUNCIL MEETING

REGULAR MEETING

NOVEMBER 10, 1983

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 7:30 p.m. by Mayor Bob Petersdorf.

PRESENT: Attorney R. Gerber, B. Pitts, N. Johnson, E. Fillman, Mayor Petersdorf, D. Brown, P. Tout, E. Passenger, City Recorder Betty Stocking, and secretary K. Bacon. In the audience were Bob Merz, Tom Nicholson and Gary Darnelle. There were no members of the press.

II. APPROVAL OF THE MINUTES OF OCTOBER 13, 1983

ACTION Motion was made by E. Fillman and seconded by D. Brown to approve the minutes of October 13, with corrections. Motion carried.

III. BILLS AGAINST THE CITY

ACTION Motion was made by P. Tout and seconded by D. Brown to pay the bills against the City in the amount of \$2,255.70.

IV. RECEIPTS OF THE SESSION - \$4,425.85

There was a correction in the receipts for the session. The City had not received any money from 911 Emergency as had been typed in by the secretary.

V. CITIZEN INPUT ON UNSCHEDULED ITEMS

Mr. Gary Darnelle from L-COG was present to discuss with the City compiling the City's ordinances. He presented a bill to the City for printing 50 copies of the City's Land Subdivision Ordinances. The bill was for \$47.65. He presented the City Council with the estimated costs for compiling the City ordinances. The estimate is on file in the City office and is incorporated herein by reference.

ACTION A motion was made by E. Passenger and seconded by P. Tout to table discussion of the matter until the December City Council meeting. Mr. D. Brown voted naye. All others voted aye. Motion carried.

VI. ANNOUNCEMENTS AND CORRESPONDENCE

A. State Speed Control Board. B. Stocking read a letter from the State Speed Control Board regarding a change in the speed limit to 45 m.p.h. along a portion of Highway 101 within Dunes City limits. E. Passenger commented that they need to post signs at both ends of the new speed zone resuming the speed limit to 55 m.p.h.

- B. ORS 190 Agreement. R. Gerber explained the League of Oregon Cities' ORS 190 Agreement. The agreement formalizes in writing the relationship between the League and its member cities.
- C. PERS Letters. B. Stocking referred the City Council to the copies in their packets of the letters sent to legislators regarding the change in the tax laws.
- D. Letter from I. P. B. Stocking read a letter from International Paper regarding lowering the level of Tahkenitch Lake by November 1 to accomplish trestle inspection and repair by Southern Pacific Transportation Co. Siltcoos Lake will not be lowered this year.
- E. League of Oregon Cities Conference. Attorney Gerber urged any council members who could to attend the League of Oregon Cities meeting in Portland on Nov. 12 - 15. Attorney Gerber plans to attend.

VII. REPORTS

- A. Reports on League Resolution Material.
 - 1. Water. N. Johnson said the League had sent material showing comparison expenditures on sewer and water systems in cities of comparable size on the coast. However, she felt the material did not apply to Dunes City since the City is unique in not levying taxes. The systems listed by the League cost considerable amounts of money.
 - 2. Energy. P. Tout read the information on energy he had received from the League. He discussed the need to begin work on implementing the building code changes to comply with the recommendations made by the Northwest Power Council.
 - 3. Davis/Bacon Act. Attorney Gerber reported that the Mayor of Rogue River is embarking on a crusade to repeal the Davis/Bacon Act. The Davis/Bacon Act has to do with paying the prevailing wage for labor. The League of Oregon Cities is proposing to the Legislature to repeal the Act. In August of 1982, the City Council voted to join the League in its attempt to repeal the Act. Attorney Gerber asked the Council what direction they would like to take with regard to the matter.

ACTION

Motion was made by E. Passenger and seconded by D. Brown that the City Council go on record as continuing to be in favor of repealing the Davis/Bacon Act. Motion carried.

4. Cable TV. B. Pitts reported that the League opposes any congressional act to define national policy on cable unless it is designed to protect local interests as well as cable interests. They further oppose any proposed federal legislation which nullifies existing contracts or curtails broad city authority to grant, revoke and renew cable franchises.

