

DUNES CITY COUNCIL

REGULAR MEETING
JANUARY 10, 1985

AGENDA

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF DECEMBER 13, 1984
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF THE SESSION
- V. CITIZEN INPUT ON UNSCHEDULED ITEMS
- VI. ANNOUNCEMENTS AND CORRESPONDENCE
- VII. REPORTS
 - A. Police
 - B. Neighborhood Watch
 - C. Fire
 - D. Parks
 - E. Energy
 - F. Attorney Gerber - Report on James Banks
 - G. Roads
- VIII. EXECUTIVE SESSION a) Litigation, b) Personnel, c) Negotiations
- IX. AL MILLER - Soil Erosion Violation Abatement
- X. AWARDS
- XI. NEW COUNCIL SWORN IN
Recess
- XII. PUBLIC HEARING - First Reading of Business License Ordinance
- XIII. NEW BUSINESS
- XIV. ADJOURNMENT

***NOTE: Be sure and read the proposed business license ordinance that is in your packet to familiarize yourself with it for the first reading.

We are enclosing the last page with the signatures for the ordinances that were passed last month. You may add this page to the copies of the ordinances that you already have.

DUNES CITY COUNCIL

REGULAR MEETING
JANUARY 10, 1985

I. CALL TO ORDER AND ROLL CALL

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

PRESENT: E. Fillman, B. Pitts, N. Johnson, Mayor Petersdorf, D. Brown, P. Tout, E. Passenger, Attorney Ron Gerber, City Recorder B. Stocking and secretary K. Bacon. There was one member of the press present and 30 students and citizens in the audience.

II. APPROVAL OF MINUTES OF DECEMBER 13, 1984

ACTION

A motion was made by D. Brown and seconded by E. Fillman to approve the minutes of the December 13, 1984, meeting with corrections. Motion carried.

III. BILLS AGAINST THE CITY

ACTION

A motion was made by E. Passenger and seconded by D. Brown to pay the bills against the City in the amount of \$5,652.27. Motion carried.

IV. RECEIPTS OF THE SESSION - \$6,019.72

V. CITIZEN INPUT ON UNSCHEDULED ITEMS

A. McCaw Cablevision. Mr. Carroll Lockhart told the outgoing city council that McCaw has received the federal permits necessary to switch on the microwave relay station. McCaw is going to have an open house from 10 a.m. to 2 p.m. Saturday, January 12, at McCaw's new offices and turn on the switch to begin the microwave. This should correct the problems with Channel 12.

VI. ANNOUNCEMENTS AND CORRESPONDENCE

A. Lane County. B. Stocking announced that there will be a public hearing in Florence January 14 at 7 p.m. with the Lane County Commissioners to consider the closure of beaches to motorized vehicles.

B. Letter from Wallace B. Johnson. Mr. Gerber presented the city council with a letter from Mr. Wallace Johnson declaring that he would serve in Position #1 and declining to serve in Position #3, to which he was also elected.

- C. Designated Agent. Attorney Gerber had received a letter from the Secretary of State saying that the City no longer needs to designate a registered agent with the office of the Secretary of State.
- D. State Highway Division. D. Brown said he had received a request from the State Highway Division for an update of road improvements during the past year. He and B. Stocking will submit that requested information.
- E. Public Hearing on Beach Closures. E. Passenger encouraged those who were in the audience to attend the public hearing on January 14 on the closure of the beaches to motorized vehicles.

VII. REPORTS

- A. Neighborhood Watch. E. Fillman announced that Neighborhood Watch would be having a meeting at 7:30 Monday, January 14.
- B. Parks. N. Johnson gave a report on the request for a park bench for Petersdorf City Park and Byrd Memorial Park. N. Johnson reported that it was felt a cast iron bench would be better than a wooden bench which would be easy to remove. A cast iron bench would be approximately \$130, Mrs. Johnson said. Mrs. Barbara Brown, in the audience, said that cast iron breaks easily if it is hit with a sharp blow. She suggested concrete benches with wooden slats. The Park Commission will look into the possibilities further.
- C. Energy. P. Tout suggested that there may be an error in Ordinance #91 concerning solar access permits. On the signature page, he questioned if the word "photograph" should be "graph" in the definition of a sunchart. B. Stocking was asked to call L-COG and advise them of the possible error.
- F. James Banks. Attorney Gerber told the group that the formal resolution the city council had passed at its December 13 meeting had been sent to the Lane County Department of Deeds and Records declaring Mr. Banks' lot as unbuildable.

VIII. AL MILLER - SOIL EROSION VIOLATION

Mrs. Anna Miller was present in the audience.

ACTION

A motion was made by P. Tout and seconded by N. Johnson to table discussion of the abatement for another month until the February city council meeting. The Millers were given a copy of Mr. Mortier's comments on their proposed development for the south side of their property. Attorney Gerber recommended that the Millers not proceed further until the matter comes before the city council. Motion to table discussion carried.

IX. AWARDS

Mayor Petersdorf presented awards to city council persons and staff and administered the Oath of Office to Mayor-elect James Baumeister.

X. OATH OF OFFICE

B. Stocking administered the Oath of Office to Wallace B. Johnson and Wells B. Smith.

After he had assumed his seat as mayor, J. Baumeister suggested the name of Darryl Eastman to fill Position #3 on the city council.

ACTION A motion was made by D. Brown and seconded by W. Smith to approve the name of Darryl Eastman to fill Position #3. Motion carried. Mrs. Stocking administered the Oath of Office to Mr. Eastman.

ACTION A motion was made by N. Johnson and seconded by D. Brown to nominate and elect B. Pitts as council president. Motion carried.

Mayor Baumeister pointed out that there are still two vacancies on the Planning Commission. Mrs. Julie Olson had been suggested to fill one of the vacancies. Mrs. Olson had agreed in a phone conversation with Mrs. Stocking to accept the position if appointed.

ACTION A motion was made by D. Brown and seconded by N. Johnson to appoint Julie Camera Olson to the Planning Commission. Motion carried.

XI. PUBLIC HEARING - Business License Ordinance

ACTION A motion was made by W. Smith and seconded by D. Brown to table the first reading of the business license ordinance until the February city council meeting. Motion carried.

VII. REPORTS - continued

G. Roads. D. Brown reminded the council that it had tabled discussion of repairs for Buckskin Bob and Parkway Road until the January meeting. D. Brown had applied cold patches to some of the holes. They seemed to be holding, but he recommended tabling a decision on major repairs for another month to see how the patches would hold.

ACTION A motion was made by B. Pitts and seconded by D. Brown to table a decision on Buckskin Bob and Parkway until the February 14 meeting. Motion carried.

D. Brown asked the city council to consider what projects

the City would have for a person who is working off an "obligation to society for criminal misconduct".

J. Baumeister requested a work session prior to the February 14 meeting to discuss the goals and aims of the city council. The meeting was scheduled for February 6 at 7:30 p.m.

Mayor Baumeister agreed to Mr. Gerber's offer to summarize for the audience the purpose of the proposed business license. He pointed out that the fees would not be excessive, and the purpose of the license would be regulatory rather than to raise revenue. Those in the audience were told that there would be copies of the proposed license ordinance available in the City office.

XII. ADJOURNMENT

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

James E. Baumeister
MAYOR BAUMEISTER

K. Bacon
SECRETARY K. BACON

Bill Pitts
B. PITTS

Nancy L. M. Johnson
N. JOHNSON

Wally Johnson
W. JOHNSON

sickness in the family caused Mr. Smith to leave the council. He be unavailable to sign
W. SMITH

David R. Eastman
D. EASTMAN

Donald M. Brown
D. BROWN

DUNES CITY COUNCIL

REGULAR MEETING
February 14, 1985

A G E N D A

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF MINUTES OF JANUARY 10, 1985
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF THE SESSION
- V. CITIZEN INPUT ON UNSCHEDULED ITEMS
- VI. ANNOUNCEMENTS AND CORRESPONDENCE
 - A. Governor's Corporate Executive Award
 - B. Lane County Board Agenda
 - C. L-COG Open House
 - D. NEWS
 - E. Minutes of OCZMA Meeting
 - F. Special City Allotment
 - G. Beach Closures
 - H. LCDC Vacancy
 - I. League of Oregon Cities Workshop
- VII. REPORTS
 - A. Police
 - B. Neighborhood Watch
 - C. Fire
 - D. Parks
 - E. Energy
 - F. Roads
 - G. Attorney Gerber
- VIII. PUBLIC HEARING
 - A. First Reading of Business License
- IX. EXECUTIVE SESSION a) Litigation, b) Personnel, c) Negotiations
- X. UNFINISHED BUSINESS
 - A. Al Miller Abatement
 - B. Ordinance Compilation
- XI. NEW BUSINESS
 - A. Gary Foglio Conditional Use Permit - Review of permit
 - B. Gregor Audit
 - C. L-COG Dues
 - D. Resolution regarding Registered Agent
 - E. Appoint New Planning Commissioner
 - F. Rick Hamilton - Bass Classic
 - G. LCDC Comprehensive Plan Review - November, 1985

DUNES CITY COUNCIL

REGULAR MEETING
February 14, 1985

I. CALL TO ORDER AND ROLL CALL

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

PRESENT: N. Johnson, D. Eastman, B. Pitts, Mayor Baumeister, D. Brown, W. Johnson, Attorney Ron Gerber, City Recorder B. Stocking and secretary K. Bacon. W. Smith was excused. There were 20 citizens and one member of the press in the audience.

II. APPROVAL OF MINUTES OF JANUARY 10, 1985

ACTION A motion was made by B. Pitts and seconded by D. Eastman to approve the minutes of the January 10 meeting. Motion carried.

III. BILLS AGAINST THE CITY

ACTION A motion was made by D. Brown and seconded by N. Johnson to pay the bills against the City in the amount of \$3,398.17. Motion carried.

IV. RECEIPTS OF SESSION - \$8,168.78

V. CITIZEN INPUT ON UNSCHEDULED ITEMS

There was no citizen input on unscheduled items.

VI. ANNOUNCEMENTS AND CORRESPONDENCE

- A. Governor's Corporate Excellence Award. Dunes City had received a letter from the Governor's office in December requesting nominations for the Excellence Award competition. Dunes City had recommended Oregon Coast Magazine. The Governor's office had written to announce the winners and to thank Dunes City for its nomination. Oregon Coast Magazine had not won an award, but the Governor was sending them a certificate of appreciation.
- B. LCOG Open House. LCOG will be holding an Open House Thursday, February 21, at 7:30 p.m. in the Jury Assembly Room of the County Public Service Building in Eugene.

- C. Beach Closures. City had received a letter from County Commissioner Peter DeFazio concerning beach closures. The letter is on file in the City office.
- D. League of Oregon Cities Workshop. The League of Oregon Cities will be holding a workshop for newly-elected officials March 2 in Albany. B. Stocking requested that anyone who wants to attend let her know.

VII. REPORTS

- A. Parks. N. Johnson said she had looked at the benches on the RhodoDunes Golf Course, and she felt the City could probably build two of them for the amount of money returned to the City by Scout Larry Johnson after he had finished his Eagle project creating signs for two Dunes City parks. She asked that city council members try to stop by the golf course to look at the benches. N. Johnson also mentioned that Larry Johnson's Eagle Scout Court of Honor will be March 22 at the Elks Lodge.

VIII. PUBLIC HEARING - Business License Ordinance

The mayor opened the public hearing on the first reading of the business license ordinance at 7:43 p.m. He asked for public testimony for and against the ordinance. Attorney Gerber briefed the audience about the proposed license ordinance. He pointed out that the need for the business license is a result of Measure #51 being approved by the voters. The city council has two steps to establish business licenses in Dunes City.

- 1. Pass the ordinance authorizing business licenses.
- 2. Pass a resolution to impose the license fee or fees.

There were no members of the audience in favor of the business license. Those in the audience who voiced opposition to the business license were: Mr. and Mrs. Charles Doran, Jim Fish, Joe Morris, Virginia Camery and Patty Carroll.

They felt there was no need to establish business licenses since contractors are licensed and bonded by the state, and the Westlake businesses also are licensed by state and county.

D. Eastman stressed to the audience that the public had voted to have licenses when it approved Measure #51, and the City had no choice but to enact them.

There was considerable discussion that business license would not deter problems with some businesses as expressed by the City.

The public hearing was closed at 8:05 p.m.

ACTION A motion was made by D. Brown and seconded by W. Johnson to have the first reading of the business license ordinance. All present voted aye. There were no nays. Motion carried.

Attorney Gerber read the ordinance by short title.

"This Ordinance is enacted, except as otherwise specified, to provide revenue for municipal purposes and to provide for the health, safety, and welfare of the citizens of Dunes City through regulation of businesses, occupations and trade."

ACTION A motion was made by D. Brown and seconded by B. Pitts to accept the first reading.

AYE: D. Eastman, N. Johnson, B. Pitts, Mayor Baumeister,
D. Brown, W. Johnson.

NAYE: None

Motion carried.

Street Light at Highway 101 and Pacific. During the public hearing, Mr. Jim Fish had mentioned that he would like a brighter light at the intersection of Highway 101 and Pacific. He felt that with the curve in the highway near the intersection and the slow-moving RVs that are pulling onto the road at that intersection the light should be brighter for safety.

ACTION A motion was made by D. Brown and seconded by N. Johnson to ask Central Lincoln P.U.D. to survey about installing an adequate light at the intersection of Highway 101 and Pacific. Motion carried.

IX. UNFINISHED BUSINESS

- A. Al Miller Abatement. Eugene Wobbe, the engineer representing Mr. Miller, pointed out on a re-drawn set of plans that Mr. Miller and Mr. Doland had remeasured from the centerline of Highway 101 to the edge of Woahink Lake. Mr. Wobbe checked and verified that their measurements were correct. The new measurements show that there is more property between Highway 101 and the edge of the lake. Mr. Wobbe pointed out the proposed changes to the parking to the north, the location of the septic system and the proposed development by Mr. Doland to the south of Mr. Miller's gallery.

Floyd Doland said that he would like to put in a concrete pad and five parking spaces (one of which would be for handicapped). He said Boy Scout Troop #217 will do the planting with rhododendrons, huckleberry and native plants with grass in between. The Seaplane Rides sign will be the same as the one he has used before. He plans to find a portable office he can move onto the property and tie down during the season.

Mayor Baumeister asked Mr. Miller about the bulkhead indicated on his plans. Eugene Wobbe said the bulkhead would be against the bank or a "couple of feet out from the bank". Mr. Miller said the bulkhead would be built from cedar but not pressure-treated cedar to avoid lake contamination, and he estimated the life of the bulkhead would probably be about 20 years.

Mr. Wobbe had sent a letter to the City addressing the points of the abatement procedure. That letter is on file in the City office in Mr. Miller's Variance file. Mr. Wobbe said he would like to amend Item #2 in his letter to include a driveway and 5 parking spaces. And in Item #5 the proposed parking will not be over the drainfield. The location of the drainfield has been found to be nearer the Highway than originally shown.

Mr. Miller has removed the debris he pushed into the lake.

Mr. Wobbe also pointed out changes that had been made in the parking to the north from the original outlined by Joe Young and the bulkhead on the lake. Mayor Baumeister assured Mr. Wobbe that the city council will consider only the plans that were submitted at this meeting.

Attorney Gerber recommended requiring Mr. Miller to put curbing or a barrier on the north and west sides of the parking lot to the south of his building to protect the drainfield.

Mayor Baumeister said the city council would need to have proof of the county sanitarian's approval of the septic system.

ACTION

A motion was made by D. Brown and seconded by N. Johnson to approve the north parking lot changes, bumper strip around the parking lot to the south and proposed south parking lot. Mr. Miller still needs to get his vegetation removal permit and his county sanitarian septic approval and revegetate the area south of his building. Motion carried.

- B. Ordinance Compilation. D. Brown suggested a letter be written to Garey Butler concerning the ordinance compilation to let them know the city council was in receipt of the

ordinance review and because of new changes on the city council, the council would like more time to consider it. The ordinance compilation will be discussed at the March city council meeting.

X. NEW BUSINESS

- A. Gary Foglio - Conditional Use Permit Review. Mr. Gerber reviewed the conditional use permit granted two years ago to Gary Foglio for new council members. Mr. Foglio said that he and his wife have been unable to sell their present house and have not moved to the property for which they received the conditional use permit. He does not have horses on the property.

ACTION A motion was made by D. Brown and seconded by N. Johnson to renew his conditional use permit and consider it in another two years to give Mr. Foglio time to sell his house and move to the property. Motion carried.

- B. Gregor Audit. The City had received a letter from Gregor Professional Corporation requesting the opportunity to do the City's audit for the fiscal year ending June 30, 1985. There was a discussion of their fee and the budgeted amount.

ACTION A motion was made by D. Brown and seconded by D. Eastman to table answering the Gregor letter until March to give the city council a chance to look at the audit and compare it to the budget. Motion carried.

Betty Stocking and the mayor will search for comparative figures from other CPA firms.

- C. Boundary Commission Dues.

ACTION A motion was made by N. Johnson and seconded by D. Brown to pay the 1981 to 1984 amounts due to the Lane County Boundary Commission. Motion carried.

ACTION A motion was made by D. Brown and seconded by D. Eastman to have the mayor or city attorney contact Steve Gordon or Paula Taylor of the Lane County Boundary Commission and tell them the city council's intent to pay the dues. Motion carried.

- D. Bass Classic. Rick Hamilton of KDUK and KYKN and Rick Gehlke of the bass club were present to discuss advertising for the bass classic and related items. Rick Hamilton presented proposals to the city council for using some of the room tax money to advertise the bass classic and the Dunes City area. The city council asked members of the business community left in the audience if they felt advertising the bass classic benefitted them. Mr. Jim Fish said they felt the money was well-spent. If people did not spend

money staying in the resorts during the bass classic, it made them more aware of the area for future trips to the coast when they might stay in the area and spend money.

ACTION A motion was made by N. Johnson and seconded by W. Johnson to spend \$460 of the room tax to advertise on KDUK --including ten spots on KYKN. Motion carried.

Rick Gehlke of the bass club presented flyers that were sent to three states to the city council concerning the Sixth Annual Bass Classic. The club petitioned Lane County to repair the county ramp at Westlake. The County will try to have it repaired by March 1. The club will rent portable toilets from Wally's Septic Service since the county restrooms are closed. The club will serve dinner at the Westlake Community Center. They will also have a raffle, and the profits from that will go to the Miller Park fund. Mr. Gehlke requested that the City consider renting the building to them at a lower rental fee while they are using it to have their meetings. He said, however, that the club cannot qualify for non-profit status.

E. Registered Agent.

A. ION A motion was made by B. Pitts and seconded by N. Johnson to pass a resolution to do away with a registered agent with the state. Motion carried.

F. Planning Commission Appointment

ACTION A motion was made by D. Brown and seconded by N. Johnson to appoint Marilyn Miller to the Dunes City Planning Commission. Motion carried.

G. Comprehensive Plan Review. Mayor Baumeister pointed out that our Comprehensive Plan is scheduled for review by LCDC on November 11, 1985. D. Brown suggested that we set up a monthly C.C.I. meeting to work on the comprehensive plan. D. Brown mentioned that Gary Darnelle of LCOG should be contacted to invite him to attend the first C.C.I. meeting. D. Brown will contact him.

H. Cable TV Rate Increase. N. Johnson wanted to go on record as being in opposition to McCaw's rate increase on the additional outlet (which is a 50% increase) and the remote control (which is a 100% increase). The City has no control over the rate increases due to a recent federal ruling.

I. Roads. D. Brown said the City has approximately \$2,000 left for the balance of the fiscal year for road repairs. There was a discussion of the work done by the community service volunteer.

ACTION A motion was made by N. Johnson and seconded by B. Pitts to no longer have the community service worker. Motion carried. D. Brown will call the clerk of municipal court and notify them of the City's decision.

Don Brown talked about road repairs. He recommended waiting until next year to repair Russell Road.

