

DUNES CITY COUNCIL

REGULAR MEETING
JANUARY 14, 1988

A G E N D A

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF DECEMBER 7 and DECEMBER 10 MEETINGS
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF THE SESSION
- V. ANNOUNCEMENTS AND CORRESPONDENCE
- VI. CITIZEN INPUT ON UNSCHEDULED ITEMS
- VII. PUBLIC HEARING
 - A. Conditional Use Permit - Lucille Kirk, applicant
- VIII. REPORTS
 - A. End-of-Year Report - Planning Commission
 - B. Salal Road Lawsuit - Attorney Gerber
 - C. Goal Setting Review - Mayor Johnson
 - D. Any other reports council members may have
- IX. EXECUTIVE SESSION a) Litigation, b) Personnel, c) Negotiations
- X. UNFINISHED BUSINESS
 - A. Water Study
 - B. Income Survey
 - C. Hotel/Motel Tax
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- XI. NEW BUSINESS
 - A. Overhead Projector
 - B. Gregor Contract
 - C. Supplemental Budget
- XII. ADJOURNMENT

DUNES CITY COUNCIL

REGULAR MEETING JANUARY 14, 1988

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 7:30 PM by Mayor Nancy LM Johnson.

PRESENT: D. Eastman, R. Forest, R. Petersdorf, Mayor Johnson, R. DePiero, R. Parent, City Attorney Ron Gerber, City Recorder Kathleen Aitken and secretary K. Bacon. There were seven citizens present and no representatives from the press.

ABSENT: Councilman Ed Fillman

II. APPROVAL OF MINUTES OF DECEMBER 7 and DECEMBER 10 MEETINGS

ACTION The minutes were approved for both meetings with one correction that was noted later in the meeting.

III. BILLS AGAINST THE CITY

ACTION A motion was made by R. Petersdorf and seconded by D. Eastman to approve the bills against the City in the amount of \$2,932.77 which included the addition of \$23.00 for LCOG travel. The voting was unanimous and the motion carried.

IV. RECEIPTS OF THE SESSION - \$5,485.52

V. ANNOUNCEMENTS AND CORRESPONDENCE

A. Card of Thanks. The City had received a card of thanks from the family of Rod Smith for flowers that were sent.

B. Intergovernmental Agreement with Lane County. The City had received a letter from Gary Darnielle of LCOG indicating that Lane County would like to explore whether the city council would be interested in receiving Lane County's land use planning and building permit authority over water bodies adjacent to Dunes City. The county needed the City's response by January 18. The mayor said that she would like to discuss this matter later in the meeting.

C. Justice Block Grant. Council members had received a letter in their packets notifying them of the Justice Assistance Act Grant Money. Application deadline was February 12. The council discussed it, and thought that the City would probably not qualify. However, the

secretary suggested that perhaps the grant money might be used for the contract with the sheriff's department. The council will discuss this at the February city council meeting, and it asked that K. Aitken obtain more information on the seven program areas that are eligible for funding.

VI. CITIZEN INPUT ON UNSCHEDULED ITEMS

There was no citizen input.

VII. PUBLIC HEARING

- A. Conditional Use Permit - Lucille Kirk, applicant. The mayor opened the public hearing at 7:35 PM. Mr. Mel Mosher, the applicant's nephew and agent, distributed some septic approval information he had received to the city council members. He had no further testimony to present, he said. Scott Robbins, representing Lumber Services, Inc., testified as an adjacent property owner. He said that when the subdivision was developed, there were six water lines installed which were color coded. However, the applicant's lot is not one of the six lots to have one of these water lines. Mr. Robbins wondered how the applicant plans to get water on the lot. R. DePiero said that he had installed the water lines. He said that the developer laid the six lines to the six lots that were the most remote from Little Woahink Lake or were lots where it would have been necessary to breach a paved road at a future date to lay a water line. The applicant's lot does not have a paved road between it and Little Woahink Lake and was not considered a priority for one of the six water lines.

The planning commission had recommended as one of the conditions for approval that a 15-foot green belt of vegetation be maintained on the south end of the property. Mr. Robbins said that if this condition is imposed, it will include an area that is presently a pipeline easement to the septic drainfield easement that is located on Mrs. Kirk's property as a drainfield for lot #119 which Lumber Services, Inc. owns. Mr. Robbins stated that if this condition is imposed and it became necessary for them to remove vegetation and replant when they laid the pipeline to the drainfield, they would object to the Conditional Use Permit since it would create a burden upon them.

On the septic information submitted to the council at this meeting, the developer had stated that a well was contemplated as the water source for the lot. Mr. Mosher was asked if it would be possible to put a well upon the lot. He said that he thought that because of the large drainfield easement for lot #119 and his own drainfield and secondary drainfield, it would be hard to find room on the lot to drill a well that would put it 100 feet from any of the drainfields. The mayor stated that she wished the problem of the water situation had been worked out prior to the matter coming before the city council. Mr. Mosher said that he would not be issued a building permit for installation of the modular home until he had water upon the property. The mayor seemed satisfied with that.