ACTION

Motion was made by E. Fillman and seconded by P. Tout that the City Council go on record as being in agreement with the League of Oregon Cities' recommendation on cable tv resolution. Motion carried.

5. Roads. E. Passenger said the League of Oregon Cities has a resolution calling for an amendment to small cities' allotment for street improvement. The League and the State of Oregon now have an agreement and there is an Oregon bill that provides for \$250,000 to be set aside by the Department of Transportation as an allocation to cities to upgrade their streets. Cities with populations under 5,000 are eligible to compete for these funds -- not to exceed \$25,000 per project. The League will form a task force during the legislative interim to study the S.C.A. allotments and make recommendations on whether it can be improved.

ACTION

A motion was made by E. Passenger and seconded by D. Brown to go on record as being in agreement with the League in this matter. Motion carried.

- B. 911 Meeting. D. Brown reported on the meeting he attended. There is a 1991 deadline for using the emergency 911 number nationwide. At the meeting, the group discussed funds. The funds are collected through the telephone charges the ~~City~~ pays. The money collected in the Florence-Dunes City area is being administered under the direction of the City of Florence. Fifty per cent of the money collected is being held in reserve and is collecting interest. The other fifty per cent is being used to pay expenses. They distributed by-laws at the meeting. D. Brown said he was told that Dunes City will not have a vote on the committee. B. Stocking was asked by the Mayor to get out the 911 Agreement. Meetings will be held monthly and the next 911 meeting will be Monday, December 5 at 4 p.m. at Florence City Hall.

insert: citizen
corrected at
12-8-83 meeting

- C. C.C.I. Meeting. D. Brown presented to the City Council a draft ordinance on restricting recreational vehicles as dwellings within Dunes City with the recommendation from the C.C.I. that the City Council could file the ordinance for future use, throw it away, or work on it and enact it.

He also reported on the work the group had done on the Soil Erosion and Vegetation Ordinance. The C.C.I. had drafted a letter as a recommendation to the City Council that it might be sent to contractors, nurserymen and others involved in earth removal work regarding the need to apply for permits within Dunes City.

E. Passenger said she and Road Chairman Ira Mann feel that a notice could be published in the paper saying that any contractors or individuals who plan to do any work within Dunes City need to check at the Dunes City office for permits and copies of related ordinances. B. Stocking was directed to re-type the letter and add other information the Council had been discussing, and have copies in the December Council packets.

E. Passenger voiced her objection to the draft ordinance on restricting recreational vehicles. Mr. Merz also voiced his objection.

There was a poll of the Council on what they would like to do with the recreational vehicle ordinance. Five members voted to file the ordinance for future reference.

- D. Sign at Pacific and Highway 101. N. Johnson reported that the people who had helped Mr. Henderson install the sign at Pacific and Highway 101 said that it isn't practical to lift the poles out of the ground and raise the sign. She contacted the Dunes N.R.A. requesting permission to attach signs listing the services available in Westlake along the side of the sign. The Mayor and Council agreed that it would look tacky to attach the information to the side of sign rather than on the bottom as the sign was designed. However, after discussion, it seemed that it was the best solution now that the poles are installed. Councilman Tout pointed out that the sign was installed for the benefit of the Westlake area; and if the Westlake merchants are happy with it, then N. Johnson should go ahead with the sign committee negotiating to put the services on the side of the sign.

- E. Road Report. B. Stocking reported on the results of Mr. Doran's request from the October meeting to have a street light installed on Laurel Street. B. Stocking called P.U.D. and found that there was a transformer nearby so the light was installed on Laurel. E. Passenger gave the road report. The road chairman's report was in the City Council packets. Mr. Mann and E. Passenger had investigated a nuisance complaint about a Mr. Girard who rents property on Kendall Lane from Jack Garrison.

ACTION

A motion was made by D. Brown and seconded by E. Passenger to write a letter to Mr. Girard and send a carbon copy to Mr. Garrison saying that there is still a nuisance and that as soon as the City receives a written complaint it will begin abatement proceedings which will include assessing costs and attorney fees and that the City would like a reply by the December 8 City Council meeting. Motion carried.