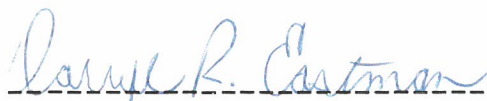
J. 9-1-1 User Fee. Mayor Baumeister announced that the City of Florence requests a user fee from Dunes City as well as emergency services such as fire departments, ambulance, etc. Mayor said he would like to explain that Dunes City is paying money to Florence now as part of the 911 agreement and is not in favor of paying an additional user fee. Attorney Gerber advised that the fee would amount to double billing.

XI. ADJOURNMENT


ACTION A motion was made by D. Brown and seconded by D. Eastman to adjourn and the meeting was adjourned at 11:15 p.m.



MAYOR J. BAUMEISTER


SECRETARY K. BACON


D. EASTMAN


W. N. JOHNSON


B. PITTS


D. BROWN


N. M. JOHNSON

DUNES CITY COUNCIL

REGULAR MEETING

MARCH 14, 1985

AGENDA

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF FEBRUARY 14, 1985
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF THE SESSION
- V. CITIZEN INPUT ON UNSCHEDULED ITEMS
- VI. ANNOUNCEMENTS AND CORRESPONDENCE
 - A. LCOG GRANTS
 - B. HISTORICAL SOCIETY-MANAGING RECORDS
 - C. MISCELLANEOUS CORRESPONDENCE
 - D. BASS CLASSIC
 - E. LEAGUE WORKSHOP
- VII. REPORTS
 - A. COMP PLAN REVIEW-GARY DARNIELLE
 - B. POLICE
 - C. NEIGHBORHOOD WATCH
 - D. FIRE
 - E. PARKS
 - F. ENERGY
 - G. ATTORNEY RON GERBER
 - H. STREET LIGHT-101 & PACIFIC
- VIII. EXECUTIVE SESSION a) Litigation, b) Personnel, c) Negotiations
- IX. PUBLIC HEARING
 - A. MIKE COCCIOLO-MINOR PARTITION
- X. UNFINISHED BUSINESS
 - A. AL MILLER
 - B. LICENSES FOR BUSINESSES
 - C. ORDINANCE COMPILATION
 - D. AUDIT/BUDGET SCHEDULE-MAYOR BAUMEISTER
- XI. NEW BUSINESS
 - A. ATTORNEY RATE SCHEDULE & CONTRACT
 - B. KEY SURVEY
 - C. CONSENT CALENDAR
 - D. PACKET PICK UP
- XII. ADJOURNMENT

DUNES CITY COUNCIL

REGULAR MEETING
MARCH 14, 1985

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 7:35 p.m. by Mayor Jim Baumeister.

PRESENT: N. Johnson, B. Pitts, J. Baumeister, D. Brown, W. Johnson,
Attorney Ron Gerber, City Recorder B. Stocking and secretary
K. Bacon. D. Eastman entered the meeting at 8:40 p.m.

ABSENT AND EXCUSED: W. Smith

There were twenty-five citizens in the audience. There was no
representative of the press.

II. APPROVAL OF THE MINUTES OF FEBRUARY 14

ACTION A motion was made by D. Brown and seconded by B. Pitts to approve
the minutes of February 14, 1985. Motion carried.

III. BILLS AGAINST THE CITY

ACTION A motion was made by D. Brown and seconded by . Pitts to pay the
bills against the City in the amount of \$4,527.08. Motion carried.

IV. RECEIPTS OF THE SESSION - \$2,060.73

V. CITIZEN INPUT ON UNSCHEDULED ITEMS

There was no citizen input on unscheduled items.

VI. ANNOUNCEMENTS AND CORRESPONDENCE

A. Bass Classic. Mr. Rick Gehlke of the bass club thanks Dunes
City and Wally Johnson for their support of the Bass Classic.
He said the Classic had raised some money for the Miller Park
fund.

B. LCOG Grant. B. Stocking announced that competitive grants are
available through LCOG. However, there is a March 29 deadline
for submitting a grant application. She had also received
notice of a Special Assistance Grant program that is available
to help businesses in Linn and Lane Counties. The grant
comes from a revolving loan fund. Anyone who wishes to apply
may receive further information from B. Stocking in the City
office.

C. Oregon Historical Society. The Oregon Historical Society has
a film on managing public records. The film is available for
rent at \$10 per week. B. Stocking thought it would be good
for Dunes City to see the film.

- D. Switchboard. Publishers of a pamphlet of information about Lane County human services entitled "Switchboard" had contacted Dunes City to see if they would like to be included in this year's publication. The City Council said they would take a look at the publication after the meeting.
- E. League of Oregon Cities Workshop. Mayor Baumeister had attended the workshop conducted for newly-elected public officials. The workshop was held in Albany, and the mayor felt that it was worthwhile. He hoped that next year more of the new council people will be able to attend.

VII. REPORTS

- A. Fire. D. Brown reported that a tanker truck from the Siuslaw Rural Fire Department had rolled over onto its top on Kiechle Arm Road when the road gave way. The truck was heavily damaged, but the driver escaped with minor injuries. He pointed out that Kiechle Arm Road is a private road that is maintained by the owners along the road. However, the Fire Department has lost antennae and lights going down the road in the past because there is not adequate overhead clearance.
- B. Parks. There was a discussion of park benches for Petersdorf City Park and Byrd Memorial Park. Mayor Baumeister had viewed the benches at the Rhodo Dunes Golf Course as requested at the February council meeting. D. Brown suggested the City check with the Government or Park Service for surplus benches. N. Johnson said that was a suggestion she would look into.
- C. Street Light at Highway 101 and Pacific. The Central Lincoln P.U.D. has doubled the amount of light at the intersection of Highway 101 and Pacific in response to Dunes City's request to do so.
- D. Roads. Don Miller of Russell Road had asked D. Brown about placing gravel on the road. D. Brown told the council it would cost \$124 for one truckload of gravel truck spread. He recommended that it be done.

VIII. PUBLIC HEARING - MIKE COCCIOLO - MINOR PARTITION

The mayor opened the public hearing on Mike Cocciolo's request for a minor partition to divide one parcel into two parcels from tax lot #600 located on map 19-12-14-1. Mr. Cocciolo talked to the city council to explain the road he would use for ingress or egress. Mr. Cocciolo had not received the paperwork back from the adjacent property owners for an easement over the private road at the end of Greengate Road. He had received oral agreement from the property owners. The City had no replies from surrounding property owners. There was discussion between Mr. Cocciolo and the council about selling part of the parcels at a future date. He told the council he would sell either one acre or a piece 2.5 acres in size or the entire large parcel.

ACTION A motion was made by B. Pitts and seconded by N. Johnson to approve the minor partition request of Mr. Mike Cocciolo with the following Findings of Fact, Conclusions of Law and Conditions:

FINDINGS OF FACT

- A. All surrounding property owners within 300' were notified. There were no written replies or public testimony for or against the partition.
- B. Mr. Cocciolo is dividing one parcel into two parcels; one will be one acre, and the other parcel will be ten (10) acres.
- C. Both parcels will abut a roadway or have legal access.
- D. Parcel 1 abuts a private roadway rather than a public roadway.
- E. Mr. Cocciolo has left a 50-foot strip adjoining parcel 1 for possible future use as a road into the 10-acre remaining parcel.

CONCLUSIONS OF LAW

- A. Mr. Cocciolo does need a Minor Partition. He is not creating a new roadway.
- B. The Minor Partition meets the criteria for minimum lot size.
- C. The partition meets the criteria for the 150-foot average lot width.
- D. The partition allows for orderly residential development.
- E. Mr. Cocciolo needs to secure easements for using the private road before the partition can be recorded.
- F. The partition meets the criteria for the Subdivision Ordinance in that:
 - 1. The Minor Partition complies in all respects to the partitioning requirements and purpose of this ordinance, the Comprehensive Plan, and the laws of the State of Oregon.
 - 2. The Minor Partition does not impede the future best use of the remainder of the property under the same ownership or adversely affect the safe and healthful development of such remainder or any adjoining land or access thereto.

CONDITIONS

- A. That Mr. Cocciolo secure easements from property owners along the private roadway before the partition can be recorded.

Mr. Eugene Wobbe said the property will be surveyed.

The motion carried, and an Order will be issued to Mr. Cocciolo.

IX. UNFINISHED BUSINESS

- A. Al Miller Abatement. Mr. and Mrs. Al Miller brought to the City Council a completed septic system application showing that the previous owner, Mr. Floyd Doland, Jr., had the septic system approved by the county. There was discussion of the location of the leach line with reference to the highway centerline or highway right of way, the log retaining wall around the parking lot, and the shrubbery. D. Brown said the Millers need papers showing the upgraded septic system that they have recently redone.

ACTION

A motion was made by D. Brown and seconded by B. Pitts to table the Al Miller abatement until April to give the Millers more time to receive the necessary papers from Lane County. The motion carried.

VII. REPORTS - Continued

- E. Comprehensive Plan Review. Mr. Gary Darnielle said he needs input from the City Council on what the council would like LCOG to do. LCOG has scheduled Dunes City for a periodic review of its Comprehensive Plan in November, 1985. Mr. Darnielle said LCOG could probably do the work for Dunes City for \$900 to \$1300. He told the council that Dunes City will get Maintenance Grant money from LCOG. Dunes City may also apply for a grant for the periodic review which would be in addition to the Maintenance Grant. There would be no guarantee of getting the grant, however. The Maintenance Grant is automatic. The cost of the contract with LCOG will not include the cost of printing. LCOG charges \$10 for every four pages for printing.

Mr. Darnielle said there are no guidelines for the grant money available. He said it would be late June before LCOG will know what money will be available for the next fiscal year. He said Dunes City may apply for funds from the Director of the Department of Land Conservation and Development. Mr. Darnielle will call B. Stocking with the information on grants as soon as he gets it. He will also tell her if his office can handle putting the Dunes City Zoning Ordinance, Subdivision Ordinance and Comprehensive Plan on the word processor in time to use the Maintenance Grant funds for the work before the funds expire April 30. B. Stocking reminded City Council that she thought

some of the Maintenance Grant funds had been committed for the ordinance compilation.

D. Brown said the CCI Committee will hold meetings on the Comprehensive Plan. Gary Darnielle said LCOG would be willing to meet with the CCI. He suggested the following schedule of meetings: a joint work session with the Planning Commission and City Council, a joint public hearing, plus one or two meetings with CCI and a strategy session.

Mr. Darnielle said he would be available in early May to meet with CCI. The City Council scheduled a meeting for May 6 at 7:30 for CCI with Gary Darnielle. City Council also scheduled a meeting April 10 with CCI as a work session.

IX. UNFINISHED BUSINESS - Continued

B. Business License.

ACTION

A motion was made by N. Johnson and seconded by B. Pitts to refer the draft ordinance #92 to the CCI for discussion and a recommendation to the council. Motion carried.

AYE: N. Johnson, B. Pitts, Mayor Baumeister, W. Johnson,
D. Eastman
NAYE: D. Brown

D. Eastman asked Attorney Gerber why he and the mayor weren't corrected when they told the group at last month's City Council meeting that Ordinance #92 was mandated by passage of Measure #51. Measure #51 strictly mandates licensing refuse collectors.

After the vote was taken, the City Council heard public testimony from some of those in the audience who had requested to be heard on the business license ordinance.

Mr. Jim Fish asked why the City was billed \$110 by Attorney Gerber to draft Ordinance #92 when "it was not needed". Attorney Gerber explained that the ordinance had been requested by the previous mayor and council to allow for licensing in the future merely by resolution rather than requiring a separate ordinance for licensing each different type of business.

RECESS

The meeting was recessed at 9:45 p.m. and reconvened at 9:55 p.m.

C. Ordinance Compilation. Mr. Garey Butler, Legal Associate from the Bureau of Government Research and Service, was present. The council went through the suggestions and questions Mr. Butler had asked in a letter to the City after reviewing the City's ordinances. It was suggested that

several ordinances intended to repeal specific previous ordinances did not actually repeal them. Mr. Butler proposed approving one ordinance that would specifically repeal the intended ordinances. The City Council and Attorney Gerber read through Mr. Butler's comments and questions and agreed on changes.

X. NEW BUSINESS

- A. Consent Calendar. The mayor said the City would begin using a consent calendar for council meetings beginning with the April City Council meeting. He expalined how it would work.
- B. Packet Pick Up. The mayor asked City Council members to please pick up their packets at City Hall on Friday at 2 p.m. on the Friday before the City Council meeting. The City office staff will no longer deliver them.

XI. ADJOURNMENT


A motion was made by N. Johnson and seconded by D. Eastman to adjourn the meeting and the meeting was adjourned at 11:30 p.m.



MAYOR J. BAUMEISTER




SECRETARY K. BACON



D. EASTMAN



N. JOHNSON



B. PITTS



D. BROWN



W. JOHNSON

DUNES CITY COUNCIL

REGULAR MEETING
APRIL 11, 1985

A G E N D A

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF MARCH 14, 1985
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF THE SESSION
- V. CITIZEN INPUT ON UNSCHEDULED ITEMS
- VI. ANNOUNCEMENTS AND CORRESPONDENCE
- VII. REPORTS
 - A. Police
 - B. Neighborhood Watch
 - C. Fire
 - D. Parks
 - E. Roads
- VIII. EXECUTIVE SESSION a)Litigation, b)Personnel, c)Negotiations
- IX. UNFINISHED BUSINESS
- X. NEW BUSINESS
 - A. Planning Commission recommendations requiring action
 - B. Ron's Plumbing Re. Mortier (letter re. plumbing violation)
 - C. Catalogue for Equipment Sharing
 - D. Consider application for City Council appointment
 - E. League of Oregon Cities dues
- XI. ADJOURNMENT

DUNES CITY COUNCIL

REGULAR MEETING

APRIL 11, 1985

I. CALL TO ORDER AND ROLL CALL

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

PRESENT: Mayor Baumeister, B. Pitts, N. Johnson, W. Johnson, D. Eastman, Attorney Ron Gerber, City Recorder B. Stocking, and secretary K. Bacon. Councilman D. Brown had resigned during the month and Councilman W. Smith was absent. There were nine citizens in the audience. There were no representatives of the press present.

II. APPROVAL OF MINUTES OF MARCH 14, 1985

ACTION A motion was made by B. Pitts and seconded by D. Eastman to approve the minutes of the March 14, 1985, meeting. Motion carried.

III. BILLS AGAINST THE CITY

ACTION A motion was made by B. Pitts and seconded by D. Eastman to pay the bills against the City in the amount of \$3,950.19. Motion carried.

IV. RECEIPTS OF THE SESSION - \$6,858.20

V. CITIZEN INPUT ON UNSCHEDULED ITEMS

The mayor reminded the council of an item brought up at the last month's meeting. He felt it would be a good idea to rent the film from the Oregon Historical Society on managing records. The council authorized the city recorder to rent the film.

VI. REPORTS

- A. Neighborhood Watch. B. Pitts reported that Lt. Collins of the Oregon State Police will address the monthly Neighborhood Watch meeting scheduled for April 15. Sgt. Art Walker of the state police had told a Kiwanis group that in the 2½ years the Dunes City Neighborhood Watch group had been in operation the crime rate has dropped 70%.
- B. Roads. Keith Watson, the new supervisor of roads, reported that he had met with D. Brown, the previous road supervisor, and discussed finances and road maintenance. It was reported by B. Pitts and W. Johnson that Buckskin Bob Road is badly in need of repair.

- C. Police. B. Stocking reported that she had requested a report of the sheriff's patrols, but the City has never received one with the monthly bill. It is not specified in the Sheriff's Agreement that Lane County provide one. However, the mayor felt it was one of the things regarding the sheriff's agreement he wanted to discuss with the budget committee.

VII. UNFINISHED BUSINESS

- A. Mike Cocciolo's Minor Partition. Mayor Baumeister asked if the City had received the easements from Mike Cocciolo that had been requested as a condition for approval. D. Eastman said it was his understanding the minor partition would not be recorded until the easements had been received, and Mr. Cocciolo would probably not record it until he was ready to sell one of the parcels. However, he said he would check with Mr. Cocciolo about the easements.
- B. Ordinance Compilation. Attorney Gerber asked the city council questions he had about comments the City had received from Gary Butler of the Bureau of Governmental Research concerning the ordinance compilation. Mr. Gerber wanted to be sure that he and the council had the same understanding on a few of the points he felt Mr. Butler had misunderstood.
- C. Al Miller Abatement. Mrs. Ann Miller reported that they had made several attempts to get the final septic approval requested by the council. She and the septic installer had made attempts to get the paperwork straightened out with Lane County so that the permit can be issued. She also wanted to be sure that the bulkhead they had requested in the February, 1985, city council meeting had been approved. The city council agreed that approval had been granted for the bulkhead. Mrs. Miller will submit to the City a building permit for the bulkhead.

VIII. NEW BUSINESS

- A. Planning Commission Recommendations. The council had received in their packets a list of three recommendations from the Planning Commission. The mayor agreed with the planning commission recommendation to rent the land use films to be shown at a joint meeting between city council and planning commission. B. Stocking will rent the films for a two week period. Then a joint meeting will be scheduled.

The planning commission had recommended the city council request road specifications from the Siuslaw Rural Fire Department so that residents, specifically on Kiechle Arm Road, could maintain the road to those specifications. The mayor requested B. Stocking to call Dale Libby of the Siuslaw Rural Fire Department, request fire department specifications for roads, and write their recommendations so that the council and citizens will have them available.

The third recommendation concerned a rumor that the owners were clearing the natural vegetation from Goat Island. Goat Island is not within the Dunes City boundaries. However, the planning commission was concerned about how it would affect the water quality of Siltcoos Lake. The mayor announced that it was a moot point; the clearing had already occurred. Mr. Keith Watson in the audience announced that the owner had planted 1,000 rhododendrons on the island.

- B. Ron's Plumbing. Mr. Ron Labrousse of Ron's Plumbing addressed the city council about a difference of interpretation of the state plumbing code regarding the use of PVC pipe in a heat transfer pump if the pipe is inside the foundation of the house. Mr. Labrousse felt Mr. Mortier, the building and plumbing inspector for the City, is misinterpreting the code. Mr. Labrousse came to the city council to request a reprimand of Mr. Mortier because he had not received a response from Mr. Mortier to his requests for clarification. The mayor said the City will direct Mr. Mortier to clarify the problem with the state's chief plumbing inspector, Mr. Larson. The mayor would like a copy of Mr. Mortier's letter to the state and a copy of their reply to Mr. Mortier. Then the City will notify Ron's Plumbing of what the City has received. The mayor asked that Mr. Mortier request the chief inspector to come to Florence to check the specific installation in question. If unable to come, the chief inspector should direct Mr. Mortier by letter.
- C. Equipment Sharing. The council was informed that a catalog will be coming out shortly with a list of equipment and services that are available to be shared by adjoining communities.
- D. Resignation. The City had received a letter of resignation from councilman D. Brown. B. Stocking read his letter of resignation to the council.

ACTION

A motion was made by N. Johnson and seconded by W. Johnson to accept with deepest regrets Mr. Brown's resignation. Motion carried.

The City had received three applications in response to the advertised vacancy. The council recessed at 8:55 p.m. to give Mr. Jim Fish in the audience time to fill out an application. The meeting was reconvened at 9:08 p.m.

The mayor asked each applicant to address the city council and include why they would like to serve on the city council.

Mr. Roy Donaghey -- works in Coos Bay but did not feel it would be a problem for attending city council meetings.

Mr. Ron DePiero -- owns a business in Florence and has lived in Dunes City for four years. He feels that everyone has a time that they need to be involved in city government. He feels that this is his time.

Mr. Jim Fish -- is the manager of Siltcoos Lake Resort. He has lived in Dunes City six years. He felt the city council should have a representative from a business located within Dunes City.

Mr. Robert Forest -- had submitted an application but was unable to attend the meeting. He has been a resident for six months. There was discussion among council members and attorney that they did not think that according to ordinance six months was long enough residence to be elected to the council.

The mayor suggested the election be done by signed ballot. N. Johnson asked the applicants if the City could keep all the applications on file to be considered for any future vacancies. All three applicants who were present agreed.

Mr. Roy Donaghey was elected to fill Mr. Brown's unexpired term. B. Stocking administered the Oath of Office to Mr. Donaghey. Mr. Donaghey's term will expire December 31, 1986.