Attorney Gerber suggested vacating the existing pipeline easement that abuts the south end of the property to the drainfield and move the easement fifteen feet further north to avoid the problem of tearing up the green belt that Mr. Robbins had presented earlier in the meeting. Mr. Mosher and Mr. Robbins said that they thought they would be able to resolve that issue. Mr. Mosher suggested that a possible source of water would be to run a pipeline along the property line between tax lots #119 and #118 to Little Woahink Lake.

The public hearing was closed at 8:04 PM.

ACTION

A motion was made by R. Petersdorf and seconded by R. Parent to accept the planning commission's Findings of Fact, Conclusions of Law and to add as a 12th Finding of Fact the following:

12. There is a drainfield easement 65 feet by 175 feet on tax lot 128 to be reserved as a drainfield for tax lot 119 if that lot is ever developed.

The motion is made to accept the above and to grant the Conditional Use Permit to Lucille Kirk to place a modular home on a lot in a residential area with the following conditions:

1. That the applicant provide the City with proof of an adequate water supply prior to issuing a building permit for installation.
2. That the applicant provide the City with proof of final septic approval prior to installation of the modular home.

3. That there will be no development or extensive clearing on any portion of the lot where the slope exceeds 12%.
4. That the applicant provide a minimum of 15 feet of green belt vegetation along the south portion of tax lot 128 that abuts the unnamed cul-de-sac off Little Woahink Drive.

The voting was unanimous, and the motion carried.

VIII. REPORTS

- A. End-of-Year Report. The council had received in its packets the year-end report of the planning commission's activities for 1987. The council thanked the commission for the good work it had done.
- B. Salal Road Lawsuit. Attorney Gerber announced that Mr. Bobbitt, the attorney representing Mrs. Ruth J. Wood, had not yet responded to his letter of December 28, 1987.
- C. Goal Setting Review. Mayor Johnson said that she would like to hold a special work session to review the goals the council set in January, 1987. The workshop was scheduled for Thursday, January 28, at 7:30 PM. K. Aitken was asked to call the city council members and remind them of the meeting and to place an announcement on Channel 10.
- D. Cable TV. R. Forest reported that he did not think there was anything more the City could do now on the cable tv issue since "it is in the hands of the federal government and the large cities that are bringing lawsuits and have the money to fight". Attorney Gerber disagreed. He felt that the City could hold a public meeting and solicit comments from the citizens within Dunes City and send a transcript of that meeting to the F.C.C. to show that there is considerable dissatisfaction. He also suggested that there are two gentlemen who have been working hard to see that cable tv be better regulated by F.C.C. One of the gentlemen is from the Alsea system, and the other is from Springfield. They have both indicated to Mr. Gerber that they would be willing to address such a public meeting in Dunes City. The mayor questioned what their motive might be. Mr. Gerber said that they may feel that the more people who demonstrate their opposition the more it may eventually bring "regulatory relief" in the home areas of these two gentlemen.

There was considerable discussion. Councilman R. Forest suggested that perhaps Mr. Gerber and he could discuss ideas outside of the meeting.

- E. **Master Road Plan.** R. Petersdorf announced that the work on the Master Road Plan should begin moving along after the February city council meeting.
- F. **Buckwald Special Use Permit.** It was announced that Mr. Mike Buckwald and his partners had dropped their request for a special use permit to develop a campground on land adjacent to Dunes City. Mr. Gerber suggested that the city council may want to write Mr. Buckwald and his partners and notify them that if they wanted to apply to Dunes City for annexation and it could be arranged with Lane County and the Boundary Commission, the City would almost certainly admit the property to the City as an R-1 zone. This would allow them to develop the property into one-acre residential lots. The property is now zoned Farm/Forest under Lane County. There was council discussion of this. It was thought that this could create more problems for the City than benefits. The council wondered what benefits the attorney thought it would have for the City. D. Eastman said that he had heard the owners planned to log the property to help recover costs. Mr. Gerber said that the benefit would be that it may alleviate any ill will the applicants may have toward the City and would perhaps forestall them from logging property that enhances the appearance of the City along Highway 101. Mayor Johnson said that she would call Mr. Buckwald and see if he would be interested in appearing at the February city council meeting. R. DePiero asked that it be pointed out to Mr. Buckwald that the City's interest is "self-serving" in that the City is interested in seeing the property remain the nice-looking property it is now but recognize that the owners are entitled to a profit.
- G. **Comprehensive Plan.** K. Aitken announced that the typing of the Comprehensive Plan has been done, and it is now being proofed. The existing maps in the Comp Plan are of "pretty poor quality", Aitken reported. Gary Darnielle of LCOG was looking into the cost of having those maps re-done. K. Aitken will present the cost estimate for re-doing the maps to the council when she receives the information from Mr. Darnielle.

X. UNFINISHED BUSINESS

- A. Water Study. Gary Dyer had suggested contacting the State Health Division and requesting water sampling surveys. K. Aitken had contacted them and had learned that they do not provide that information without charge. She did learn from the State Health Division, however, that there is no indication that the State is going to require cities to provide water systems in the near future. She did receive without charge all the current data on the water quality of existing water systems in Dunes City.