B. Stocking was asked to check with the County to see if they can give a list of all the roads given to Dunes City in 1963 and to specifically ask for the record of R-30-53D #19975 which refers to the dedication of Salal Road to the public in 1953 by Mr. and Mrs. Peterson. The Council wondered if that was a county road or whether it had been given to Dunes City since Mrs. Ruth Wood is requesting permission to finish opening the road to her property.

ACTION

A motion was made by D. Brown and seconded by N. Johnson that the City take no action on the request of Mrs. Ruth Wood to extend Salal to her property until she complies with the City Council request for additional information. The Council would also like her to be present to answer questions when it comes on the agenda again. The motion was amended to state that the City would like her to make a loop out of the road rather than making a dead end at her property. Motion carried.

Kiechle Arm Road. E. Passenger referred to the matter of Kiechle Arm Road that was on the October agenda. E. Passenger was unable to contact the Hugh Millers. D. Brown said he would contact the neighbors the next time he is down there.

Attorney Gerber had written a memo regarding the problems D. Brown had encountered on Kiechle Arm Road when he had to fight a fire there and the addresses and street signs had been taken down. In the memo, Gerber had recommended that the City draft an ordinance in which as part of its police powers the City could require that multiple residences serviced by one access road be identified by street addresses or occupants' name. After considering it further, Mr. Gerber decided it wouldn't be a good idea and the matter died.

VIII. PUBLIC HEARINGS

The Mayor opened the public hearing on Ordinance #72 at 10:10 p.m. on the first and second reading of an ordinance amending Ordinance #72. There was no public comment and the public hearing was closed at 10:11 p.m.

ACTION A motion was made by E. Passenger and seconded by D. Brown to have the first reading of an ordinance amending Ordinance #72. Motion carried and Attorney Gerber read the ordinance in full.

ACTION A motion was made by E. Fillman and seconded by N. Johnson to accept the first reading of an ordinance amending Ordinance #72. Motion carried.

ACTION A motion was made by E. Passenger and seconded by D. Brown to have the second reading of an ordinance amending Ordinance #72 by short title only. Motion carried and Attorney Gerber gave the second reading of an ordinance amending Ordinance #72 by short title only.

"AN ORDINANCE AMENDING ORDINANCE NO. 72 REGULATING THE USE OF CITY STREETS BY HEAVY EQUIPMENT AND LUG VEHICLES, REPAIR OF CONSTRUCTION AND LOGGING EQUIPMENT ON PUBLIC STREETS, REQUIRING PERMITS TO PERFORM EXCAVATIONS WITHIN CITY RIGHT-OF-WAYS."

ACTION A motion was made by P. Tout and seconded by E. Fillman to accept the ordinance amending Ordinance #72. Motion carried.

ACTION A motion was made by E. Passenger and seconded by N. Johnson declaring that an emergency exists and that the ordinance go into effect immediately. D. Brown voted naye; all others voted aye. Motion carried.

There was a discussion of whether an emergency could be declared without an unanimous vote. It was decided that it was a moot point since the possibility of a violation occurring within 30 days when the ordinance would normally go into effect was slight.

The Mayor opened the public hearing on the second reading of Ordinance #81 at 10:22 p.m. Attorney Gerber had a new paragraph to add to Ordinance #81. Gerber explained to Mr. Nicholson in the audience the intent of Ordinance #81. The public hearing was closed at 10:30 p.m.

Mr. Gerber read into the record the following additional paragraph:

"In the event transfers of land occur between adjacent parcels, in compliance with this section, such transfers shall not cause said lots involved in the transfer to become nonconforming lots."

ACTION

A motion was made by D. Brown and seconded by P. Tout to insert the new language into Ordinance #81 and to table the ordinance until the December meeting at which time there would be the first and second reading of Ordinance #81.

AYE: N. Johnson, Mayor Petersdorf, D. Brown, P. Tout

NAYE: B. Pitts, E. Passenger, E. Fillman

Motion carried.