- E. League of Oregon Cities Dues. The mayor mentioned for the council's information that the League dues will be coming due soon. They have been computed by B. Stocking and are about the same as last year. Mayor Baumeister thought they would be about \$300.
- F. Camel Rides. Lane County had given the City the opportunity to comment on a request for a Temporary Seasonal Permit to have camel rides. Dr. Richard Anderson who owns 22 acres on the west side of Highway 101 has contracted with Movieland Animals to have camel rides on about two of the 22 acres. He was asked where the animals would be housed. He said the contractor will bring the animals, portable buildings (which he thought were probably vans), and their own attendants. The contractor has \$1 million in liability

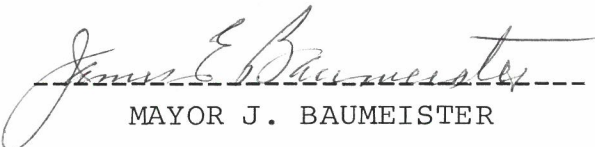
insurance. N. Johnson asked about signs. Dr. Anderson assured the council that they would want to have some form of sign to attract customers, but that it would be tastefully done because it is across the highway from his residence property. He has received Dunes NRA approval.

Lane County will conduct a hearing on the request May 9 in the Lane County Annex in Florence. The mayor will confirm the date; and if it is on the city council meeting date, he would like one city council member to attend the hearing for information.

- G. Elections. D. Eastman asked why Dunes City couldn't change the way it elects city council members in general elections. At present, they are elected by position which has caused confusion in some elections in the past. He would like to see the positions filled by candidates who run for the council positions at large. Attorney Gerber will check on how it can be done. It was the consensus of the council that it would be a good idea to change.

IX. ADJOURNMENT

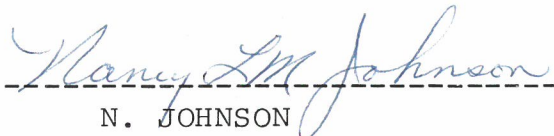
The meeting was adjourned at 9:42 p.m.



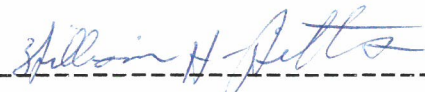
MAYOR J. BAUMEISTER



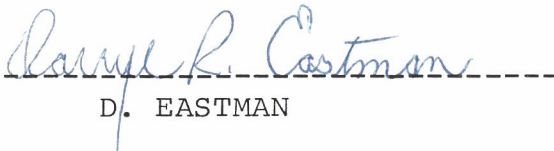
SECRETARY K. BACON



N. JOHNSON



B. PITTS

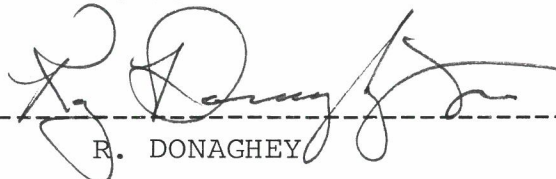


D. EASTMAN



W. JOHNSON

W. SMITH



R. DONAGHEY

Dunes City Council
April 11, 1985

TALLY OF COUNCIL ELECTION

First Ballot

Roy Donaghey	4 votes
James Fish	- 0 -
Robert Forest	- 0 -
Ron DePiero	- 0 -

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ROY DONAGHEY

Samuel R. Castman

ROY Donaghey

Wally Johnson

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ROY Donaghey

Nancy Johnson

#1
ROY DONAGHEY

William H. Holt

DUNES CITY COUNCIL

REGULAR MEETING
MAY 9, 1985

A G E N D A

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF APRIL 11, 1985
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF THE SESSION
- V. CITIZEN INPUT ON UNSCHEDULED ITEMS
- VI. ANNOUNCEMENTS AND CORRESPONDENCE
 - A. Darling Resort - Liquor License Approval
- VII. REPORTS
 - A. Gary Dyer re: Grants - Mayor
 - B. Cocciolo Easements - Eastman
 - C. Siuslaw Rural Fire Department Road Specifications
 - D. Any Additional Reports
- VIII. PUBLIC HEARING
 - A. First Reading of Ordinance to Repeal Certain Ordinances
- IX. EXECUTIVE SESSION a) Litigation, b) Personnel, c) Negotiations
- X. UNFINISHED BUSINESS
 - A. Elections of Council Members per Charter
 - B. Heggen - Letter sent to Ron Labrousse and State
 - C. Al Miller - septic.
- XI. NEW BUSINESS
- XII. ADJOURNMENT

DUNES CITY COUNCIL MEETING

REGULAR MEETING

MAY 9, 1985

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 7:32 p.m. by Mayor J. Baumeister.

PRESENT: J. Baumeister, D. Eastman, B. Pitts, W. Johnson, R. Donaghey, Attorney R. Gerber, City Recorder B. Stocking, and secretary K. Bacon. N. Johnson was attending another meeting at the Mayor's direction. She entered the meeting at 8:30. There were nine citizens in the audience.

ABSENT: W. Smith. He had asked to be excused because of his wife's illness.

II. APPROVAL OF MINUTES OF APRIL 11, 1985

ACTION A motion was made by D. Eastman and seconded by B. Pitts to approve the minutes of the April 11 meeting. Motion carried.

III. BILLS AGAINST THE CITY

ACTION A motion was made by B. Pitts and seconded by R. Donaghey to pay the bills against the City in the amount of \$3,512.80. Motion carried.

IV. RECEIPTS OF THE SESSION - \$3,994.97

V. CITIZEN INPUT ON UNSCHEDULED ITEMS

A. Area Recreation Map. Mr. Bill Calder was present to show the City Council the design for an area promotional map being done by Stewart Henderson. It will be a full-color map and is primarily a recreation guide for the area. 10,000 copies of the map will be distributed through sponsors and the Florence Chamber of Commerce. Mr. Calder said it was hoped that Dunes City would like to be a sponsor. There were three classes of listing on the map. A major sponsor would receive 148 maps and a prominent illustration on the map for \$295, a regular sponsor would receive 75 maps and prominent listing on the map for \$150, and a business listing would have no illustration but would receive mention and 50 maps for \$100. Mr. Calder said they anticipate having the map off the press the first week of June.

B. Friends of Florence. Mr. P. T. Smith addressed the Council about a project he has started to provide a van for cancer patients. He is purchasing a van to transport cancer patients to Sacred Heart Hospital in Eugene for treatment. The van will take patients from the Florence and Dunes City area and pick them up at other locations along the route to Eugene. Home Health Care is coordinating volunteers to drive the van. A non-profit organization known as Friends of Florence has incorporated to receive funds for the

purchase and operation of the van. Sacred Heart is working on grants now to try to get similar projects going throughout Lane County. Donations may be sent to Friends of Florence at Oregon Pacific Bank.

VI. ANNOUNCEMENTS AND CORRESPONDENCE

ACTION

- A. Darling's Resort. B. Stocking announced that Darling's Resort had changed hands and the liquor license has been approved for the new owners.
- B. Woahink Landing. A motion was made by B. Pitts and seconded by D. Eastman to approve the liquor license renewal for the Woahink Landing. Motion carried.
- C. Bass Club. B. Stocking announced that the Bass Club had sent a certificate of appreciation to Dunes City for its help with the recent Bass Classic.
- D. Waterfront Revitalization. B. Stocking announced that there will be a meeting in Astoria on May 22 to discuss waterfront revitalization.
- E. County Zone Change. Raymond Deardorf has applied to Lane County for a zone change from light industrial to heavy industrial so that he can have a wrecking yard next to Foglio's Trucking Company. Attorney Gerber explained to the new council members that although the zone change is not within Dunes City it is within the City's "area of influence". The Council decided to discuss the matter under new business.
- F. City Manager's Meeting. Jim Johnson, the Lane County Administrator, has organized a bi-monthly meeting for city managers and administrators. The next meeting will be June 27. The Council was asked to consider any concerns they would like to have discussed at the meeting.

VII. REPORTS

- A. Gary Dyer, Consulting Engineer. Mr. Dyer addressed the Council to propose doing engineering work for the City. He said his specialty is grants. Mr. Dyer is currently doing engineering work for some small coastal communities. He felt certain that any communities his firm has done work for would give them a good recommendation. His firm can provide planning, engineering design, construction stakeouts and inspections and grant applications. He distributed

information on sources of funds that are available to cities for various projects. He works normally on an hourly rate, he said, and doesn't charge for phone calls and miscellaneous things. For specific projects, they can estimate what the project would cost so that the City can decide whether it would want to pursue the project. For grant applications, his firm would estimate what it would cost to prepare the application. If the project would be assured of being funded, he said, his firm would probably do the application work for free.

- B. Mike Cocciolo Easements. D. Eastman reported that he had talked to Mike Cocciolo about the matter. Mr. Cocciolo said there are eight parties that have to sign the easement. Since many of the negotiations have to be handled by mail, Mr. Cocciolo is still working on them.
- C. Siuslaw Rural Fire Department. B. Stocking had talked to Dale Libby of the Siuslaw Rural Fire Department about the request for road specifications. Mr. Libby had given Mrs. Stocking the specifications over the phone. However, she had requested them in writing in a letter she had sent to him following the phone conversation. The City had not received those specifications as of this meeting.
- D. Roads. W. Johnson asked if Keith Watson, the supervisor of roads, was submitting a time card for the time he is spending on the roads. The Council agreed that it should be done. R. Donaghey asked if he was also keeping a record of how much time and money he is spending per road. The Council agreed that a record such as this would help the City realize which roads are requiring the most upkeep.
- E. Camel Rides. N. Johnson reported on the Lane County hearing from which she had just come. The hearing was for a temporary permit to Dr. Anderson to have camel rides on property he owns across Highway 101 within Lane County's jurisdiction. N. Johnson reported that the county issued the following conditions for approving the permit:
 - 1. That there would not be any permanent structures or facilities built on the property. The animals will be housed out of sight and the keepers will live in a mobile home nearby.
 - 2. The rides will operate from 10 a.m. to 6 p.m. daily.
 - 3. The rides will operate within the period of May 20 to September 30 each year.
 - 4. Chemical toilets will be provided by a licensed supplier.

5. All temporary structures combined shall not exceed \$1,000 in value.
6. At the close of each season all temporary structures shall be removed and the property restored to its original condition.
7. Prior to opening, the applicant shall obtain from the Oregon Department of Transportation a new road approach permit.
8. If they plan to have food or beverages, the appropriate permit must be obtained.
9. Signs shall not exceed the standards for signs in the Lane County code. The sign has to be 20 feet in from the road, and there is the possibility that Dr. Anderson might want to put a sign across the street which would be within Dunes City jurisdiction. He said he would apply for that sign through Dunes City if he decides to have one. However, these regulations apply to permanent signs; and Dr. Anderson may have a portable sign without complying with the Lane County regulations.
10. All parking shall be on-site. It was determined that parking across the highway would be very hazardous.
11. There will be only two animals.

The permit will be valid for two years. Dr. Anderson requested a longer permit period because of the expense involved in the operation. At the end of the hearing, they agreed that they might grant the permit for five years but with a yearly renewal. A neighbor has offered to provide water to the family and animals. However, Dr. Anderson will be bringing in bottled water for the public. There were nine people at the hearing and none of the neighbors had objected. N. Johnson will receive a full allotment from Lane County when it is completed.

ty Allotment. There was a discussion of the plans for the Special Cities Allotment that are Jim Fish asked if the City could consider using First Street as a public road. He would like to take over maintenance of the road, and he was before it could be dedicated to the City it would be brought up to City street standards. Attorney advised that W. Johnson talk to the Road Committee on appropriate streets that have heavier traffic and dead end streets to submit to the Special Allotment.

Nancy
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Attorney Gerber also asked Mr. Fish to talk to his neighbors on First Street and see if they would be willing to set up a special assessment district to put in some money for the project (if so, how much per person) to bring the road up to City standards. Then the information can be given to the Road Committee so that perhaps First Street could be considered for application for funds from Special Cities Allotment next year.

- G. Hartshorne - James Banks Lot. Attorney Gerber reviewed the situation with the unbuildable lot owned by James Banks and the seven-foot strip sold as a lot to Mr. Hartshorne. The matter has been the subject of a civil suit between the two parties, and the attorney for Mr. Banks had asked the City to consider their solution. Their solution was that Mr. Banks would recover the seven-foot strip so that his lot would be one acre and thus would be buildable by City lot size standards. Mr. Hartshorne would own a joint interest in the seven-foot strip nearest the unnamed road as a driveway to get back to his property. Attorney Gerber could not find anything in City codes that would prevent joint ownership of all or part of a lot. He recommended that the City Council pass a motion stating that if Mr. Banks' attorney will submit the paperwork necessary for execution by the City, the City will sign it restoring the lot's buildability. He can then submit it to the county and clear the title to the lot.

ACTION

A motion was made by N. Johnson and seconded by D. Eastman to have Mr. Banks' attorney draft the necessary paperwork restoring the buildability of the lot and clearing the title to the lot and submit it to the City to be signed. Motion carried.

VIII. PUBLIC HEARING - Ordinance #92

The public hearing was opened at 9:10 p.m. Attorney Gerber gave the first reading of Ordinance #92 by short title.

"An Ordinance Repealing Certain Ordinances".

ACTION

A motion was made by B. Pitts and seconded by N. Johnson to accept the first reading of ordinance #92 by short title.

AYE: D. Eastman, B. Pitts, N. Johnson, R. Donaghey, W. Johnson.

There were no naye votes. Motion carried. There will be the second reading of Ordinance #92 at the June City Council meeting.

IX. RECESS

The mayor called for a recess at 9:25 p.m. The meeting was reconvened at 9:35 p.m.

X. UNFINISHED BUSINESS

- A. Plumbing. A letter was sent to Ron Labrousse and the state plumbing inspector concerning the Heggen house plumbing by Emile Mortier, the City building inspector. Mr. Doug Campbell had also written to the state and sent a copy of the letter to Mr. Labrousse.
- B. Al Miller Abatement. Mr. Eugene Wobbe has surveyed the property of Mr. Al Miller and placed stakes denoting the property line. The Council had in their packets a letter from the Miller's neighbors, the Robinsons. The Robinsons are property owners adjacent to the south of the Millers, and they had written that the Millers had trespassed onto their property and removed trees, shrubs, natural vegetation and boundary markers. The Millers plan to replant, they have replaced the markers and removed the logs from the lake.

The Millers are still waiting for word from Lane County on the septic approval.

- C. Firearms. Attorney Gerber had written to the State Department of Fish and Wildlife about regulations concerning shooting birds inside the City limits. The City had not had a response from them.
- D. Ordinance Compilation. Council asked that B. Stocking notify the Joint Urban Services that the City does not want the McCaw, Pacific Northwest Bell, or Central Lincoln P.U.D. franchises written out in full in the ordinance compilation. The City only wants them noted.

XI. UNFINISHED BUSINESS

ACTION

- A. Election of Councilman. A motion was made by N. Johnson and seconded by B. Pitts to remove Councilman Wells Smith from the Council due to lack of attendance and according to the City Charter. Attorney Gerber read the Charter and gave the opinion that City Council could divest Mr. Smith of his seat. Motion carried. The Council then voted by secret ballot to elect a replacement. Mr. Ron De Piero and Mr. Jim Fish were in the audience. Both had previously applied for council positions. Mr. Ron De Piero was elected to the Council. B. Stocking administered the Oath of Office to Mr. De Piero, and he was seated at the Council table.

- B. Attorney Agreement. R. Donaghey and B. Pitts were asked by Mayor Baumeister to review the Attorney Agreement and come back with a recommendation.

XII. NEW BUSINESS

ACTION

- A. Map. The Council discussed the map that was presented by Bill Calder earlier in the meeting. A motion was made by N. Johnson and seconded by R. Donaghey to donate \$150 for a regular sponsorship for the map provided Mr. Henderson will prominently letter in Dunes City. Motion carried.
- B. Cancer Van Purchase. The Council felt that a donation to the purchase of a van to transport cancer patients to Sacred Heart for treatment would be worthwhile. There was a discussion of where the funds could be taken from the budget. It was felt it could be taken from advertising if the name of Dunes City was mentioned some place on the van, or it could be taken out of miscellaneous.

ACTION

A motion was made by B. Pitts and seconded by R. Donaghey to donate \$300 to the Friends of Florence to be used toward the purchase of the van. Motion carried.

- C. Wrecking Yard. The Council was equally divided in its opinion on the advisability of the wrecking yard proposed to be located next to Foglio's Trucking Company. Those in opposition felt that because of its close location to Highway 101 and the northern border of Honeyman Park it would be a distracting eyesore. Those in favor felt that because of their knowledge of Mr. Deardorf, the applicant, he would keep the yard orderly; and it would not be unattractive.

ACTION

A motion was made by N. Johnson and seconded by D. Eastman to recommend to Lane County that it deny changing the zoning from M2 to M3 (Heavy Industrial).

AYE: B. Pitts, N. Johnson, D. Eastman, J. Baumeister
NAYE: W. Johnson, R. Donaghey, R. De Piero.


Motion carried. A letter will be sent to Lane County advising them of the Council's wishes. The Mayor asked N. Johnson to attend the hearing June 6 at 7:30 p.m. in the Lane County Annex. She will report at the June City Council meeting.

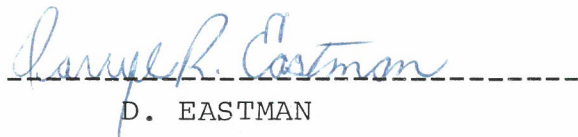
- D. Changing Election Procedures. In response to Mr. Eastman's request at the April meeting, B. Stocking had checked to see what would be needed to change election procedures so that Council people are elected at large rather than by position. She said that since the Charter doesn't state a specific way, she will be able to submit the ballot to the Lane County Election Division however the Council wishes. The Council wanted to discuss it further at the June meeting.

XIII. ADJOURNMENT

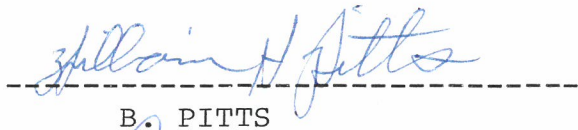
The meeting was adjourned at 10:40 p.m.


MAYOR J. BAUMEISTER

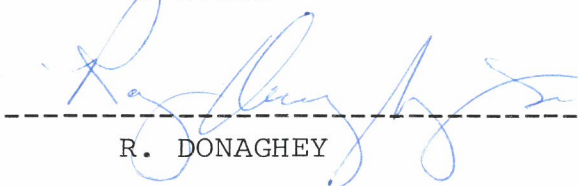

SECRETARY K. BACON

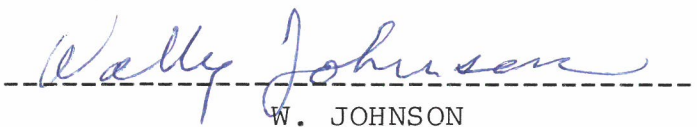

D. EASTMAN


N. JOHNSON


B. PITTS


R. DE PIERO


R. DONAGHEY


W. JOHNSON

Dunes City Council
May 9, 1985

TALLY OF COUNCIL ELECTION

First Ballot

Ron De Piero

4 votes

James Fish

1 vote

①

JIM FISH

D. EASTMAN

'Ron

Deprar

Wally Deprar

Ron

#1

RON
DEPIERO

①

Ron Deprar

Roy Deprar

Bill
p. 1

DUNES CITY COUNCIL

REGULAR MEETING
JUNE 13, 1985

I. CALL TO ORDER AND ROLL CALL

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

PRESENT: D. Eastman, N. Johnson, B. Pitts, Mayor Baumeister, R. De Piero, W. Johnson, Attorney R. Gerber, City Recorder B. Stocking and secretary K. Bacon. Councilman R. Donaghey was absent and excused. There were six citizens in the audience. No representative of the press was present.

II. APPROVAL OF MINUTES OF MAY 9, 1985

ACTION A motion was made by B. Pitts and seconded by N. Johnson to approve the minutes of the May 9, 1985, meeting. Motion carried.

III. BILLS AGAINST THE CITY

ACTION A motion was made by B. Pitts and seconded by R. De Piero to pay the bills against the City in the amount of \$3,295.01. Motion carried.