IX. UNFINISHED BUSINESS

A. Sales Tax Bill.

ACTION

A motion was made by E. Passenger and seconded by P. Tout to have a public hearing on the sales tax bill at the December meeting. Motion carried.

The Mayor and E. Passenger disapprove of the way the legislature pushed the sales tax bill onto the municipalities and taxing districts to approve for a place on the ballot.

X. NEW BUSINESS

A. Ordinance #50. Mayor Petersdorf asked that the change in Ordinance #50 be tabled until the December 8 City Council meeting. N. Johnson will check to see if it is still possible to buy 3½-foot chain link fence.

B. Merz-Davidson Street Deed. The City has received a deed from Don Lee Davidson deeding a portion of his property for Cloud Nine Road. Bob Merz was at the meeting to say that he has the legal description of his portion of the road now and will get the deed in to Attorney Gerber and it will be recorded by Lane County.

C. Little Woahink. Don Lemke asked that the matter of Little Woahink be tabled until the December City Council meeting to give him more time to have Eugene Wobbe do some work for him on the property.

- D. Property at the end of Spruce Street. The Mayor brought up the matter of lots #6900 and #7000 at the end of Spruce Street. He had been contacted by a realtor, and there was the possibility the lots might be sold if the potential buyer can get septic and water approval. The Mayor had a letter written in 1980 by former Mayor Shirley Merz saying that when someone decided to build upon that piece of property, if they did not have room for both their septic and to dig their own well because of Dunes City's well which is in the street in front of the lot, the City would agree to sell them water at a reasonable rate.

The City Council was not in favor of the City selling water because of the problems it would create. Attorney Gerber advised that it would be all right to let the property owner sink a well next to the City's well.

Ware (spelling corrected at 12-8-83 mtng.)

- E. Sheriff's Patrol. Sgt. ~~Weir~~ of the Lane County Sheriff's Department had contacted the Mayor about contracting with Dunes City and the Dunes N.R.A. about providing sheriff's patrols.

ACTION

A motion was made by P. Tout and seconded by D. Brown to adjourn. By a show of hands, there were 4 naye and 3 aye.

Motion did not pass.

ACTION

A motion was made by E. Passenger and seconded by N. Johnson to carry on new business. Motion carried.

- F. Westlake Post Office. There was a discussion of the Westlake Post Office. A site has not been chosen, but the Post Office Department wants to locate within the Westlake area.
- G. Florence Chamber of Commerce. The Florence Chamber of Commerce had sent a letter to the City asking if the City would like to submit an entry for the annual Christmas Parade. The City Council did not want to submit an entry.

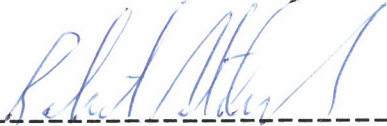
Mayor (corrected in 12-8-83 meeting)

- H. Boundary Commission. The City had written a strongly-worded letter of protest to the Boundary Commission with regard to the City's assessment. Attorney Gerber advised that the City not send the letter if they do not intend to pay because he felt the letter would provoke the Commission. He also advised that the Boundary Commission can bring suit against the City if it does not pay its assessment, and the Commission stands a good chance of winning in court. He suggested that the City urge other governmental units to boycott paying their assessments.

XI. ADJOURNMENT

ACTION

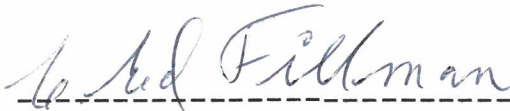
A motion was made by P. Tout and seconded by D. Brown to adjourn and the meeting was adjourned at 11:25 p.m.