IV. RECEIPTS OF THE SESSION - \$6,980.76

A question was raised about the sale of an edger that had been sold by the Saw Shop for the City. B. Pitts wondered if it was the edger that had been left after the Neighborhood Watch garage sale. It had been placed at the Saw Shop to be sold on consignment. B. Stocking will check to see if the edger belonged to Neighborhood Watch.

V. ANNOUNCEMENTS AND CORRESPONDENCE

A. Cocciolo Easements. Mr. Mike Cocciolo was present to explain what he had learned about his road easements. Mr. Cocciolo had his property surveyed and found that the road for which he was attempting to get easements was actually on his property. He had also gotten an easement from Mr. Harry C. McClain to use the road. Mr. Cocciolo has notified the people involved with the roadway that it

belongs to him. He is not going to prohibit them from using the road. Mr. Gerber advised city council to request a copy of the survey report to finish the file. However, it was decided that the survey report was not necessary since the Council had set the condition that he provide proof of easement; and he had done that.

- B. Fire Department Road Specifications. B. Stocking announced that the Siuslaw Rural Fire Department had submitted written specifications to improve certain roads within Dunes City. However, they had not addressed the specifications for height and width. W. Johnson was asked to work with the Director of Roads on improving the height and width of the roads that are public.
- C. Westlake Post Office. B. Stocking announced that the U. S. Postal Service has advertised for bids for a new Westlake Post Office. The bids are due June 17. The contractor is required to buy the land and build the post office.
- D. Department of Environmental Quality. The City had received a bulletin from the DEQ about solid waste. The DEQ felt that last year's beach cleanup was so successful that they would like to schedule another cleanup for this year.
- E. Liquor Control Commission. The City had received a letter from the OLCC asking that the City give more notice for liquor license renewal to give the public more of an opportunity to respond. Attorney Gerber advised that it isn't required to publish a legal notice. However, he advised listing the license renewal as an agenda item in the meeting notice published in the weekly newspaper or on the public service channel. The Westlake Fisherman's Market is due for a license renewal before next month's City Council meeting. The Council discussed having a special meeting to consider the renewal to give the City time to notify the public.

ACTION

A motion was made by N. Johnson and seconded by W. Johnson to approve the liquor license application for Westlake Fisherman's Market condition upon a two-step process:

1. That B. Stocking contact the OLCC to see if the regulations listed apply for this year.
2. If it is necessary to give the public notice, the mayor appoint a fact finder to take the testimony at a duly advertised hearing.

Motion carried.

- F. Land Use Tapes. The City Council scheduled a joint meeting with the Planning Commission for June 26 at 7 p.m. to view the two land use tapes on making land use decisions and Oregon's land use process. Since Planning Commission Chairman Tom Hunt had volunteered to bring his tv and VCR, this date is contingent upon T. Hunt being able to be there. The secretary will notify the Council if this date is not convenient.
- G. Friends of Florence. B. Stocking announced that there will be an organizational meeting June 14 at 7 p.m. at the Oregon Pacific Bank. N. Johnson volunteered to attend to gather information for the Council.

VI. PUBLIC HEARING - Conditional Use Permit - Larry Dier

The mayor postponed hearing reports so that the Council could hear the Conditional Use Permit request of Mr. and Mrs. Larry Dier. The public hearing was opened at 8:15 p.m. There was no public testimony for or against. The public hearing was closed at 8:16 p.m. The mayor pointed out that the City had received four written responses -- three for and one against the proposal.

ACTION

A motion was made by N. Johnson and seconded by W. Johnson to approve the Conditional Use Permit request of Mr. and Mrs. Larry Dier to place a triple wide mobile home on their lot in a residential area. The Council accepts the Findings of Fact, Conclusions of Law and conditions as outlined by the Planning Commission. Motion carried.

VII. REPORTS

- A. Small Cities Allotment. B. Stocking announced that the City is going to submit application for Leavitt Loop and Russell Drive for funds from Small Cities Allotment.

ACTION

A motion was made by B. Pitts and seconded by N. Johnson to resolve that the City submit the above-mentioned applications. Motion carried and this will be listed as Resolution 6-13-85A.

- B. Attorney Contract. B. Pitts reported that he and R. Donaghey met with Attorney R. Gerber to discuss the attorney contract. A question was raised by D. Eastman as to whether any other attorneys had been asked to submit proposals. N. Johnson said that no other attorneys had been interested.

ACTION

A motion was made by N. Johnson and seconded by B. Pitts to accept the attorney contract as outlined by Attorney Ron Gerber in his memo of May 22, 1985. That memo is on file in the Dunes City office and is included herein by reference only. Motion carried. Attorney Gerber will write a formal contract for signatures.

C. Hunting. Attorney Gerber reported on correspondence he had with the State Department of Fish and Wildlife concerning hunting birds with a shotgun within Dunes City limits. Since the City ordinances are being compiled, he had requested either approval or disapproval of the City's hunting regulations. He had not had a reply from them.

D. Commission Appointments. Mayor Baumeister listed the following commission appointments:

Police	Darryl Eastman
Roads	Wally Johnson
Community Center	Wally Johnson
Water	Nancy Johnson
Parks and Recreation	Nancy Johnson
Grants & Projects	Bill Pitts
Soil Erosion	Roy Donaghey
Energy	Bill Pitts
Fire	Ron De Piero
C.C.I.	Roy Donaghey
Cable TV	Ron De Piero

E. LCOG. B. Pitts reported he has been selected to attend the national convention of the Council of Governments at the Tahoe Hilton August 7 - 11. He will represent Western Lane County and Dunes City. All expenses will be paid by the Council of Governments.

F. Police. D. Eastman reported on a complaint of chickens running at large. He talked with Mr. Robert Brian Girard on Kendall Lane May 18. He admitted he had a hole in his fence. He was also told he needs to apply for a conditional use permit to keep chickens. Mr. Eastman assumed Mr. Girard had fixed his fence since there had been no further complaints. However, Mr. Girard had not applied for a conditional use permit as of the meeting. D. Eastman suggested a letter be written to Mr. Girard telling him that he is not in compliance with Dunes City ordinances and that he needs to apply for a conditional use permit for which there is a \$75 fee. R. De Piero declared a conflict of interest because he keeps chickens.

ACTION

A motion was made by W. Johnson and seconded by N. Johnson to send a letter as outlined above. Motion carried, and Attorney Gerber will draft the letter.

G. Roads. W. Johnson reported that he had met with Jim Miller of the Lane County Road Department for a site review on Ocean Boulevard. The bank of Siltcoos Lake is sloughing off and allowing the road to sink. It was felt that it would probably require three to four tons of hot mix to repair the road at that point and probably will not solve the problem. W. Johnson felt that the current situation

probably occurred over ten or 15 years. He suggested trying through the county one more time to see if they would repair the bank since the State Department of Transportation and Lands has declared the banks as belonging to the county. W. Johnson said the City will have to put an overlay on the road and hope that it holds.

W. Johnson said the county would put some gravel in holes in the road by Siltcoos Lake Resort.

Keith Watson, the supervisor of roads, is now submitting a time card and lists the time by each road he has worked on to give an idea of how much each road is costing to maintain.

- H. Wrecking Yard. N. Johnson reported on the county hearing she had attended concerning the zoning request of Mr. Monty Deardorf. She had received a written report of the hearing. The county has denied rezoning the property leased by Mr. Deardorf from Foglio Trucking. He had requested a zone change from M2 to M3 (Heavy Industrial). However, they are considering his request for a conditional use permit to have a wrecking yard on the property. Mr. Deardorf had been invited to attend the city council meeting and was present. He said state regulations are very strict to help prevent wrecking yards from becoming eyesores. He explained that he could now park wrecked cars along the highway and outside his fenced yard if he chose to do so. However, if he gets his dismantlers license, he will be required to keep all the cars on which he is working inside a fenced yard. No cars will be allowed to be visible above an eight-foot fence. His lease with Foglio Trucking specifies that he keep the area neat.

Since Mr. Deardorf is applying for a conditional use permit from Lane County, the City delayed making a recommendation until it receives the paperwork from the county.

VIII. PUBLIC HEARING

- A. Second Reading of Ordinance #92. The Council heard the second reading of Ordinance #92 by short title only.

ACTION

A motion was made by D. Eastman and seconded by B. Pitts to approve the second reading of Ordinance #92.

AYE: D. Eastman, N. Johnson, B. Pitts, R. De Piero,
W. Johnson.

There were no naye votes. Motion carried.

The City will notify Garey Butler so that this ordinance can be included in the ordinance compilation.

IX. UNFINISHED BUSINESS

- A. Hartshorne-Banks. It was reported by Attorney Gerber that the paperwork has not been received for the City to sign restoring the buildability to the lot owned jointly by Mr. Hartshorne and Mr. Banks.
- B. Camel Rides. N. Johnson reminded the Council that Dr. Anderson had said at both the City Council and Lane County hearings that he would apply for sign permits. He has installed several signs without permits, and he is also in violation with Lane County's codes. Mayor Baumeister requested that a certified letter be drafted by Attorney Gerber to Dr. Anderson with a return receipt. The letter will ask that the signs be removed within 24 hours on the City side of Highway 101; and if the signs are not removed within a similar length of time on the county side, the City will petition the county to enforce it. The letter will be sent both regular mail and certified mail.

X. NEW BUSINESS

- A. Budget. The mayor read the City budget resolution and explained some of the terms.

ACTION

A motion was made by B. Pitts and seconded by N. Johnson to adopt Budget Resolution 6-12-85 adopting the budget.
Motion carried.

- B. Building Keys. There was a discussion of the number of building keys that have been issued to individuals over the years and not returned or accounted for. It was decided that the building will be rekeyed, new keys will be issued to organizations who use the building, a record will be kept of the keys issued, and a deposit, which will be refunded when the key is returned, will be charged for each new key.
- C. Dog Licenses. There was a discussion of the money that is assessed dog owners by the county for dog licenses. Originally, the money for dog license fees collected from Dunes City residents was intended to be returned to the City. In 1982, the county changed its policy of collecting dog license fees. It now only issues licenses for dogs in unincorporated areas. Dogs in incorporated areas are licensed by cities directly and the cities keep the revenues collected. There was considerable discussion of whether or not the council wanted the City to issue dog licenses. The item was tabled until the City receives more information.

June 13, 1985

Page 7

- D. Revenue Sharing Resolution. B. Stocking read the resolution that the City must submit to receive revenue sharing funds.

ACTION

A motion was made by D. Eastman and seconded by N. Johnson to approve Resolution 6-13-85B. Motion carried.

XI. CITIZEN INPUT ON UNSCHEDULED ITEMS

- A. Sign. Mr. Jim Fish of Siltcoos Lake Resort asked that some of the room tax be used to erect a promotional billboard for Dunes City. He wants Florence to provide the space and Dunes City to provide the sign. N. Johnson said that she would look into the matter when she attends the charter meeting of the Friends of Florence.
- B. Woahink Lake. Dr. Richard Anderson may be in violation of the soil erosion ordinance for clearcutting to the edge of Woahink Lake to place a dock. N. Johnson suggested that someone check into it. B. Stocking will contact the site review committee and ask them to contact Dr. Anderson about reviewing the site for possible violation of the ordinance.

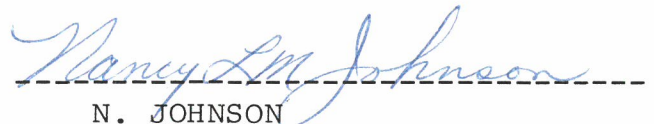
XII. ADJOURNMENT

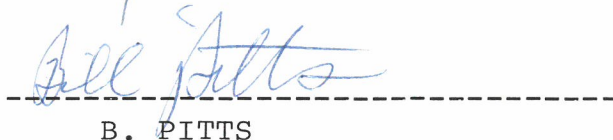
The meeting was adjourned at 10:25 p.m.

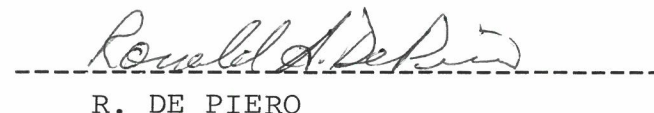

MAYOR J. BAUMEISTER

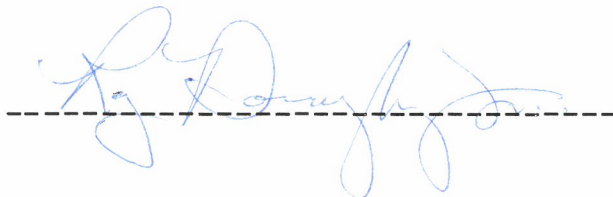

SECRETARY K. BACON


D. EASTMAN


N. JOHNSON


B. PITTS


R. DE PIERO




W. JOHNSON

C-19-1111

DUNES CITY COUNCIL

REGULAR MEETING

JULY 11, 1985

AGENDA

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF JUNE 13, 1985
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF SESSION
- V. ANNOUNCEMENTS AND CORRESPONDENCE
- VI. REPORTS
 - 1. LOTTERY REPORT-BILL PITTS
 - 2. ROADS
 - 3. SIGN REQUEST-NANCY JOHNSON
 - 4. SITE REVIEW COMMITTEE
 - 5. LIQUOR LICENSES-B. STOCKING
 - 6. LEGAL MATTERS-ATTORNEY GERBER
- VII. PUBLIC HEARINGS
 - 1. MINOR PARTITIONS-HICKMAN
- VIII. EXECUTIVE SESSION a) Litigation, b) Personnel, c) Negotiations
- IX. UNFINISHED BUSINESS
 - 1. ANDERSON CAMEL RIDES
- X. NEW BUSINESS
 - 1. HELEN DIER RE: SIGN ON CLEAR LAKE
 - 2. RESOLUTION 7-11-85
 - 3. OCEAN BOULEVARD REPAIRS
 - 4. MILLER RE: SIGNS
- XI. CITIZEN INPUT ON UNSCHEDULED ITEMS
- XII. ADJOURNMENT

DUNES CITY COUNCIL MEETING

REGULAR MEETING
JULY 11, 1985

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 7:35 p.m. by Mayor Jim Baumeister.

PRESENT: R. Donaghey, R. De Piero, Mayor Baumeister, D. Eastman, N. Johnson, B. Pitts, W. Johnson, City Recorder B. Stocking and secretary K. Bacon. There were nine citizens in the audience, and no representatives of the press. Attorney Gerber was out of town, and he had asked that the mayor wait to discuss legal matters until he could be there.

II. APPROVAL OF MINUTES OF JUNE 13

ACTION A motion was made by D. Eastman and seconded by B. Pitts to approve the minutes of the meeting of June 13, 1985. Motion carried.

III. BILLS AND RECEIPTS

ACTION A motion was made by B. Pitts and seconded by R. De Piero to pay the bills against the City in the amount of \$2,314.04. Motion carried.

IV. RECEIPTS OF THE SESSION - \$4,335.94

V. ANNOUNCEMENTS AND CORRESPONDENCE

A. Naming Highways. B. Stocking briefed the council on a letter she had received from the Highway Division. The Division requested input from the City on developing criteria for a policy on naming highways.

B. Zone Change. B. Stocking announced that Lane County would be conducting a hearing at the Florence Annex July 25 for a rezoning request in the community of Glenada. The hearing will be at 7:30, and the mayor encouraged city council members to attend, if possible, to give input.

C. County Newsletter. The County Commissioners have prepared a newsletter entitled, "What Does 3 Percent of Your Property Tax Dollar Buy?"

- D. League of Oregon Cities. The League of Oregon Cities is scheduling a conference in Seattle for December 7 - 11. Mayor Baumeister did not feel he would attend.
- E. Oregon Mayors Summer Workshop. The Oregon Mayors Summer Workshop will be held at the Inn of the Seventh Mountain in Bend August 21 - 24.
- F. Service Contract for Typewriters. There was considerable discussion of the proposed service contract with Bay Office Machines. Bay Office had offered to service the machines annually for \$70 per machine. This would include an annual cleaning and inspection and unlimited service calls during the year of the contract.

ACTION

A motion was made by N. Johnson and seconded by B. Pitts to enter into a service contract with Bay Office Machines. Motion carried.

VI. REPORTS

- A. Lottery Report. B. Pitts presented to the council some information distributed by LCOG on the disbursement of the lottery money. B. Pitts said the disbursement had been approved by the House and the State Senate, but he did not know if the governor had signed it.
- B. Neighborhood Watch. B. Pitts announced that the Neighborhood Watch picnic would be July 13 at the East Woahink area of Honeyman Park.
- C. Liquor Licenses. B. Stocking had contacted the Liquor Control Commission after the last meeting and found that it is not necessary to have public hearings for liquor license renewals unless there is a problem. If the City feels there is a problem with a licensee, the City may hold a hearing when it is time for license renewal.
- D. Roads. The mayor discussed the problem with the sinking of a portion of Ocean Boulevard. The mayor had written to Lane County requesting aid. He had received a letter from Mr. John Goodson, the county public works director, saying the county would help if the City would send a letter stating that this would be a one-time only case since the road is not under Lane County's jurisdiction. The mayor would like to wait to have the county pave the road until the bank can be stabilized. D. Eastman said a state bridge authority may be responsible for originally stabilizing the bank. The council discussed also having the County do brushing for the City.

ACTION

A motion was made by B. Pitts and seconded by R. Donaghey to accept the County's offer to assist with Ocean Boulevard. Motion carried.

Buckskin Bob. B. Pitts asked about fixing the edge of Buckskin Bob. He said a strip along the edge six or seven feet long keeps breaking off. In the past, the small gravel that was dumped there to stabilize it had washed away when it rained. Council discussed asking if the County could help with this problem, also.

E. Friends of Florence. N. Johnson reported on the charter meeting she had attended of the Friends of Florence. She said the goal of the group is to promote Florence to permanent residents rather than just to tourists. They felt the best way to do this is to put out a booklet which they are going to do. There will be no ads in the booklet, and it will be supported through donations. It will be distributed primarily through direct mail. It was estimated that the cost of printing and distributing will be \$25,000. N. Johnson said that \$14,000 had been pledged by the end of the meeting. N. Johnson had asked at the meeting about promoting Dunes City in the magazine. She was told that the surrounding area would be mentioned, but that Florence would be stressed.

RECESS

The meeting was recessed at 8:20. Attorney Gerber entered the meeting during the recess. The meeting was reconvened at 8:35 p.m.

F. Police. Attorney Gerber recommended not approving the sheriff's contract until some things are straightened out. the council discussed reports of patrols and having a maximum financial limit included in the contract. D. Eastman was concerned that a major crime in Dunes City could wipe out the amount for annual patrols unless a maximum limit is stipulated. Attorney Gerber felt it was a good idea to stipulate that we would purchase our services on a monthly basis for a yearly contract. The proposed wage increase by the county between the proposed contract and last year's contract amounts to an 18.2% increase. Mayor Baumeister said that when Attorney Gerber prepares an amended contract, he should question the hourly rate. Although the City had requested that the deputy submit written reports about his patrols, B. Stocking said the City had not received more than three monthly reports during the last contract period. N. Johnson suggested that the City stipulate that it will pay the monthly bill when it receives the monthly report. Attorney Gerber said the reports are fairly important since the City uses them to justify the revenue sharing expense. Attorney Gerber will draft a letter to the sheriff's office and tell them that there has been a certain amount of dissatisfaction about the monthly reports.

- G. Legal. Attorney Gerber said he is still working with the Department of Fish and Wildlife about the City's codification. They think they can get the problem worked out.
- H. Site Review. The council members had a copy of the written report of the Site Review Committee in their packets. Mrs. Debbie Stinger had visited Dr. Anderson's property on Woahink Lake where he is going to put in a dock. The site had been reviewed for possible violations of the soil erosion ordinance. Mrs. Stinger did not feel that there was a threat of erosion. Dr. Anderson was at the meeting and explained his intent to put in the dock. He had the area tested by a soil scientist. He planned to use a sluice dredge to prepare the area in the lake for the dock. The dredge spoils would be dumped uphill on the property. The soil scientist had said he did not feel it would make the water murky. Dr. Anderson was given a copy of page 9a of the Zoning Ordinance concerning dredging.

VII. PUBLIC HEARING - Doug Hickman - Three Minor Partitions

Mayor Baumeister opened the public hearing at 9:05 on the minor partition requests of Mr. Doug Hickman. Mr. Hickman was represented at the meeting by Attorney Tom Nicholson and Mr. Eugene Wobbe. T. Nicholson explained that Mr. Hickman owns three lots that he wanted to partition into seven lots. There was considerable council discussion as to whether all the lots would be buildable because of the problems of getting water to the lots. Mr. William Reisenhuber asked if Maple Street would be developed when the lots are developed. T. Nicholson said it would have to be developed since it is the access to the lots. Attorney Gerber suggested that as a condition for granting the partition of tax lot #800, a cul-de-sac be created at the south end of Maple Street where it abuts against the proposed lots 6 and 7. This would be necessary as a turn-around for emergency vehicles when the lots are developed. He suggested that the city council also has the right to put conditions on the lots with regard to water. There was a discussion of the City granting an easement along Maple Street to run a water line from the Siltcoos outlet to serve lots 1 through 6 in the event water is not available on the lots. The mayor asked if the Planning Commission had conducted a site review. They had not, and the city council members had not seen the property. D. Eastman suggested Mr. Hickman be required to get septic approval before the partition could be approved.

Mr. Joseph Lane, a nearby property owner, expressed a concern about water. He said that two wells drilled just north of tax lot #800 had been found to be dry.

Jeanne Zolezzi asked if the City could approve a partition of a lot on which there is an encroaching house.

Louise Nordahl said she would like a guarantee from the City that the water quality of the water systems in the lake north of tax lot #800 would not be affected if it was partitioned, sold, and developed.

ACTION

A motion was made by W. Johnson and seconded by N. Johnson to approve the Minor Partition requests of Mr. Doug Hickman with the following conditions:

1. That Mr. Hickman provide a five-foot easement for water to serve all eight lots in the event water is not available on the lots.
2. That Mr. Hickman provide a cul-de-sac at the end of Maple Street between proposed lots 6 and 7 as a turn-around for emergency vehicles.

AYE: N. Johnson, R. DePiero, R. Donaghey, W. Johnson

NAYE: D. Eastman

Motion carried. Mr. Pitts had left the meeting before the vote.

The public hearing was closed at 10:40 p.m.

VIII. UNFINISHED BUSINESS

- A. Camel Rides. Dr. Anderson was at the meeting to discuss the camel ride signs. He said he felt he had complied with the Dunes City regulations. He has applied for the sign permit, Conditional Use Permit and Variance to place the signs on his property. He will be heard by the Planning Commission at its meeting July 17. He explained he had put up the signs announcing the camel rides within the Lane County jurisdiction with their knowledge before he had received the written approval because the time was short before opening the attraction. The city council said that, although the other signs are not within City jurisdiction, the City is concerned with sign clutter. There was discussion of the color of the yellow and red signs. Dr. Anderson said that next year the color will probably be different.
- B. Resolution 7-11-85. The resolution states that the City will maintain a list of fixed assets owned by the City. The auditor currently has such a list, and he will give a copy to the City.

ACTION

A motion was made by N. Johnson and seconded by R. Donaghey to approve Resolution 7-11-85 to maintain a list of fixed assets.

AYE: D. Eastman, N. Johnson, R. DePiero, R. Donaghey, and W. Johnson

Page 6

NAYE: None

Motion carried.

C. Miller's Landing - Signs. There was a discussion of the number of signs on the Miller's Landing since the building has been sublet. N. Johnson said that someone should stop and tell the person who is subleasing the building that he needs to apply for a sign permit to place his signs on the building.

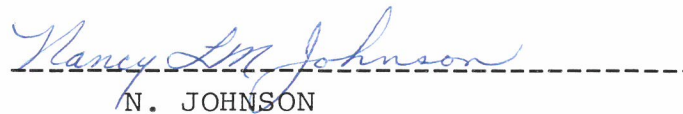
IX. ADJOURNMENT

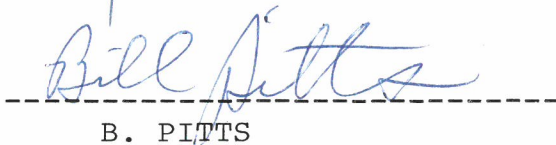
The meeting was adjourned at 11:25 p.m.


MAYOR BAUMEISTER

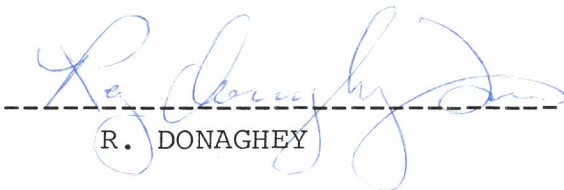

SECRETARY K. BACON

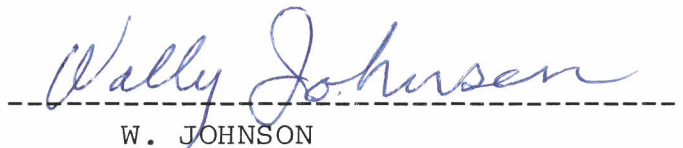

D. EASTMAN


N. JOHNSON


B. PITTS


R. DE PIERO


R. DONAGHEY


W. JOHNSON

DUNES CITY COUNCIL

AUGUST 8, 1985
REGULAR MEETING

I. CALL TO ORDER AND ROLL CALL

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

PRESENT: Mayor Baumeister, D. Eastman, N. Johnson, R. DePiero, R. Donaghey, W. Johnson, Attorney Ron Gerber, City Recorder Betty Stocking and secretary K. Bacon. There were 20 citizens in the audience and one representative of the press.

ABSENT: B. Pitts was excused. He was representing LCOG at a conference in Lake Tahoe.

II. APPROVAL OF MINUTES OF JULY 11, 1985

ACTION A motion was made by D. Eastman and seconded by R. Donaghey to approve the minutes of the July 11, 1985, meeting. Motion carried.

III. BILLS AGAINST THE CITY

A ION A motion was made by N. Johnson and seconded by R. DePiero to pay the bills against the City in the amount of \$2,577.67. Motion carried.

IV. RECEIPTS OF THE SESSION - \$5,450.60

V. ANNOUNCEMENTS AND CORRESPONDENCE

A. Governor's Award for Physical Fitness. The City had received a notice from the Governor's Office that the Governor's Council for Health, Fitness and Sports 1985 Leadership Awards competition had added a special "Mayor's Certificate" category this year. The City had nominated Mr. Jim Archer for his work with physical fitness.

B. Lottery Disbursement. The City had received a letter from Mr. Robert L. Montgomery, administrator for Intergovernmental Relations Division. The IRD has been designated to administer the Public Works Fund created by proceeds from the Oregon Lottery. They had sent preliminary information listing the requirements of the law for receiving funds from the Lottery. IRD is presently developing rules and criteria.

- C. Friends of Florence. Mr. P.T. Smith was present to thank the City Council for its support of the project to provide a van for cancer patients receiving radiation treatment at Sacred Heart. He said the van had been paid for through donations. They are currently looking for volunteers to help with the driving.

VI. REPORTS

- A. Roads. W. Johnson said he had talked with Jim Miller of Lane County Roads. They had determined that they could brush all the roads that need the work in Dunes City in four days. The county would charge \$33 an hour to use one machine and \$66 an hour if two machines are used at the same time. It was suggested that the City give a monetary limit to the county to be sure the work stays within the City budget.

ACTION

A motion was made by D. Eastman and seconded by N. Johnson to authorize the Lane County Road Department to brush the roads in Dunes City at a cost not to exceed \$2,500. The Road Commissioner and the Director of Roads will determine which roads are to receive priority. Motion carried. Keith Watson will supervise the work as it is being done.

- B. Grant Application. Commissioner B. Pitts had prepared a grant application for Dunes City to submit to LCOG. LCOG had been designated as a clearing house to receive the applications for the State for allocation of crime prevention funds. The City had requested \$6,000 to help with the Sheriff's patrols and the Neighborhood Watch program. LCOG was to submit seven (7) applications to the state and had ranked Dunes City as third in priority. The selection will be made late in August.
- C. Wildlife. Attorney Gerber reported on the progress being made with the State Fish and Game Department concerning the hunting of game birds within Dunes City limits. The City code allows the hunting. The wildlife commission has to adopt special regulations to allow it; and they are prepared to do that, Attorney Gerber said.
- D. Salal. Mrs. Ruth Wood wishes to develop Salal to her property. The City cannot give approval to open that street because it is a private road and the City has no jurisdiction over it, Mr. Gerber said. He advised Mrs. Wood in a letter that she would have to obtain a road permit to open the road, and she would proceed at her own risk. It would be her responsibility to be sure that the road was developed within the road right-of-way.

- E. Parks. N. Johnson reported that Lane County intends to spend \$16,000 to improve the Lane County dock at Westlake.

VII. PUBLIC HEARINGS

- A. Sign Permit - Frank Welles. The public hearing was opened at 8 p.m. Mr. Welles was unable to attend the meeting. He had told Planning Commission Chairman T. Hunt that he was unable to finalize an agreement with Mr. and Mrs. Al Miller to take over their Gallery. Therefore, he will not be using the back of Mr. Miller's signs. Mr. Welles does need a sign permit for the signs he already has in use. T. Hunt read the Findings of Fact and Conclusions of Law the Planning Commission had found in their public hearing. There was no public testimony at this meeting either for or against the permit. The public hearing was closed at 8:07 p.m. D. Eastman asked why earth tones had not been stipulated for Frank Welles application and had been for Dr. Richard Anderson, another sign permit applicant. The reason given was that Mr. Welles' signs were already in place on the building when he applied for the permit.

ACTION

A motion was made by R. Donaghey and seconded by N. Johnson to send the application back to the Planning Commission for further action and resubmission to the City Council. Motion carried. N. Johnson suggested that as many members of the City Council as possible should attend the Planning Commission meeting.

- B. Dr. Richard Anderson - Sign Permit, Variance to Place a Sign on Residential Property, and a Conditional Use Permit to have a Sign Off-Premise. The public hearing was opened at 8:20 p.m. Dr. Anderson addressed the City Council and said that he prefers to leave his two camel ride signs on the east side of the highway where they are rather than move one into a group of small trees in front of his driveway. To move the sign to that position would require removing some trees so that the sign will be 40 feet from the centerline of Highway 101. He would rather not remove the trees. Dr. Anderson has removed the one sign that was on the west side of Highway 101 near the junction of Clear Lake Road and Highway 101.

T. Hunt said he felt that Dr. Anderson would have to remove a minimum amount of brush to the north of his driveway; it would be a matter of cutting back overhanging branches rather than removing trees at ground level. N. Johnson said that she is opposed to leaving any sign on the east side of Highway 101 at the junction of Highway 101 and Clear Lake Road. She said the City Council had wanted to place a City sign at that location directing to the North Beach area of the City similar to the sign located at the entrance to Westlake. Dr. Anderson said he does not mind moving the sign at the junction of Clear Lake either north or south of its present location. It is placed where it is because it was less marshy in that location.

Martha Jakob testified she has given verbal approval to Dr. Anderson to place a sign on her property. She requested that she be able to place a sign advertising her business on the back of Dr. Anderson's sign rather than having the back painted in earth tones as the Planning Commission had requested. There was a discussion of taking the sign down at the end of the season. M. Jakob has no objection to the sign coming down at the end of the season.

Helen Dier, former owner of Darling's Resort, said the Highway Division told her that a sign placed on the highway must be contiguous to the property that it advertises and cannot be placed off-premise.

Dr. Anderson said he has obtained permits from the state and county for signs that are placed on the west side of the highway. Once the Dunes City permit process is completed, he will apply to the state for permits to place the signs on the east side of the highway; but he said he needed to have the Dunes City permission first.

Mr. Thurman Furby of Lakeshore Trailer Park also confirmed that he had heard of others who had applied for sign permits through the state and had them denied because they were not on the property they advertised. He also felt the number of signs Dr. Anderson had applied for violated the intent of the Comprehensive Plan. There was considerable discussion of whether or not the state would grant approval, and Dr. Anderson agreed that it would be his problem to take care of.

Mr. John Carlson suggested that the sign be raised slightly and be six feet from the bottom of the sign so that it would be possible to see the lake underneath. (The Planning Commission recommended that the sign be no more than six feet high to preserve the view of Woahink Lake.)

The public hearing was closed at 9 p.m. The council continued to discuss the problems of approving the sign without knowing whether or not the state would accept the signs being placed off Dr. Anderson's property.

T. Hunt pointed out that the City Council needed to consider approving or disapproving a Variance to place a sign on residential property, a Conditional Use Permit to have an off-premise sign as well as the Sign Permit.

The city council considered the Variance first.

ACTION

A motion was made by N. Johnson and seconded by D. Eastman to accept the following Findings of Fact and Conclusions of Law approved by the Planning Commission. Motion carried.

FINDINGS OF FACT FOR THE VARIANCE:

1. Oncoming traffic is unable to see the attraction because of surrounding brush and trees, and it would be a hardship to be unable to attract customers.
2. The property was used commercially at one time, apparently before the City was zoned.
3. The property is zoned R-1, residential, now.
4. Dr. Anderson owns 60 acres on the west side of Highway 101 and 22 acres on the east side of the highway for a total of 82 acres.

CONCLUSIONS OF LAW:

1. A Variance is needed.
2. A strict or literal interpretation and enforcement of the requirements would result in practical difficulty or unnecessary hardship.
3. There are exceptional or extraordinary circumstances. The property was commercial at one time, and brush and trees make it hard to see the camel rides.
4. Granting the Variance will not be detrimental to the public health, safety, or welfare as long as the signs are 40 feet from the centerline of the highway.
5. Other people in the area are allowed to have signs on their property.

ACTION

A motion was made by N. Johnson and seconded by R. DePiero to accept the Planning Commission's Findings of Fact, Conclusions of Law and Conditions with some changes for a CONDITIONAL USE PERMIT. Motion carried and the changes are incorporated as typed in the following:

FINDINGS OF FACT FOR CONDITIONAL USE PERMIT:

1. The signs are located on Dr. Anderson's property, but they are off-premise to the camel ride attraction.
2. There is one two-way facing sign across the street (outside Dunes City jurisdiction) at the camel rides attraction.
3. The camel rides help to support the tourist source of income.

4. There are two two-way facing signs 4' by 8' on his property directly across the highway.
5. The signs will meet the goals of the Comprehensive Plan for preserving the scenic area policy with an uncluttered appearance if the conditions for granting the request are kept.
6. The signs meet the minor economic activity goal of the Comprehensive Plan on Page 80, Section B, subsection (3).
7. Dr. Anderson owns 60 acres on the west side of Highway 101 and 22 acres on the east side of the highway for a total of 82 acres.

CONCLUSIONS OF LAW:

1. Because he will be eliminating the sign on the west side of Highway 101 at Clear Lake Road and Highway 101 and changing the color and nature of the sign at the east side of Highway 101 on the premises, Dr. Anderson will be eliminating sign clutter.
2. Dr. Anderson does need a Conditional Use Permit because the signs are located off-premise.

CONDITIONS:

1. That the City allow Dr. Anderson to place one 4-foot by 8-foot one-way facing sign at Martha Jakob's property located at tax lot #500 on Map 19-12-22-3.
2. That the sign at Martha Jakob's property on Woahink Lake be limited to six (6) feet in height and no more than 32 square feet overall.
3. That the signs be of a design which will easily be removed during the off-season, and that they will be removed at the end of the season.
4. That the sign at Martha Jakob's be a one-way facing sign with the back (or south-facing) side being painted in earth tones.
5. That Dr. Anderson eliminates the sign on the west side of the highway at the junction of Clear Lake Road and Highway 101.

6. That the sign on the east side of Highway 101 on his property be redesigned to be similar in design as signs showing camels and saying Lawrence of Florence and be a one-way facing sign only with the north side painted in earth tones.
7. That the on-premise sign be redesigned in earth tones.
8. That Dr. Anderson be limited to a total of four (4) signs both on and off premises and in and out of Dunes City jurisdiction.

ACTION

A motion was made by N. Johnson and seconded by R. Donaghey to accept the Planning Commission's Findings of Fact, Conclusions of Law and Conditions for a SIGN PERMIT with some changes. Motion carried and the changes are incorporated into the following as typed:

FINDINGS OF FACT FOR SIGN PERMIT:

1. Dr. Anderson wants to put in one (1) two-way facing sign directly across the Highway 101 from the camel rides.
2. Dr. Anderson wants to put in a one-way sign at Martha Jakob's property on Woahink Lake. The property is located at 19-12-22-3, tax lot #500.
3. He would like to place a one-way sign on his property east of Highway 101 near tax lot #700 located on Map 19-12-27-2.
4. He has submitted the design to the City.
5. The signs are to be 4 feet by 8 feet each and not to exceed 32 square feet overall.
6. The signs are to be off-premise signs for the purpose of directing customers to the camel rides.

CONCLUSIONS OF LAW:

1. A sign permit is needed.
2. The request meets the criteria of the sign ordinance.

Dunes City Council
August 8, 1985

CONDITIONS:

1. The sign Dr. Anderson places on Martha Jakob's property on Woahink Lake be no more than six feet high and be a one-way facing sign only.

VIII. RECESS

The meeting was recessed at 9:50 and reconvened at 9:55 p.m.

VII. PUBLIC HEARINGS - Continued

C. Bob Robertson - Variance. Mr. Robertson requested a Variance to encroach into the setback requirement of Woahink Lake and into the Highway 101 setback to build a home. The public hearing was opened at 9:55 p.m. This hearing was an appeal to the City Council following the Planning Commission's recommendation for denial of the request.

T. Hunt read the Findings of Fact and Conclusions of Law the Planning Commission had determined. Attorney Gerber questioned how the conclusion of law was reached concerning the public health, safety and welfare since there had been nothing listed in the Findings of Fact supporting that conclusion. T. Hunt explained it was the lack of adequate parking and turnaround space for any visitors. Attorney Gerber then said the facts seemed to support that conclusion.

Mr. Robertson addressed the City Council. He pointed out that several people are now parking along that strip of highway on the right-of-way. He said there are other homes nearby that are located as close to the lake as his proposed homesite. It was stated that those homes were built before the City was zoned.

Mr. Robertson has recently had the boundaries of his mobile home park surveyed, and it was found that it was necessary to move some of the mobile homes on the south side of the property because they encroached over his neighbor's property line on the south. This leaves him less room within the mobile home park to build his home than originally thought.

Former Mayor Bob Read felt that sanitation was a main consideration of past councils in considering variances to locate closer to the lake. He felt the septic system the Robertsons had designed would eliminate that concern of affecting the water quality in Woahink Lake.

John Carlson said that if the City Council granted a Variance to encroach 38 feet into the lake setback, the City would set a precedent that could have an adverse effect on the City Comprehensive goals.

Sam Marinesi said he agreed with Mr. Carlson. He had been told and had complied with the regulations regarding making cuts into the bank, removing vegetation and building within the 50-foot setback when he recently built his home on the lake. He felt that, in fairness, the rule should be applied to all.

B. Stocking asked the Robertsons if they had considered the noise factor in locating their home so close to the highway. They said that they had, and they had designed the proposed home to try to minimize the noise factor. B. Stocking also reminded the city council of one recent Variance to build within the setback from the lake that had been granted to Dr. Sabry Mason on property that was not as desirable, in her opinion, as the property the Robertsons wish to use.

The question of establishing a precedent was discussed. Attorney Gerber advised that there is no such thing as establishing a precedent in land use decisions; each application is considered in its relation to the City codes. He also said it was the aesthetics of the area around the lake as well as the question of sewage contamination that had created the 50-foot setback from the lake.

Mr. Robertson said he could put four (4) RVs on the space adjacent to the lake in answer to N. Johnson's comment that he could beautify the property without building a house on it. (Mr. Robertson had said he felt a home would beautify property he does not feel is particularly beautiful at this time.)

Attorney Gerber suggested making a condition that the lot have dual zoning with the potential homesite being zoned R-1. There was considerable council discussion of this. There was discussion among the city council about the future possibility of a marina being allowed on the property. A marina is a permitted use of commercial property. The property is currently zoned commercial, and the city council felt a marina would be undesirable.