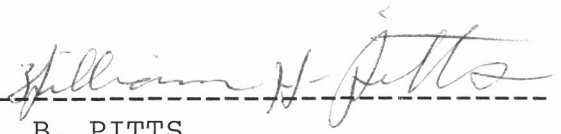
MAYOR PETERSDORF



SECRETARY



E. FILLMAN



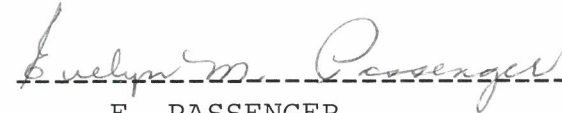
B. PITTS



N. JOHNSON



P. TOUT



E. PASSENGER



D. BROWN

DUNES CITY COUNCIL

REGULAR MEETING

DECEMBER 8, 1983

AGENDA

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF THE MINUTES OF NOVEMBER 10, 1983
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF SESSION
- V. PUBLIC HEARING
 - * A. FORMATION OF A LIBRARY DISTRICT
- VI. CITIZEN INPUT ON UNSCHEDULED ITEMS
- VII. ANNOUNCEMENTS AND CORRESPONDENCE
 - A. SYMPATHY CARD-JUDY SMITH
 - B. NEWS
 - * C. CENSUS
- VIII. REPORTS
 - A. 9-1-1 MAYOR PETERSDORF
 - B. LEAGUE OF OREGON CITIES CONFERENCE-ATTORNEY GERBER
 - ** C. ROAD REPORT, SMALL CITIES ALLOTMENT LETTER
- IX. PUBLIC HEARINGS
 - A. ORDINANCE 81, AMENDING ORDINANCE 50 RE: TRANSFER OF PROPERTY
 - B. RE: STATE SALES TAX
- X. EXECUTIVE SESSION a) Litigation, b) Personnel, c) Negotiations
- XI. UNFINISHED BUSINESS
 - A. ORDINANCE COMPILATION
 - B. NUISANCE COMPLAINT, ROBERTS VS GIRARD
 - * C. CCI LETTER
- XI. NEW BUSINESS
 - A. DON LEMKE
 - B. LIQUOR APPLICATION, WESTLAKE MARKET
 - C. HOUSE NUMBERING
- XII. ADJOURNMENT

DUNES CITY COUNCIL

REGULAR MEETING

DECEMBER 8, 1983

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 7:30 p.m. by Mayor Bob Petersdorf.

PRESENT: Attorney R. Gerber, E. Passenger, B. Pitts, E. Fillman, D. Brown, Mayor Petersdorf, N. Johnson, City Recorder B. Stocking and secretary K. Bacon. P. Tout entered the meeting at 7:50.

There were seven citizens in the audience including one representative of the press.

II. APPROVAL OF THE MINUTES OF NOVEMBER 10, 1983

ACTION Motion was made by D. Brown and seconded by E. Fillman to approve the minutes of the November 10, 1983, meeting with corrections. Motion carried.

III. BILLS AGAINST THE CITY

ON Motion was made by D. Brown and seconded by E. Passenger to pay the bills against the City in the amount of \$2,172.54. Motion carried.

IV. RECEIPTS OF THE SESSION - \$3,761.09

V. PUBLIC HEARING ON THE FORMATION OF A LIBRARY TAXING DISTRICT

The public hearing was opened at 7:40 p.m. Bill Bromley of the Florence Library Board was present with Florence Librarian, Michael Gaston. Bromley said that the Library Board had conducted a survey and had made a study of library use. It was their recommendation that a library district be formed. Gaston made a presentation showing that 48% of library users are outside the City of Florence boundaries. Out-of-town users are currently charged a user fee, but it was determined from the study that the fee is too low. Florence residents are paying more in taxes to support the library than the current user fee. Therefore, if the taxing district is not formed, there would have to be a "hefty increase" in the user fee. Gaston said it might be as much as \$28 for out-of-town users. This is the fee currently being charged in Eugene.

The boundaries for the library district would be the same as the Siuslaw Park and Recreation District and essentially the same as School District 97j's boundaries minus the timber land. The formation of the library district would have to be done by the Lane County Commissioners, but Gaston said the Dunes City residents would not be able to vote on funding the district unless the Dunes City Council voted in favor of the library district.

Gaston pointed out that Lane County Library funds collected within the city of Florence are rebated to the Florence Library, but funds collected within Dunes City and outlying areas are used to subsidize the Bookmobile which only makes a stop at Heceta Junction for a couple of hours every other Friday.