Mr. Robertson owns an adjacent tax lot to the north of the mobile home park. The council discussed the possibility of using that lot for his homesite or expanding his mobile home park. Attorney Gerber advised that in the past the city council has not accepted economic factors as a hardship for granting a Variance.

ACTION

A motion was made by W. Johnson and seconded by R. Donaghey to accept the Planning Commission's Findings of Fact and to change the Conclusions of Law. The Findings of Fact and Conclusions of Law are accepted as follows:

FINDINGS OF FACT:

1. All property owners within 300 feet had been notified.
2. The City had received two written responses: one in favor, and one opposed. The neighbors directly south of the property, who had expressed opposition, felt it would obstruct their view of the lake if the Robertsons are allowed to build a home next to the water. The Planning Commission members had observed the home of the owners who objected. It was felt that their view is already obstructed by trees and vegetation along the lake on their tax lot and their home is elevated.
3. The Robertsons plan for a home with a maximum of three bedrooms. They have not decided whether or not it will be two stories. However, if they decided to make it a two-story home, the second story would be over the garage at the north end of the house.
4. Mr. Robertson wishes to build a house that would be 92 feet in length and 22 feet wide.
5. The home would be 12 feet from the lake -- encroaching 38 feet into the setback.
6. The home would encroach eight (8) feet into the setback from Highway 101.
7. Mr. Robertson has obtained a permit from the Highway Department to lay two lines (one for water and one for sewage) under Highway 101.
8. Mr. Robertson plans to put in a septic tank and pump the effluent into a holding tank at the mobile home park.
9. Mr. Robertson has obtained permission from the D.E.Q. if it meets the conditions they outlined in their letter of permission. This letter is included in Mr. Robertson's application file and is incorporated herein by reference.
10. Mr. Robertson proposes a picnic area to the south of the proposed house. The picnic area would be available to the residents of the mobile home park.

11. A wooden bulkhead along the bank at the site needs some boards replaced, according to testimony. This will require removing some vegetation to repair the bulkhead.
12. Mr. Robertson has 30 mobile home sites and ten (10) RV sites at the mobile home park. He currently has eight (8) mobile home spaces rented and no RV sites rented.
13. Map 45 of the Comprehensive Plan shows the site to be in an area least suited for development.
14. Entire Tax Lot #200 has 4.5 acres. However, the portion of the lot on which the Robertsons wish to build is 197 feet long by 43 feet wide at the south end and 73 feet wide on the north end of the property. It was estimated that the entire portion east of the highway is 9,500 square feet or less than 1/4 of an acre.
15. The property is zoned commercial.
16. The Robertsons say they would have to eliminate four mobile home spaces to build their home in the park. The D.E.Q. said they would have to eliminate one (1) mobile home space to build a three-bedroom house on the east side of Highway 101.

CONCLUSIONS OF LAW ARE TYPED AS AMENDED:

1. Mr. and Mrs. Robertson do need a Variance.
2. Because the Robertsons have to situate the house on a vastly inferior homesite, it is a hardship to deny the Variance.
3. Exceptional circumstances do exist.
4. There are others in the area located within the lake setback, and to deny the Variance would deny a privilege to the Robertsons that is enjoyed by others in the area.
5. There is enough room outlined in the house plans for backing and turning safely so that there is no danger to the health, safety, or public welfare by granting the Variance.

AYE: R. Donaghey, W. Johnson
NAYE: R. DePiero, N. Johnson, D. Eastman

Motion failed.

ACTION

A motion was made by D. Eastman and seconded by N. Johnson accepting the Planning Commission's Findings of Fact and the Conclusions of Law outlined in the motion initiated by W. Johnson but with the following conditions:

1. The Robertsons must apply for and receive a zone change for the portion of their tax lot #200 east of Highway 101 to R-1, residential.
2. The structure to be built will be single elevation.
3. If the zone change is allowed, there will be limited moorage facilities not to exceed 12 boats.

AYE: D. Eastman, N. Johnson, R. Donaghey, W. Johnson
NAYE: R. DePiero

Motion carried.

IX. NEW BUSINESS

A. Westlake Fisherman's Market.

ACTION

A motion was made by R. Donaghey and seconded by N. Johnson to approve the liquor license request of Westlake Fisherman's Market. Motion carried.

- B. Insurance. Bob Read of Read Insurance discussed the City's insurance policy which was due for renewal. The City's former policy was with Transamerica which no longer writes tax policies, according to Mr. Read. He had been looking for another Class A source. At this time, he said, there are only three markets available for tort liability. He felt the City really needed tort liability. The council discussed the premium change which was quite a bit higher than last year's. Attorney Gerber said the City of Florence and Western Lane Hospital also had a large jump in their insurance premiums, and it apparently is throughout the insurance business. The City currently has \$1,500 budgeted for insurance. The premium would be \$2,650 annually.

ACTION

A motion was made by R. DePiero and seconded by R. Donaghey to accept the insurance proposal of Read Insurance with a \$2,650 premium annually. Motion carried.

- C. Tree Removal. Mr. George Reedal was in the audience to request removing three trees in the public right-of-way on Leavitt Loop that he considers to be unsafe. He said the trees are over 100 feet tall. The Site Review Committee had checked the trees and felt that there was no way they could determine what condition the trees are in. There are two spruce trees and one hemlock. Mr. Reedal said he would get the power company to come out and drop the lines while the trees are removed. The Site Review Committee recommended

having a professional fall the trees if they are felled. The road is narrowed by the trees so that it would not be possible to get a trailer through. N. Johnson asked what Mr. Reedal would do with the trees once they were removed. He said that he planned to cut them into firewood. She said that in a previous situation similar to Mr. Reedal's the owner had delivered the wood to senior citizens. Mr. Reedal said he would deliver two cords to the Senior Booster Center.

ACTION


A motion was made by N. Johnson and seconded by R. DePiero to allow Mr. Reedal to remove the three trees in the right-of-way in front of his property at his own expense and at his own peril. Motion carried.

It was recommended that the trees be flagged so that they can be checked by W. Johnson in the next few days.

X. ADJOURNMENT

ACTION

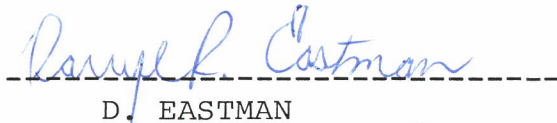
A motion was made by D. Eastman and seconded by R. Donaghey to adjourn, and the meeting was adjourned at midnight.



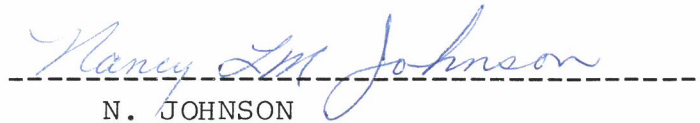
MAYOR J. BAUMEISTER



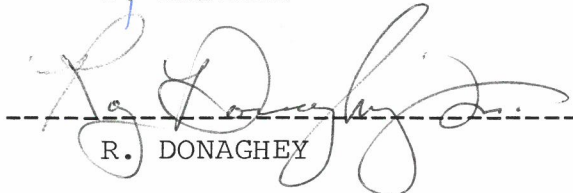
SECRETARY K. BACON



D. EASTMAN



N. JOHNSON



R. DONAGHEY



R. DE PIERO



W. JOHNSON

DUNES CITY COUNCIL

REGULAR MEETING
SEPTEMBER 12, 1985

A G E N D A

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF AUGUST 8, 1985
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF SESSION
- V. ANNOUNCEMENTS AND CORRESPONDENCE
 - A. LCDC Information about Proposed Amendments
 - B. Vaccination Notice
 - C. Vote by Mail
 - D. League of Oregon Cities Conference
- VI. REPORTS
 - A. Report on National LCOG Conference - B. Pitts
 - B. Road Committee
 - C. 9-1-1 Report
 - D. Any Other Reports Council Members may have
- VII. PUBLIC HEARING
 - A. South Shore Subdivision - Robert Hartshorne
- VIII. EXECUTIVE SESSION a) Litigation, b) Personnel, c) Negotiations
- IX. UNFINISHED BUSINESS
 - A. Sheriff's Contract
 - B. Emile Mortier's Contract
 - C. Attorney Ron Gerber Contract
 - D. Conditional Use Permit Fees Regarding Animals
 - E. Department of Fish and Wildlife Regarding Hunting in Dunes City
- X. NEW BUSINESS
 - A. Intergovernmental Agreement Regarding Comprehensive Plan
- XI. CITIZEN INPUT ON UNSCHEDULED ITEMS
- XII. ADJOURNMENT

DUNES CITY COUNCIL

REGULAR MEETING
SEPTEMBER 12, 1985

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 7:35 p.m. by Mayor Jim Baumeister.

PRESENT: B. Pitts, N. Johnson, D. Eastman, Mayor Baumeister, R. Donaghey, R. DePiero, W. Johnson, Attorney Ron Gerber, City Recorder B. Stocking and secretary K. Bacon. There were 12 citizens in the audience. There were no representatives of the press.

II. APPROVAL OF MINUTES OF AUGUST 8, 1985

There were no corrections to the minutes of the meeting August 8, 1985; and the minutes were approved.

III. BILLS AGAINST THE CITY

ACTION A motion was made by B. Pitts and seconded by N. Johnson to approve the bills against the City in the amount of \$5,017.27. Motion carried.

IV. RECEIPTS OF THE SESSION - \$4,693.52

V. ANNOUNCEMENTS AND CORRESPONDENCE

There were several announcements concerning upcoming conferences, voting by mail (which will continue unless the City specifies when it has a measure on the ballot that it would like to have an election held differently), and vacancies on various Lane County boards.

A. Friends of Florence. The City had received a letter from Mr. P. T. Smith thanking the City for its support of the van to transport cancer patients to Eugene for treatments.

B. Bob Robertson - Variance. The City had received letters from Pat Smith and John Carlson and petitions with 26 signatures. They all asked that the City Council reconsider and reverse its decision to allow the Variance. Mr. and Mrs. Robertson were in the audience. Mr. Carlson attached some information to his letter that he had gotten from the County Assessor's office on the legal description of the property. The dimensions in the legal description were different from the dimensions obtained when the property was recently surveyed. Attorney Gerber advised the City Council that it was not necessary for the City to revoke the Variance; if Mr. Robertson is able to meet the setback requirements outlined by the City Council, he would be able to build the house.

There was a discussion of whether there was some filling in the lake behind a bulkhead along the Robertson property at some time in the past. There was a difference of 20 feet in lot depth between the survey recently done and the legal description of the property.

During the discussion, Mr. Eugene Wobbe discussed the inaccuracies in the old meander lines used in legal descriptions. He suggested that the City could check the old highway right-of-way maps to check on land acquisition.

After considerable discussion between the City Council and Mr. Robertson, Mr. Robertson said that he had invested considerable money in a contract with an architect. He had made the investment because he felt the zone change that had been specified as one of the conditions of granting the Variance would be strictly a matter of paperwork.

ACTION

A motion was made by N. Johnson and seconded by R. Donaghey to rescind the Variance granted to Mr. and Mrs. Robertson.

In the discussion that followed the motion, Mr. Robertson said he withdrew his request for a Variance.

Mrs. Johnson called for a vote on the motion to reconsider the original vote granting the Variance.

AYE: Mayor Baumeister, N. Johnson, R. DePiero, R. Donaghey

NAYE: W. Johnson, D. Eastman

Motion carried.

VI. REPORTS

A. Western Council of Governments Conference. B. Pitts reported on the conference he had attended at Lake Tahoe on August 8 - 11.

B. Roads. The council had the Road Supervisor's report in their packets. The council members expressed satisfaction with the brushing that had been done recently by Lane County road department under contract with the City. The City felt it would like to contract with the county again for further brushing work that may need to be done in the future.

X. NEW BUSINESS

A. Intergovernmental Agreement with LCOG. The mayor moved the agenda to new business to take care of the intergovernmental agreement with LCOG for the Comprehensive Plan review.

Mr. Gary Darnielle was in the audience, and it was necessary for him to return to Eugene that night.

ACTION

A motion was made by D. Eastman and seconded by R. Donaghey to accept the contract with LCOG for the Comprehensive Plan update per the discussion of the C.C.I. meeting. The amount of the proposed contract is \$2,309. Motion carried. Mr. Darnielle stressed that the periodic review grant will be a separate grant. He suggested that the mayor write to LCDC explaining that the City has to get the periodic review work done by December 23, and "if they don't get the City the grant until October, it doesn't make much sense". He will work with the mayor on that matter.

VII. PUBLIC HEARING - South Shore Subdivision - Robert Hartshorne

The mayor opened the public hearing at 8:28 p.m. on the South Shore Subdivision preliminary plat. Councilman W. Johnson declared a conflict of interest.

Mr. Hartshorne explained his concept for the subdivision. N. Johnson asked about access for fire trucks and Neighborhood Watch if the subdivision has a card key gate. Mr. Hartshorne explained that fire trucks could have their own card or key or the subdivision could install a breakaway bar on the gate.

N. Johnson asked about street lights. Mr. Hartshorne said he did not want the subdivision to have bright overhead lights and to be brightly lit because it is elevated and visible from much of Woahink Lake, and people do not like to have street lights shining into their windows at night. There was a concern for safety, however; and the council discussed other forms of lighting -- ground lights or landscaping lights.

Attorney Gerber suggested that lights should be placed at the end of each cul-de-sac and at the intersection of South Cove Drive and South Cove Way. Mr. Hartshorne plans to have lights at the gate to the subdivision.

There was a discussion of the common areas and their uses. Mr. Hartshorne said the common areas would be strictly for foot traffic or vehicles or golf carts, but not ORVs or vehicular traffic would be allowed.

Mr. Hartshorne would like to place multiple boat slips off the common area on the east side of the subdivision and in the cove off proposed Lot 17.

There was a discussion of water easements and water to the property. Attorney Gerber said that for EPW2's proposed subdivision the Boundary Commission had required 1,000 gallons

per house per day, but the State would release only 450 gallons of water per house per day from Woahink Lake. He wanted Mr. Hartshorne to be aware that he may have to meet those same regulations.

It was mentioned that EPW2 had planned to have a common water system. These lots will have individual septic and water systems.

In answer to a question from the council, Mr. Hartshorne said he would install the water lines when the subdivision is being developed to prevent tearing up property later.

Eugene Wobbe said he felt that the grade on the roads within the subdivision would not exceed 7%.

Mr. Hartshorne does plan to put in multiple boat slips, but he does not plan to have a public boat launch.

Attorney Gerber said he felt the City should specify a 16-foot width of blacktop paving on the roads. There was a discussion of the cost involved. When asked, Mr. Hartshorne said he would be able to pave the roads with blacktop after 80% of the lots had been sold.

The public hearing was opened to the public discussion at 9:20 p.m.

Dr. Richard Anderson, an adjacent property owner, said he would like to see the roads left private within the subdivision -- particularly the road that abuts his property. He would like the city council to consider stipulating some kind of effective barrier along the western property line. He was concerned about multiple boat slips proliferating around the lake. He would like to see the lights done with lights three or four feet off the ground, but he said he would be very much opposed to arc lights or bright street lights since the subdivision property looks right down onto his property.

City Recorder B. Stocking pointed out that the Zoning Ordinance lists docks in residential areas as a conditional use only rather than a permitted use. The property owners in the subdivision along the lakefront would have to apply for and have approved a Conditional Use Permit.

Evelyn Passenger, a former planning commissioner and city council member, said she felt that the city council should put a condition for how many docks would be approved.

Mr. John Carlson discussed several points of the proposed subdivision. He felt Item #8 of the Planning Commission's Findings of Fact should be eliminated. He said that water rights are granted only to an "end use" on a specific piece of land after the spigot is turned on and the installation has been verified by the office of the State Engineer. Water rights are not transferrable.

Mr. Hartshorne replied that they had told him in Salem that the rights are transferrable if the former owner signs a statement transferring them. However, the person to whom they are transferred has to meet new standards for the Board in Salem; the new owner cannot use his standards.

Mr. Carlson felt a condition should be added that all drainage on an individual lot must be disposed of within the lot boundaries and may not run over onto roads or adjoining property. He brought up several points concerning drainage and roads.

The meeting was recessed at 10:05 p.m. and reconvened at 10:15 p.m.

The public hearing was closed at 10:15 p.m.

During the recess, Attorney Gerber had drafted some conditions that he hoped would reflect the points discussed by the council. He advised the council that whatever it approved at this meeting, the council cannot be more restrictive when Mr. Hartshorne brings in the final plat.

Mr. Hartshorne was asked by the council about the access for property owners. The lot owners will be given a 1/26 interest in a 7-foot strip of property Mr. Hartshorne owns jointly with Mr. James Banks in Lot 36 of the Tsiltcoos Lake Club Plat. Since the roads within the plat are private, Mr. Hartshorne has chosen this way to give property owners within his subdivision access.

Mr. Hartshorne said that he is anxious to put in power lines, install culverts and gravel the roads before the winter storms begin. And to seed the hill to prevent further erosion.

Mr. Gerber recommended in his draft that the City Council adopt the Planning Commission's Findings of Fact with the exception of Item #8 and with the following conditions:

1. That the road will be paved to a width of sixteen (16) feet.
2. That the grades will not exceed the 7% limitation in the Subdivision Ordinance.
3. That the roads will be paved when 80% of the lots are sold.

4. When 50% of the lots are sold, the City will be notified.
5. The Covenants, Conditions and Restrictions must provide for the maintenance for the roads on final approval.
6. There must be appropriate revegetation of the roadways.
7. The developer must meet all state, county, and City requirements dealing with water and must provide for easements along the west side of the property for lots 19 - 26, an easement through the common area to provide water for lots 1 - 5, and make appropriate easement arrangements for lot 16.
8. The water lines will be installed before sales commence as part of the initial development project.
9. An appropriate easement must be granted to provide water lines for lots 20, 21 and 22.
10. The City Council will review and approve the street lighting arrangement which will provide, among other things, adequate lighting in the two cul-de-sacs, the intersection and at the entrance.
11. The issue of docks for non-lakefront lots is reserved for final approval.
12. The Covenants, Conditions and Restrictions must be presented to the City and approved in the final approval.
13. The City may require overflow culverts on the pond in the final approval if necessary and needed.
14. The City will expect reasonable efforts to be made in stabilizing eroding areas by the time initial development and final approval is sought.
15. There will have to be an undivided interest in the seven-foot strip in Lot 36 of Tsiltcoos Lake Club Plat conveyed to all 26 lots.
16. And the City reserves the right on final approval to require some kind of barrier fence or other appropriate screening device along the west property line between the subdivision and Dr. Anderson's property.
17. Paving is to be completed within five (5) years.

ACTION

A motion was made by B. Pitts and seconded by N. Johnson to accept the Planning Commission's Findings of Fact with the exclusion of Item #8, Conclusions of Law and the conditions outlined by Attorney Gerber for the preliminary subdivision plan for South Shore Subdivision submitted by Mr. Robert Hartshorne. Motion carried.

Page 6

4. When 50% of the lots are sold, the City will be notified.
5. The Covenants, Conditions and Restrictions must provide for the maintenance of the roads on final approval.
6. There must be appropriate revegetation of the roadways.
7. The developer must meet all state, county, and City requirements dealing with water and must provide for easements along the west side of the property for lots 19 through 26, an easement through the common area to provide water for lots 1 through 5, and make appropriate easement arrangements for lots 15 and 16. The water lines will be installed before sales commence as part of the initial development project.
8. An appropriate easement must be granted to provide water lines for lots 20, 21 and 22.
9. The City Council will review and approve the street lighting arrangement which will provide, among other things, adequate lighting in the two cul-de-sacs, the intersection and at the entrance.
10. The issue of docks for non-lakefront lots is reserved for final approval.
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15. And the City reserves the right on final approval to require some kind of barrier fence or other appropriate screening device along the west property line between the subdivision and Dr. Anderson's property.
16. Paving is to be completed within five (5) years.

ACTION A motion was made by B. Pitts and seconded by N. Johnson to accept the Planning Commission's Findings of Fact with the exclusion of Item #8, Conclusions of Law and the conditions outlined by the Attorney, Ron Gerber, for the preliminary subdivision plan for South Shore Subdivision submitted by Mr. Robert Hartshorne. Motion carried.