The public hearing was closed at 8 p.m. and opened to discussion from the Council.

ACTION Motion was made by P. Tout and seconded by D. Brown to endorse the formation of a library taxing district.

AYE: E. Passenger, B. Pitts, D. Brown, B. Petersdorf, N. Johnson,
P. Tout
NAYE: E. Fillman

Motion carried. Resolution 12-8-83 will be sent to the County Commissioners.

VI. CITIZEN INPUT ON UNSCHEDULED ITEMS

corrected 1/12/84

Kershner said A. Sheriff's Patrols. Lt. Howard Kershner of the Lane County Sheriff's Department was present to say that the sheriff's department would like to contract with Dunes City to provide patrols within the city. Because the City operates on a fiscal year, the period of the first contract would be January 1 to June 30, 1984. The second contract would be July 1, 1984, to June 30, 1985. He had been told that Dunes City has \$5,000 available for police protection. Based on that figure, he estimated that they could provide 269 hours of patrols at \$18.61 an hour. There are two deputies available to make the patrols. The Mayor asked if it would be possible to enforce Dunes City ordinances as well as make patrols. Kershner said yes it would.

ACTION A motion was made by E. Passenger and seconded by E. Fillman to accept Kershner's concept to enter a contract. A final decision will be made when the City receives a copy of the contract to inspect. Motion carried.

The matter of the contract will be on the January agenda unless the Council calls a special meeting to consider it sooner.

B. Planning Commission. J. Smith, Planning Commission Chairman, announced that commissioner Kevin McMullen has moved from Dunes City and needs to be replaced on the Planning Commission. B. Stocking was instructed to begin advertising for a new Planning Commission member.

- C. Fire Department. Siuslaw Rural Fire Department, Station #2 in Dunes City, is still looking for new recruits, according to Don Brown
- D. Westlake Market. Mrs. Patti Carroll of the Westlake Market was unable to attend the City Council meeting and asked Councilman D. Brown to ask the Council if it would object or consider endorsing the market to begin dispensing gasoline. The market needs authorization from the Oregon Liquor Control Commission.

The City Council heartily endorsed the market's request to dispense gasoline. B. Stocking was asked to write a letter addressed To Whom It May Concern indicating the City's favorable response to the request.

The Mayor told the Council that Mrs. Carroll had talked to him about the three trailer spaces she has at the market. B. Stocking said the building inspector had told her that trailers would be illegal in that area. Attorney Gerber advised that if Mrs. Carroll complies with pages 20 - 24 of the Dunes City Zoning Ordinance, she may have a mobile home park. Otherwise, she needs to apply for a Variance. B. Stocking was asked to make reference to those pages in a letter to the Carrolls. Attorney Gerber also asked City Council members to read pages 63-66 of the Zoning Ordinance with regard to non-conforming uses.

- E. Ham Radio Group. D. Brown requested the use of the Dunes City Community Building on behalf of the Oregon Coast Emergency Repeaters Association. The group is a non-profit ham radio group that uses its funds to provide a source of communication. They would like to hold bingo games in the building once or twice a month. Some members of the group are Dunes City residents.

ACTION A motion was made by P. Tout and seconded by E. Fillman to waive the usual \$10 rental fee charged non-profit organizations as long as the hall is left clean. If it is not, they will be charged \$10. Motion carried.

VII. ANNOUNCEMENTS AND CORRESPONDENCE

- A. B. Stocking read highlights from several letters from Lane County. There are two vacancies on the Lane County Roads Advisory Committee. They need 21 members for a Joint Social Service Fund Advisory Committee. The Fifth Annual Christmas Day dinner for senior citizens will be held at 1 p.m. at Valley River Inn on Christmas Day, and Lane County needs to know by December 12 if anyone plans to go. Lane County employees will be holding a bazaar on December 12 and 13. Proceeds will go to the Salvation Army.

- B. Nuisance Complaint. B. Stocking read a letter of complaint from Diane Diffenderfer to Mr. and Mrs. Lincoln Raynes asking that they top or remove some trees that Mrs. Diffenderfer considers dangerous. Attorney Gerber advised that Dunes City send a letter to the Raynes advising them that the City has received a letter of complaint, and that the item will be on the January agenda for consideration as a nuisance abatement. It was suggested that since the Raynes are living in Provo, Utah, some distance from Dunes City, B. Stocking include in the letter the names of some people they could choose from for doing the work. T. Nicholson, Mrs. Diffenderfer's attorney, will come to the January meeting to give a progress report. D. Brown requested that the City Council be notified in time for a site review before the January meeting if the item is going to be on the agenda.
- C. Census. B. Stocking read a preliminary population estimate from the Center for Population Research and Census in Portland. It indicated Dunes City had gained 9 residents since the 1980 census.
- D. Letter from Lane County Surveyor's Office. B. Stocking read a letter indicating a change in Oregon revised statutes regarding checking of and recording condominiums. Lane County was asking if Dunes City wanted its city surveyor to do the work or have it done by the Lane County surveyor. B. Stocking will ask Emile Mortier, the building inspector, if he or a member of his staff is qualified to do the work. B. Stocking will then write a letter to the Lane County surveyor. If mort can do the work, the Council wants him to do it. Otherwise, they want the county surveyor to do the work.

VIII. REPORTS

- A. 911 Meeting. Mayor Petersdorf reported that after checking the 911 agreement, it was found that the Dunes City mayor does have a vote on the committee. The committee itself will decide how the funds collected are spent. The committee used some of the funds to buy one machine and lease a recorder for recording phone calls. They hope to be able to buy the leased recorder with some of next year's funds.
- B. League of Oregon Cities Conference. Attorney Gerber attended the meeting and reported. He said one of the topics of interest to Dunes City was L.C.D.C. He said LCDC expects

cities to have all plans accepted and approved by the end of 1984. There was a lot of discussion at the conference among members of cities and counties that LCDC's regulations are causing economic problems for them. However, LCDC does not agree. Gerber said he felt that what was going to be happening with LCDC over the next year would probably have very little impact on Dunes City. At the session to vote on the tax initiative, Gerber voted to refer it to the voters. He felt that was the Council's wishes from the November City Council meeting.

- C. Roads. E. Passenger reported on a reply from the Department of Transportation regarding the Small Cities Allotment program. Dunes City's request for funds to work on Wright Road was denied. The Department considered it a low priority compared to other cities who had also applied for the funds.
- D. Cable TV. B. Pitts reported that what McCaw Cablevision will be bringing to Dunes City residents isn't exactly what was negotiated. Modern Satellite Network is approaching bankruptcy, and it is only broadcasting three hours a day. McCaw is going to fill in the other 21 hours a day with C-Span which was a channel the negotiators did not want. Gerber advised that the matter not be discussed in open meeting since the matter is going to mean, in effect, re-negotiating a part of the contract.

ACTION

- E. Passenger made a motion and D. Brown seconded it to table the issue until the January regular meeting or until a special meeting to discuss the sheriff's contract. Motion carried. B. Pitts was asked to prepare a presentation for that meeting.
- E. Road Monies. B. Pitts said that in the past week he had been contacted by a resident who lives on Cloud Nine Road. The resident had heard that the road was going to be coming into the City jurisdiction. He said that if the City would do the ditching, put in culverts and gravel, he would be glad to pay \$500. And if the City would pave the road, he would be glad to pay \$1,500. Pitts then distributed copies of a sample letter he had composed to be sent to property owners within Dunes City after their streets were paved. He wanted council members to have a chance to read it and discuss it with their neighbors before discussing it at the January Council meeting.

IX. PUBLIC HEARING

- A. Ordinance #81. The public hearing was opened at 9:35 p.m. There was no public comment on Ordinance #81 and the public hearing was closed at 9:36 p.m.

ACTION A motion was made by D. Brown and seconded by P. Tout to have the first reading of Ordinance #81 amending Ordinance #50 by short title only. Motion carried. Attorney Gerber read the ordinance by short title.