IX. UNFINISHED BUSINESS

- A. Sheriff's Contract. There was a discussion of the rate increase and proposed rate increase for January by the Lane County Sheriff's Office. The City, however, will not have its rate of \$21.78 an hour adjusted in the middle of the fiscal year; the rate will remain the length of the contract. However, the council asked D. Eastman, the police commissioner, to tell the sheriff's deputy that the City does not want to pay him for patrols while he is manning a radar surveillance on Highway 101. D. Eastman reluctantly agreed to inform him.

ACTION

A motion was made by R. Donaghey and seconded by B. Pitts to accept the Sheriff's Contract. Motion carried.

- B. Building Insepctor Contract. There was a discussion of the proposed contract with Mr. Emile Mortier, the City Building Inspector. Mr. Mortier had proposed doing some inspection work in connection with enforcing certain land use ordinances for the City. Attorney Gerber suggested amending the wording of Item #11 under Duties to include the words "on request". He also suggested that if the City has Mr. Mortier undertake enforcement, the City assess fines as part of the enforcement to pay Mr. Mortier when he does have to investigate.

Attorney Gerber suggested that the City approve the fee schedule with a caveat that the mayor will talk to Mr. Mortier about the \$60 an hour charge to be sure the City has an understanding.

ACTION

A motion was made by N. Johnson and seconded by R. Donaghey to approve the contract with Mr. Emile Mortier as amended by Attorney Gerber. Motion carried.

- C. Attorney Contract. The City Council had approved the contract with Attorney Ron Gerber at its June 13, 1985, meeting. However, Attorney Gerber had not yet given the City a final contract for signature. He will do that.
- D. Conditional Use Permit Fees. There had been a request from a citizen to reconsider the fee for having chickens which requires a Conditional Use Permit fee of \$75. The mayor suggested turning the matter over to C.C.I. to review. The council agreed.

- E. Hunting Within the City. Attorney Gerber announced that the Department of Fish and Wildlife has approved the Dunes City ordinance permitting hunting game birds within the Dunes City limits.
- F. Frank Welles - Signs. The City Council had a recommendation from the Planning Commission concerning the signs at Miller's Lakeside Gallery. The council authorized Attorney Gerber to write a letter giving Mr. Welles 24 hours to remove his signs. After 24 hours, if Mr. Welles has not removed his signs, the City will begin abatement proceedings.

The council reiterated that they want to have from Mr. Welles:

1. A plan of what he plans to do.
2. The location on the building of the signs.
3. A sketch to scale showing the actual colors and style and size of lettering to be used.

X. ADJOURNMENT

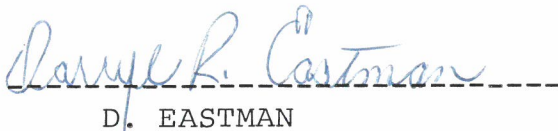
The meeting was adjourned at 11:20 p.m.



MAYOR J. BAUMEISTER



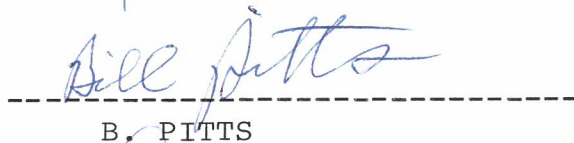
SECRETARY K. BACON



D. EASTMAN



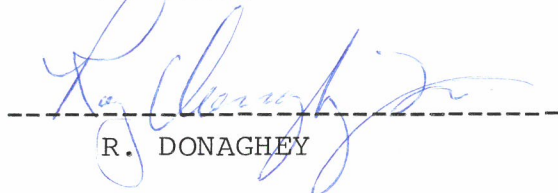
N. JOHNSON



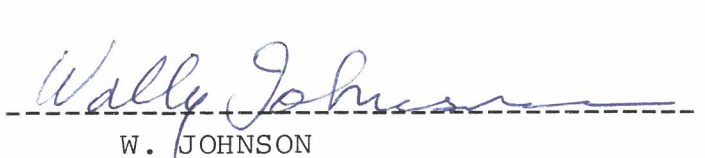
B. PITTS



R. DE PIERO



R. DONAGHEY



W. JOHNSON

DUNES CITY COUNCIL

REGULAR MEETING
OCTOBER 10, 1985

I. CALL TO ORDER AND ROLL CALL

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

PRESENT: B. Pitts, N. Johnson, D. Eastman, Mayor Baumeister, R. Donaghey, Attorney R. Gerber, City Recorder B. Stocking and secretary K. Bacon. There were 11 citizens in the audience and two representatives from the press.

ABSENT: R. DePiero and W. Johnson

II. APPROVAL OF MINUTES OF SEPTEMBER 12, 1985

The City Council pointed out an error in the minutes on page 6. Item #8 of the Conditions for Mr. Robert Hartshorne will be combined with Condition #7. The secretary will check the tape to see if Item #16 of the Conditions should state that a barrier fence will be erected between the subdivision and Dr. Anderson's property only at the end of a street that deadends at his property.

ACTION A motion was made by N. Johnson and seconded by B. Pitts to approve the minutes of the September 12, 1985, meeting as corrected. Motion carried.

III. BILLS AGAINST THE CITY

ACTION A motion was made by D. Eastman and seconded by R. Donaghey to pay the bills against the City in the amount of \$2,325.98. Motion carried.

IV. RECEIPTS OF THE SESSION - \$5,750.89

V. ANNOUNCEMENTS AND CORRESPONDENCE

A. Grant Application. B. Pitts reported that the grant application the City had submitted for police protection had been rejected at the state level.

B. League of Oregon Cities. The 60th Annual League Convention will be held in Portland November 12. Attorney Gerber advised the Council that he felt it would be a good idea to send someone from the City. A Monday session on the aftermath of the sales tax defeat and how it would affect cities should be especially attended, he said. The mayor said he would try to attend that session. It was suggested that the city recorder also attend.

VI. REPORTS

- A. C.C.I. R. Donaghey reported on the progress the C.C.I. Committee is making with the Comprehensive Plan review. He said the committee has received a first draft of the comprehensive plan from LCOG. The next C.C.I. meeting will be October 14. Due to the recent fire at the City building, the attorney will check to see if the meeting must be held with the Dunes City limits or if it could be held at the Florence City Hall.
- B. Northwest Bass Club. N. Johnson said that she had been contacted by the Northwest Bass Club. They had been very concerned about the recent fire. They also appreciated the help the City had given the club in the past with its Bass Classic. The club would like to make a donation to the City for something worthwhile. N. Johnson said the City needs to think of something it needs that would qualify for a donation.
- C. Police. D. EASTman reported on the police calls within Dunes City for the past month. He had been asked to contact the sheriff's deputy, and he had done so. He had asked him not to bill the City for patrol time when he is manning a radar watch on the highway.
- D. Fire. The City building had been damaged in an early morning fire on October 9 when a small house behind the City building had burned. The fire had spread to the roof and eaves of the City building. There was extensive damage to the roof, roof trusses and ceiling. Mr. John Carlson was in the audience. He had been asked to cover the holes in the roof until the roof could be repaired. Mr. Emile Mortier, the City Building Inspector and an engineer, was going to inspect the damage Monday, October 14. Mr. Carlson said the roof trusses were handmade and did not meet the building code standards of today. Manufactured trusses are now the code. He did not know if Mr. Mortier would allow a carpenter to replace the burned trusses with handmade rather than requiring factory-built trusses. There was a discussion of how soon the City office could be opened for business again. Mr. Carlson felt that most of the roof and all of the ceiling would have to be replaced. He said the smell that is in the building now would probably be gone once the ceiling and roof are repaired. In response to a question about reactivating the electricity, Mr. Carlson said that it would depend on how badly the circuits had been damaged, but it may be possible to reactivate the electricity to just the office portion. The office had not sustained any damage during the fire.

- E. ORV Rally and Parade. Mr. R. Donaghey reported that he will have a float in the parade Sunday, October 13 saying that Dunes City residents support the local economy. He said that anyone in Dunes City was invited and welcome to ride on his float.
- F. Frank Welles - Signs. Attorney R. Gerber said he had taken a nuisance abatement notice to Mr. Welles, and his signs have been taken down.

VIII. UNFINISHED BUSINESS

There was no unfinished business.

IX. NEW BUSINESS

- A. Intergovernmental Agreement with the League of Oregon Cities. Mayor Baumeister said he was concerned about the City's liability to pay if the League should make an assessment to the City during the time of the City's contract with the League. Therefore, Attorney Gerber had drafted an addendum to the contract saying that Dunes City had the right to withdraw from the agreement without liability if the League should make such an assessment. The City would attach the addendum to the agreement and send it with a cover letter. Since this did not need to be done immediately, the attorney will draft the addendum for approval at the November City Council meeting.
- B. Expo 86. Lane County would like to attract tourists on their way to Canada for Expo 86. One attraction they will advertise are the covered bridges in Oregon. There is a covered bridge on Highway 126. Lane County had asked Dunes City to make a resolution in support of the county project. B. Stocking read a draft resolution.

ACTION A motion was made by N. Johnson and seconded by R. Donaghey to adopt the resolution which will be Resolution 10-10-85 concerning covered bridges. Motion carried.

X. CITIZEN INPUT ON UNSCHEDULED ITEMS

- A. Complaint from Marie Oehler Concerning the Hartshorne Subdivision. Mr. John Carlson spoke for Mrs. Oehler who was unable to attend because of a prior commitment. Mr. Carlson wanted the City Council to address revegetation of the property Mr. Hartshorne has subdivided. City council members felt they had addressed revegetation in stating that the road cuts would be revegetated and that appropriate erosion controls would be made. The Council felt it was immaterial to require Mr. Hartshorne to reforest at this time because it is being developed as homesites. The property is zoned R-1

rather than forest land. A Mr. Whitey Lewis had logged the property before Ordinance #59, concerning Soil Erosion, was adopted. There was a discussion of the types of trees that could be replanted. Mr. Carlson said that it would not have to be replanted with commercial species of trees that might block solar access. He said that it could be replanted with holly, waxmyrtle and other species that would not grow tall enough to block solar access.

Attorney Gerber said that, as far as the City is concerned, there has not been a change of land use for the property since the soil erosion ordinance was adopted. He did agree that the ordinance should be improved to handle future cases such as this. The council felt the ordinance, especially Section 5, should be discussed at the C.C.I. meeting.

ACTION A motion was made by B. Pitts and seconded by R. Donaghey to turn Ordinance #59 over to the C.C.I. Committee for reworking of Section 5. Motion carried.

Mr. Hartshorne requested that the City Council make a motion stating that his property doesn't come under this Section 5 of Ordinance #59 at this time.

Attorney Gerber recommended that the City Council not take that action. He said that the special conditions imposed on Mr. Hartshorne as approval for his preliminary plan are not addressed in any Dunes City ordinances. Mr. Hartshorne must still comply with the ordinances and the conditions that have been placed upon him. Attorney Gerber said it appears there are no ordinances to address the complaint presented by Mrs. Oehler, so the City will take no further action rather than to refer the ordinance to the C.C.I. Committee.

ACTION A motion was made by D. Eastman and seconded by N. Johnson that the City Council finds there are insufficient legal grounds to sustain the complaint initiated by Mrs. Oehler. Motion carried.


B. Roads in Little Woahink. Mr. Irwin Leach and some of his neighbors were present to request help from the City in getting some brushing done on a private road easement. The property owner is not maintaining the easement wide enough to allow easy passage of their vehicles, Mr. Leach said; and he was reluctant to cut the brush himself since it was not his property. The council advised Mr. Leach to submit a request in writing to the rural fire department. The Siuslaw Rural Fire Department can then request that the brush be cut to allow easier access for the fire trucks.

Dunes City Council
October 10, 1985

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XI ADJOURNMENT

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

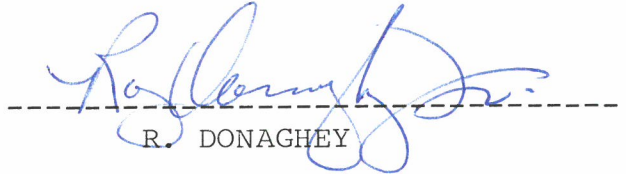

MAYOR J. BAUMEISTER


SECRETARY K. BACON


D. EASTMAN


N. JOHNSON


B. PITTS


R. DONAGHEY

DUNES CITY COUNCIL
REGULAR MEETING
at
SIUSLAW RURAL FIRE STATION #2

NOVEMBER 14, 1985

A G E N D A

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF OCTOBER 10, 1985
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF THE SESSION
- V. ANNOUNCEMENTS AND CORRESPONDENCE
 - Resol. A* A. Les Aucoin - Lights on for peace
- VI. REPORTS
 - A. League of Oregon Cities Conference - Mayor Baumeister
 - B. Lane County Agreement Letter from Roy Burns - Mayor Baumeister
 - C. LCOG Appreciation Dinner - Bill Pitts
- VII. PUBLIC HEARINGS
 - A. Joe Morris - Variance to encroach into the setback to build carport/shed
 - B. Richard Huckins - Conditional Use Permit to place mobile home in residential area
- VIII. EXECUTIVE SESSION a) Litigation, b) Personnel, c) Negotiations
- IX. UNFINISHED BUSINESS
 - A. Attorney Ron Gerber Contract
- X. NEW BUSINESS
 - Resol. B* A. Jim Archer Resolution
 - Resol. C* B. Naming Two Streets in the Tsiltcoos Lake Club Plat
 - C. Fire Department - Budget Amount
 - D. Citizen Complaint from Chuck Tidball
 - Resol. D* E. Audit Resolution
- XI. CITIZEN INPUT ON UNSCHEDULED ITEMS
- XII. ADJOURNMENT

DUNES CITY COUNCIL

REGULAR MEETING
NOVEMBER 14, 1985

I. CALL TO ORDER AND ROLL CALL

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

PRESENT: D. Eastman, B. Pitts, Mayor Baumeister, R. DePiero, R. Donaghey, W. Johnson, Attorney Ron Gerber, City Recorder Betty Stocking and secretary K. Bacon. There were nine citizens present and no representative of the press.

ABSENT: N. Johnson asked to be excused since she was recovering from surgery.

II. APPROVAL OF MINUTES OF OCTOBER 10, 1985

ACTION A motion was made by B. Pitts and seconded by R. Donaghey to accept the minutes of the October 10, 1985, meeting. Motion carried.

III. BILLS AGAINST THE CITY

ACTION A motion was made by B. Pitts and seconded by D. Eastman to pay the bills against the City in the amount of \$6,364.31. Motion carried.

IV. RECEIPTS OF THE SESSION - \$6,456.31

D. Eastman questioned the budget balance amount left in the insurance budget. B. Stocking said that she would check on it.

V. ANNOUNCEMENTS AND CORRESPONDENCE

A. Addendum to the League of Oregon Cities Agreement. Attorney Gerber had drafted an Addendum to the Agreement with the League of Oregon Cities stating that the City would like to be able to withdraw from the League without liability if the League should raise assessments or enact any sort of "special assessment". Council approved of the Addendum, and it will be sent to the League.

B. B. Stocking read a thank you letter from N. Johnson thanking the council, mayor and staff for the flowers she had received while in the hospital.

C. Sweet Reason. B. Stocking had received a booklet from the Oregon Arts Commission entitled "Sweet Reason". The booklet was a collection of essays. The booklet was available in the Dunes City office for anyone who would like to read it, she announced.

- D. Lights on for Peace. Congressman Les AuCoin was promoting a "Lights on for Peace" proposal to encourage citizens to light porchlights, candles or any other light from dusk to dawn on November 19 and 20 while President Reagan and General Secretary Gorbachev were meeting in summit conference. The City had drafted a resolution to that effect.

ACTION

A motion was made by R. Donaghey and seconded by B. Pitts to approve the resolution encouraging citizens to leave a light on from dusk to dawn on November 19 and 20. Motion carried.

- E. Hells Canyon. The City had received a news release from Sen. Bob Packwood saying that he had introduced legislation to expand the Hells Canyon National Recreation Area Act.

VI. REPORTS

- A. League of Oregon Cities 60th Annual Conference. Mayor Baumeister had attended this conference in Portland and gave a report on the sessions he had attended. The mayor said the Multnomah Athletic Club is putting together a state games that will not train Olympians, but it will be similar in format to the Olympic Games. He said they will be working it through the 7-11 stores. He said that there had been discussions of business licenses, street assessments, the sales tax aftermath, and shopping around for insurance premiums.

Dunes City has had the first reading of a business license ordinance during a previous meeting. The attorney was asked what will happen to the ordinance. He advised that without a second reading it can either die a natural death or be brought up again for the second reading. The ordinance was referred to a committee for review after the first reading. The mayor will check on how the committee is coming.

The mayor also said he would write for a copy of the ordinance one of the cities had presented on establishing street assessments for road maintenance.

- B. The Lane County Agreement with Dunes City. Dunes City and Lane County had entered into an agreement in 1979 to keep each other informed of land use changes in each other's areas of influence. Through an oversight, Dunes City had not been submitting notices to Lane County recently. Roy Burns of Lane County had suggested that perhaps the City would like to end the agreement. The mayor said that he feels the agreement is a good idea and would like to see it continue. He will talk to Mr. Burns.

- C. LCOG Annual Appreciation Dinner. B. Pitts reported on the annual LCOG appreciation dinner he and the mayor and their wives had attended at the Hilton in Eugene.

- D. Road Report. W. Johnson mentioned the need for gravel on Buckskin Bob and the steep dropoff on Lake Boulevard. Keith Watson said he would talk to Jim Miller of the county road department about getting some big rock dropped there. (This is also Ocean Boulevard near the bridge.) Mr. Watson said the road committee has not met for two or three months, but he will schedule a road committee meeting as soon as the City is moved back into the Westlake Community Center.

VII. PUBLIC HEARINGS

- A. Mr. Joe Morris - Variance to Encroach five (5) feet into the setback from the property line to build a carport/shop.

The mayor opened the public hearing at 8:15 p.m. Mr. Morris presented an enlarged sketch of his proposed building to the council. He plans to build a carport/shop that would encroach five feet into the setback from the lot boundary on the north side of tax lot #1700, located on map no. 19-12-34-2 4. The public hearing was closed at 8:28 p.m.

ACTION

A motion was made by R. Donaghey and seconded by R. DePiero to accept the Planning Commission's Findings of Fact, Conclusions of Law and grant the Variance to Mr. Joe Morris with the following conditions:

1. That a two-hour fire wall be installed on the north side of the building constructed on tax lot #1700 on the side facing toward tax lots #1900 and #2000.
2. That Mr. Morris remove the old garage on tax lot #1700.
3. That Mr. Morris install a metal or fire resistant roof on the structure.

Motion carried.

- B. Mr. Richard Huckins - Conditional Use Permit to place a Mobile Home on Residential Property. The mayor opened the public hearing at 8:30 p.m. D. Eastman announced that he had testified at the Planning Commission hearing for Mr. Huckins because he is the nearest neighbor. He felt it would not affect his ability to function impartially in the city council decision. The public hearing was closed at 8:34 p.m.

ACTION

A motion was made by B. Pitts and seconded by R. Donaghey to accept the Planning Commission's Findings of Fact and Conclusions of Law and grant the Conditional Use Permit to Mr. Richard Huckins with the following condition:

1. That skirting be added to the mobile home within 60 days of installation.

Motion carried.

VIII. UNFINISHED BUSINESS

- A. Attorney Contract. Attorney R. Gerber suggested holding approval of the contract over until the December city council meeting to give the council time to read the contract and compare it with the memo of understanding the attorney had sent earlier. The council agreed to do that.
- B. Bass Club. At the October meeting, it was mentioned that the local Bass Club had offered to help the City in some way as a way of showing appreciation to the City for its help with the Bass Classic. D. Eastman suggested that the offer be referred to N. Johnson, the City Parks Commissioner, for suggestions. One of the ideas mentioned was a bench outside the new post office at Westlake.
- C. C.C.I. - Soil Erosion Ordinance. At an earlier meeting, it had been felt that the C.C.I. committee should look at Item #5 of the Soil Erosion ordinance. The C.C.I. is meeting on December 9 to discuss the Comprehensive Plan update, but the mayor felt that would not be a good time to discuss the soil erosion ordinance. However, he would like the C.C.I. to consider the ordinance at the earliest possible date.