"AN AMENDMENT TO ORDINANCE NO. 50, DUNES CITY ZONING ORDINANCE, MAKING SUBSTITUTE CHANGES IN ORDINANCE 50, TO PERMIT, UNDER CONTROLLED CIRCUMSTANCES, THE TRANSFER OF PROPERTY BETWEEN ADJACENT PARCELS."

ACTION A motion was made by E. Fillman and seconded by B. Pitts to accept the first reading of Ordinance #81. There was a roll call vote and all members voted aye. Motion carried.

ACTION A motion was made by D. Brown and seconded by B. Pitts to have the second reading of Ordinance #81 in full. Gerber read the ordinance in full and summarized by short title only.

ACTION A motion was made by E. Fillman and seconded by D. Brown to accept the second reading of Ordinance #81. There was a roll call vote, and all members voted aye. Motion carried.

- B. Sales Tax. The public hearing on the sales tax initiative was opened at 9:40 p.m. There was no public comment, and the public hearing was closed at 9:41 p.m. and opened to Council discussion. E. Passenger stated that she felt the voters should have a chance to vote on it; and she thinks the Legislature did a shoddy job shoving it off on cities, counties and school districts to put it on the ballot.

ACTION A motion was made by D. Brown and seconded by E. Passenger to refer the sales tax issue to the voters.

AYE: D. Brown, E. Passenger

NAYE: B. Pitts, E. Fillman, P. Tout, B. Petersdorf

Motion failed.

X. UNFINISHED BUSINESS

- A. Ordinance Compilation. B. Stocking was asked to check with Gary Darnelle of L-COG and see if the compilation would be hardbound or loose leaf or post binder so that future ordinances could be added. P. Tout asked that in the same letter Mrs. Stocking ask when Les Tumidaj will be able to come over and talk with Planning Commission about setting up dates to work with them.
- B. Nuisance Complaint. Mr. Girard had assured Mr. Jack Garrison that the nuisance mentioned in the November City Council meeting would be taken care of, and E. Passenger reported that it had been.
- C. C.C.I. D. Brown referred City Council to a sample letter in their packets with regard to soil erosion. He was instructed by the Mayor to get together with B. Stocking to draft a press release around the sample letter to make citizens aware that there are ordinances governing soil and vegetation removal, etc. The Mayor asked City Council members to check their copies of the Comprehensive Plan and consider before the January meeting whether they want to change 15 feet to 25 feet in the restriction regarding removal of vegetation adjoining the described high water mark.

corrected
1/12/84
Mayor said the
nuisance had
been taken
care of.

XI. NEW BUSINESS

- A. Don Lemke. Eugene Wobbe said he had not been contacted by Mr. Lemke to do any survey work for him. Mr. Lemke had indicated before the November meeting that he wanted a delay until the December meeting so that Mr. Wobbe could do some work for him. The Council just let the matter die.
- B. Westlake Market. The new market owners were requesting City approval for transfer of the liquor license from previous owners.

ACTION

A motion was made by E. Passenger and seconded by E. Fillman to approve the liquor application for Westlake Market. Motion carried.

- C. Little Woahink. Attorney Gerber was instructed to write a resolution accepting the streets in Little Woahink.

- D. House Numbers. E. Passenger asked that Dunes City consider passing an ordinance requiring that houses be numbered and have a post by the drive or access road with the house numbers in that area on it. There were copies given to council members of the Florence ordinance regarding the same thing. Attorney Gerber pointed out that an ordinance for Dunes City would have to be different from Florence's ordinance since so many houses in Dunes City sit quite a ways back from the road. The Mayor requested Attorney Gerber to come up with a draft ordinance by the January meeting.
- E. Neighborhood Watch. B. Pitts announced that the Neighborhood Watch meetings are being changed to the third Monday of the month.

XII. ADJOURNMENT

The meeting was adjourned at 10:30 p.m.



MAYOR PETERSDORF

K. Bacon

SECRETARY K. BACON



E. FILLMAN



B. PITTS



E. PASSENGER



P. TOUT



N. JOHNSON



D. BROWN