IX. NEW BUSINESS

- A. Jim Archer Resolution. The City had drafted a resolution recognizing Jim Archer for outstanding service to the community in the field of health, fitness and sports. Betty read the resolution. Mr. Archer was presented with an award from Governor Victor Atiyeh and the resolution from the City.
- B. Chet's Trail and Creek Way. D. Eastman had checked with the county about naming two streets within the Tsiltcoos Lake Club Plat which provide access to his property. Lane County said it could not place the names on county maps until the City had passed a resolution naming them. The streets would be private streets within a private subdivision. D. Eastman showed where they were located on map 19-12-27-4. He would like to name one Chet's Trail and the other Creek Way.
 - D. Eastman resolved that the unnamed road on map no. 19-12-27-4 that continues south beginning at the intersection where South Pioneer Road turns west past tax lots #900, #901, #1000, #1100, #1200, #1401, #1400 and #1402 be named Chet's Trail. Chet's Trail would then continue south past tax lots #1400, #1500, #1900, #2100, #2200 and #2300 on map no. 19-12-27-4. He also resolved that the unnamed road running east and west past tax lots #1800, #1500 and #1900 on map no. 19-12-27-4 be named Creek Way.

ACTION

A motion was made by R. DePiero and seconded by R. Donaghey to accept the resolution to name the two streets described above and located on map no. 19-12-27-4 as Chet's Trail and Creek Way. Motion carried. A copy of the resolution will be sent to Mr. Roger Persons of Lane County to have placed on future Lane County maps.

- C. Fire Department. The mayor reported that he wanted to donate the money budgeted for the Siuslaw Rural Fire Department - Station #2 with the stipulation that the fire department use the money for door-to-door fire inspections of the exterior and interior of Dunes City residences. The homeowner has the right to refuse the fire inspection.
- D. Citizen Complaint. The City had received a citizen complaint from Chuck Tidball about a rental property at 83520 Woodland Lane owned by Mr. and Mrs. Lincoln Raynes that he felt was a fire hazard. It had been over a year since Mr. Tidball had lived in the house. The council felt that perhaps during the past year the homeowner had made repairs. The attorney suggested that a letter be written to the property owner advising him that the City had received a complaint suggesting the property is unsafe and to ask that Mr. Raynes make arrangements to have the fire department make a courtesy inspection and then to make whatever repairs are necessary. Also, to ask Mr. Raynes to respond before the December City Council meeting. B. Stocking will write the letter.
- E. Audit Resolution. B. Stocking read the proposed audit resolution accepting the 1984 audit by the Gregor Professional Corporation.

ACTION

A motion was made by R. Donaghey and seconded by R. DePiero to approve the audit resolution accepting the 1984 audit by the Gregor Professional Corporation. Motion carried.

X. CITIZEN INPUT ON UNSCHEDULED ITEMS

- A. Leavitt Loop. Jim Archer, who lives on Leavitt Loop, was told that Leavitt Loop is not a City street, and it is the homeowners' responsibility to maintain the road. The City will help whenever possible with brushing and grading, the mayor said.

- B. Fire Wall. Joe Morris asked if it was possible to build a building on the property line if it was built with a two-hour fire wall with a fire wall above the roof line. He was told that the City goes by state and county building codes. Building on the property line would require public hearings before the Planning Commission and City Council.

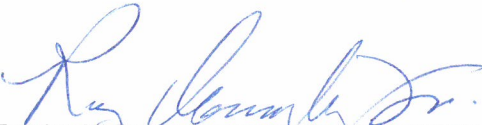
XI. ADJOURNMENT

The meeting was adjourned at 9:15 p.m.


MAYOR JIM BAUMEISTER

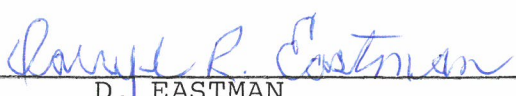

SECRETARY K. BACON


R. DE PIERO


R. DONAGHEY


B. PITTS


W. JOHNSON


D. EASTMAN

DUNES CITY COUNCIL

REGULAR MEETING
December 12, 1985

A G E N D A

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF NOVEMBER 14, 1985
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF THE SESSION
- V. ANNOUNCEMENTS AND CORRESPONDENCE
- VI. REPORTS
- VII. EXECUTIVE SESSION a) Litigation, b) Personnel, c) Neogitations
- VIII. UNFINISHED BUSINESS
 - A. Attorney Contract
 - B. Hartshorne Work Session
 - C. Fire Department Inspections
- IX. NEW BUSINESS
 - A. Office Holidays for 1986
 - B. Mike Johnson - Rate Increase Request for Siuslaw Sanitary Service
- X. CITIZEN INPUT ON UNSCHEDULED ITEMS
- XI. ADJOURNMENT

THERE WILL BE A PUBLIC HEARING AT 8:00 p.m. to ADOPT A
RESOLUTION REGARDING THE PERIODIC REVIEW OF THE COMPREHENSIVE
PLAN.

DUNES CITY COUNCIL

REGULAR MEETING
December 12, 1985

I. CALL TO ORDER AND ROLL CALL

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

PRESENT: Mayor Baumeister, D. Eastman, N. Johnson, B. Pitts, W. Johnson, Attorney Ron Gerber, City Recorder Betty Stocking, secretary Kay Bacon, and 11 citizens.

ABSENT: R. DePiero and R. Donaghey. R. Donaghey had asked to be excused.

II. THE MINUTES OF NOVEMBER 14

The minutes of the November 14, 1985, meeting were approved without change.

III. BILLS AGAINST THE CITY

ACTION

A motion was made by B. Pitts and seconded by W. Johnson to pay the bills against the City in the amount of \$3,866.08. Motion carried.

IV. RECEIPTS OF THE SESSION - \$7,995.12

V. ANNOUNCEMENTS AND CORRESPONDENCE

B. Stocking read a summary of the correspondence the City had received.

VI. REPORTS

- A. Roads. W. Johnson reported that Mr. "Chick" Chickering has updated the road map for the City. There was a question raised about the City's liability in case a citizen drives off the road at Ocean Boulevard and the bridge across the outlet. The road was recently paved by Lane County at the City's request. There is quite a dropoff at the edge of the pavement. It was noted that putting gravel along the edge may make people feel they can drive off onto the shoulder, and there is not adequate room to do that. B. Stocking will order a "No Shoulder" sign.
- B. Garbage Rate Increase. Mrs. Loraine Johnson, representing Siuslaw Sanitary Service, was present in the audience to answer questions from the council concerning the requested rate increase for garbage service. It has been five years since Siuslaw Sanitary has had a rate increase. In answer to a question, Mrs. Johnson said they do not plan to ask for a rate increase in Florence because Florence just had a rate increase two years ago. She said the Dunes City rate will be higher than that of Florence because there is

Dunes City Council
December 12, 1985

more driving involved in Dunes City and the customers are farther apart. The rate increase schedule is attached to the minutes and is incorporated herein by reference only.

ACTION A motion was made by N. Johnson and seconded by B. Pitts to accept the proposed rate increase schedule of Siuslaw Sanitary Service. Motion carried.

VII. PUBLIC HEARING - Comprehensive Plan Review

The mayor opened the public hearing on the Dunes City Comprehensive Plan Review at 7:55 p.m. Mr. Gary Darnielle from LCOG who has been working on the review explained the state regulations that require a periodic review of comprehensive plans. He explained that the material presented to the council at this meeting was not the final update; it is a proposed order and not the final order. The final action will be taken at the April city council meeting. However, it was necessary to have the resolution concerning the proposed order in to the State Land Conservation and Development Commission by December 27.

John Carlson, C.C.I. member, spoke from a prepared script which is attached to the minutes and referred to by reference only.

Mr. Darnielle said the Comprehensive Plan will continue to be updated before the final approval.

ACTION A motion was made by N. Johnson and seconded by B. Pitts to resolve to adopt Resolution 12-12-85, "A Resolution Adopting the Proposed Local Periodic Review Order for Dunes City", as presented by LCOG. Motion carried.

The public hearing was closed at 8:10 p.m.

VIII. UNFINISHED BUSINESS

A. Attorney Contract. The council had a chance to review the proposed contract between Mr. Ron Gerber and Dunes City since the November city council meeting. D. Eastman asked if there should be a time limit stipulated in the contract. Mr. Gerber advised that Item #5 of the contract states that the agreement may be terminated in writing by either party without cause by giving 30 days written notice. A copy of the contract is on file in the City office.

ACTION A motion was made by N. Johnson and seconded by W. Johnson to accept and approve the contract with Attorney Ron Gerber. Motion carried.

- B. Siuslaw Rural Fire Department. Lorraina Ray of the Siuslaw Rural Fire Department was present. The City had given the fire department \$600 and requested that the money be spent on inspections of individual homes and properties. Mrs. Ray wanted to inquire how the City would like to have the inspections conducted, and she distributed some inspection forms that were used by the fire department in the past to make home inspections. The mayor asked that the fire department send a copy of each inspection to the City after it is completed. Mrs. Ray said that the fire department does not have the authority to make an inspection if a citizen does not want to have one. It was suggested that it be announced through the media when the inspections are set to begin to alert citizens. It was suggested that the amount of brush around a home and the condition of the road to the home be added to the form. Mrs. Ray said she will start the inspections the first week of January and will probably begin by a telephone canvass to get it started.
- C. South Shore Subdivision. Mr. Robert Harshorne was present to request final approval of his proposed South Shore Subdivision. He presented the final plat map and Covenants, Conditions and Restrictions to the council. Some of the conditions stipulated in the Order approving his preliminary plan were discussed.

Attorney Gerber advised that his interpretation of Subsection H of Section 3.10 of the Subdivision Ordinance is that the council cannot give final approval until Mr. Hartshorne has done one of three things:

1. Improvements outlined in the tentative approval have been completed, OR
2. A performance bond or letter of credit has been filed with the City in a sufficient amount to insure that the improvements will be made, OR
3. A petition for improvements has been properly executed by the applicant.

** See Attached
Amendment **

Mr. Gerber also advised that the C.C. and R's should state that non-lakefront lots do not have a right to a dock.

There was a discussion of lights and docks. Mr. Hartshorne said that the phone lines are in; the conduits for the electric lines are in, but they have not pulled the lines into them yet; and the cable tv lines are in.

Dunes City Council
December 12, 1985

A T T A C H E D A M E N D M E N T

The following are some prefacing remarks added by the City Council when approving the minutes at the January 9, 1986, meeting. These remarks are inserted after Item 3. on page 3.:

"Mr. Gerber had said that this was the time to address the issue of the docks for non-lakefront property. He felt the Covenants, Conditions and Restrictions should state that the non-lakefront lots do not have a right to a dock. Mr. Hartshorne said that he didn't want to do that because at some future date they may find that the lots could have a dock.

Mr. Gerber then said, 'Bob, I'm not saying they can't have a dock; I'm saying that the non-lakefront lots do not have a right to have a dock.'

Mr. Gerber advised that the City should publish for a public hearing and notify surrounding property owners for a hearing at the January 9 city council meeting. In preparation for that meeting, he advised Mr. Hartshorne to submit to the City:

1. A corrected plat map designating Common Areas A and B, with the road names changed as discussed at this meeting, and showing a street lighting plan.
2. A letter of agreement from Dr. Richard Anderson showing that he and Mr. Hartshorne are in agreement concerning the barrier fence between the two properties.
3. The Covenants, Conditions and Restrictions.
4. The water source documentation that Mr. Hartshorne mentioned that he had at this meeting.
5. Some documentation showing that the taxes, liens and assessments on the property are paid current.
6. Mr. Hartshorne should deal with Section 3.10, subsection H, concerning improvements as mentioned on page 3, Section C, of these minutes.

The meeting was recessed at 9:10 p.m. and reconvened at 9:20.

Mr. Hartshorne was asked how much he planned to develop the common areas. He said that he would like to put a gazebo on one of the points. He has a path there now. They would like to put rock or bark dust on the path. They have a pond now, and they have planted grass around the pond that is beginning to come up.

It was suggested by the attorney that the mayor and someone from the planning commission make a site review to check on:

1. Rock on the roads
2. That the utilities are in
3. Revegetation of the roadways

The site review should be made before the January city council meeting so that the council can determine what needs to be done and how much letter of credit is needed to cover the cost of the improvements. The mayor said that he will get someone from planning commission to make the inspection with him.

IX. NEW BUSINESS

- A. Office Holidays. The city council discussed the proposed

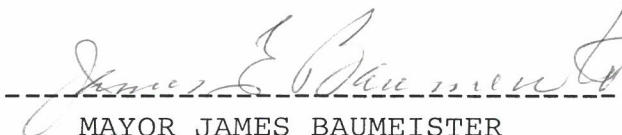

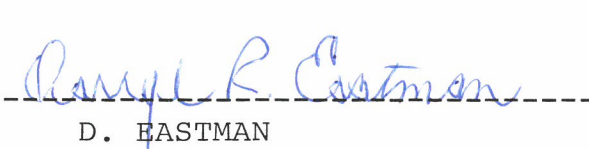

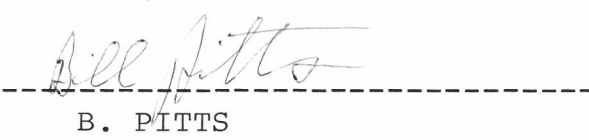

calendar for office holidays for 1986. The following holidays were declared holidays when the office will be closed:

January 1 - New Year's Day	Either February 12 or 17 for President's Day
May 26 - Memorial Day	November 27 and 28 - Thanksgiving
July 4 - Independence Day	December 25 and 26 - Christmas
September 1 - Labor Day	

The council declared that both the City Recorder and the Secretary will be paid for these holidays when the office is closed.

X. ADJOURNMENT

The meeting was adjourned at 10:00 p.m.

 ----- MAYOR JAMES BAUMEISTER	 ----- SECRETARY KAY BACON
 ----- D. EASTMAN	 ----- N. JOHNSON
 ----- B. PITTS	 ----- W. JOHNSON

COMMENTS AT DEC. 12, 1985 PUBLIC HEARING CONCERNING

PERIODIC REVIEW ORDER FOR DUNES CITY by John S. Carlson

In a 1979 Survey by a vote of 231 to 8 Dunes City citizens declared their desire to remain "A semi rural community of predominately single family homes on large lots with minimum services." Other answers show the great majority favoring scenic values and environmental protection over economic factors. This update should reflect the desires of the majority.

The Resolution refers to substantial change in circumstances. A major change has been the phenomenal increase in use of the adjoining Dunes Area by all terrain vehicles. This has created a noise pollution problem for a large segment of Dunes City. This area of the city along Hwy 101 and in Westlake contains about 1/3 of the cities population. It is not now represented on the council.

I realize some council members are ATV users. I personally often use a 4 wheel drive to gather wood on the beach. However no council members are subjected at close range to this highly irritating, high pitched screaming for at times up to 16 hours a day and they write this off as no problem. Local residents have tried to get N.R.A. cooperation but the local business interests and buggy peddlers have interceded to produce ineffective actions. Only the Council can force L.C.D.C. and the N.R.A. to eliminate this major noise pollution problem by creating a buffer strip. Adding vague statements about D.E.C. rules etc. to the plan is no solution.

The addendum to this Resolution refers to cumulative effects and failure to carry out plan policies. The city has a 5 year record of granting small variances to the Shoreland Setback and the council recently granted a 38' variance to the Shoreland Setback. This points up ~~the~~ the need under Goal 5 and Goal 17 to remove the setback requirements for all buildings from any possible variance procedure. The shore end of docks could still be under a permit system.

Also the Council recently approved a major 26 lot subdivision with only a miniscule pass at a revegetation requirement. This has been it's policy over the last 5 years. The City Attorney has proclaimed Section V of the Vegetation Ordinance invalid and therefore there is no revegetation ordinance, unless the citizens take it to court. I think it would be easy to win but expensive.

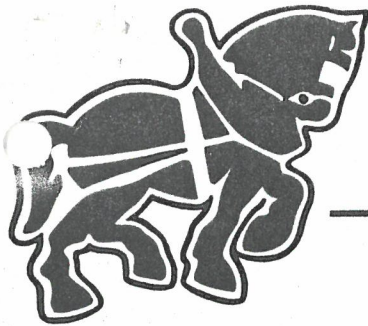
The Courts have changed the Forest Practices Act and the City now has a perfect opportunity to carry out the wishes of the majority and write a good revegetation requirement into the Vegetation and Subdivision Ordinances.

The Plan should contain an accurate inventory of present Land Use even if it has to be done without the use of computers. This is far more important than the unemployment rate 5 years ago or other such numbers.

By passing this Resolution you are agreeing to adopt some policies contained in the Addendum. I hope the following comments cover all of them.

1. Agreeing to coordinate with the State Parks Division and the Forest Service on increased lake access is fine. A notation should be made that the CCIC was presented with evidence that increased access is not necessary for the next 5 years.
2. The CCIC has determined that there are no waterfront properties that should be forced to redevelop at this time.
3. The policy concerning the Darlingtonia will probably not increase the harm already done by the public revelation of the Darlingtonia bogs existence.
4. CCIC has agreed that a Housing Sub-committee will be created in January of 1990.
5. A policy agreeing to comply with air and water quality and noise control standards of the D.E.Q. is acceptable. Although it will have no actual effect on Noise Pollution.
6. The City should have reservations about adopting a policy recognizing domestic, livestock and recreation as the sole use of lakewater when the main water right on Siltcoos is held by an industrial user.
7. The City should adopt a policy stating that it will work with the State Parks Branch to develop master plans for parks that assess local supply and expressed need.
8. The City should adopt a policy to coordinate local planning reviews of highway projects with State and Federal Government efforts for transportation.
9. Though not in the Addendum the Council and CCIC should review the requirements of Goal I Citizen Involvement. Discussions should be held on reasons for the lack of Citizen participation in the plan reveal this time around.

John S. Carlson
P.O. Box 126
Westlake, Oregon 97493
Phone: 997-3102



TELEPHONE (503) 997-8233

SIUSLAW SANITARY SERVICE, INC.

P.O. BOX 1160 85040 HIGHWAY 101 SOUTH FLORENCE, OREGON 97439

December 5, 1985

Dunes City Council
P.O. Box 97
Westlake, OR 97493

Dear Mayor & City Council Members:

It has been over five years since we have had an increase in rates for our trash collection service to Dunes City residents. We request the following increases:

	CURRENT RATE	PROPOSED RATE	% OF INCREASE	AVERAGE % PER YEAR
Single pickup or 1/Mo	2.25	2.55	13	2.36
1 can per week	5.85	6.65	14	2.54
2 cans per week	9.60	10.75	12	2.18
1 can every other week	4.15	4.85	17	3.09
Extra Cans	1.30	1.60	23	4.18

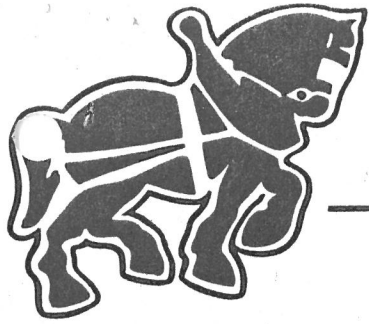
Thank you for your attention to this matter.

Sincerely yours,

MICHAEL J. JOHNSON

MJJ:lrj

Enc.



TELEPHONE (503) 997-8233

SIUSLAW SANITARY SERVICE, INC.

P.O. BOX 1160 85040 HIGHWAY 101 SOUTH FLORENCE, OREGON 97439

CURRENT TRASH COLLECTION RATES

As Of November 30, 1985

	CITY OF FLORENCE	DUNES CITY	RURAL	MAPLETON
Single pickup or 1/Mo	2.30	2.25	2.90	2.90
1 can per week	6.00	5.85	7.30	7.75
2 cans per week	9.50	9.60	11.50	12.35
1 can every other week	3.80	4.15	5.20	5.20
Extra Cans	1.50	1.30	1.70	1.70