The council suggested that a special fund be started in the next budget that could accumulate until enough is there to do a water study.

Attorney Gerber suggested that the City contact Gary Dyer and explain the funding situation within Dunes City. Mr. Gerber suggested that Mr. Dyer might be willing "to take a chance". Mr. Gerber also suggested that the City contact F.H.A. to see if it would be possible to apply for a waiver if the median income figures for the City are over the required cut-off amount by a small margin. Mayor Johnson said that she would call Mr. Dyer and explain the situation to him. She will report on their conversation at the next city council meeting.

- B. Income Survey. The income survey was reported on in conjunction with the water study. K. Aitken reported that she had received some free information from the Bureau of Governmental Research that was based upon the 1980 census.

Although the income information indicates the median income level is too high to qualify for an F.H.A. grant, the engineers who had spoken at the December 7 special city council meeting had all indicated that income surveys were coming in lower than the 1980 census. Some council members said that, given the current employment situation in the community, the income survey probably would indicate a lower income than the census figures.

- C. Hotel/Motel Tax. Mayor Johnson said that it was not Jim Fish who had proposed the 1% increase in the transient room tax; Mayor Johnson had proposed the increase. However, Mr. Fish had discussed the proposal with some of the resort owners in the Westlake area, and none of them were in favor of the increase. The council decided to drop the idea.
- D. Retirement Dinner for Betty Stocking. The council members were reminded that if they planned to attend the retirement dinner for Betty Stocking they needed to have their payment in to Kay Bacon by January 15.

XI. NEW BUSINESS

- A. Lakeside Development Policy. The council discussed further the letter from Mr. Darnielle that was announced earlier in the meeting.

ACTION

A motion was made by R. Parent and seconded by R. Petersdorf to notify Lane County that Dunes City is interested in receiving Lane County's land use planning and building permit authority over water bodies adjacent to Dunes City. The voting was unanimous, and the motion carried.

Attorney Gerber stated that if the jurisdiction is transferred, the City would probably implement the Lane County code until the City passes the necessary ordinances.

K. Aitken was asked to call Roy Burns January 15 and to notify him that the council had approved the transfer.

- B. Overhead Projector. The planning commission had requested permission to purchase an overhead projector from the Coastal Zone Management Grant funds the City is receiving. It was stated in the request that the projector would be valuable in projecting information during public hearings.

ACTION

A motion was made by D. Eastman and seconded by R. Petersdorf to authorize the City staff to purchase an overhead projector and to expend \$212.88 or a lesser price. The voting was unanimous, and the motion carried. The supplies for the overhead projector will be purchased out of the regular budget.

- C. Booth Island Bird Count. The planning commission secretary submitted a request to the council that it authorize Mr. Alan Contreras to conduct two bird counts on Booth Island and pay his requested fee of \$50 per day for two days. Mr. Contreras had agreed to conduct a count in February to determine the spring migrating and nesting birds and a later count in June to determine the summer nesting birds that use Booth Island. The fees would also come from the Coastal Zone Management Grant. The secretary explained that the commission had conducted a concept assistance for an applicant interested in partitioning the undeveloped part of Booth Island into five lots. At the time, Attorney Gerber had suggested that the City might be able to lift the open space overlay that exists on that portion of the island if it was determined that there are not any endangered species.

The council was reluctant to authorize the bird count. It was the opinion of the council that the applicant could either conduct the count himself or the money for conducting the count should come from the applicant's fees. The secretary explained that the applicant had not applied yet for the partition and had not paid any fees. The council was inclined to wait until an applicant came forward. The secretary expressed a desire to have the count done so that the information could be on file and delays could be avoided.

Attorney Gerber pointed out that if there was a situation within Dunes City that would constitute a "taking", that situation exists on Booth Island. He strongly suggested that the bird count be authorized. K. Aitken asked Mr. Gerber if it was correct that Robert Jenkins, who had applied initially for the concept assistance, was a client of Mr. Gerber. Mr. Gerber said that he had done some work for Mr. Jenkins. Mr. Gerber said that he would disqualify himself if the matter ever came before the city council.

Since the southern tip of Booth Island is in Douglas County, K. Aitken was asked to contact Douglas County and ask for copies of all the information they have on their portion of Booth Island.

The council asked if Mr. Contreras' credentials would be recognized. K. Aitken, president of the local Audubon Society, said that he is well-recognized as an

authority on conducting bird counts. She added that members of the local Audubon Society would assist Mr. Contreras with the count as volunteers.

ACTION

A motion was made by D. Eastman and seconded by R. Petersdorf to authorize the City Recorder to contact Mr. Contreras and ask that he do the bird count for the two days as outlined for a sum not to exceed \$100 for the two days. The voting was unanimous, and the motion carried.

It was stated that the people doing the count should be alerted that the island is private property and that it would be best if they obtain permission from the property owners.

D. Gregor Contract. The council reviewed the letter from the Gregor Corporation proposing to do the City's audit for the next fiscal year.

ACTION


A motion was made by R. Petersdorf and seconded by D. Eastman to sign the audit agreement with the Gregor Professional Corporation to perform the audit of the books for the fiscal year ending June 30, 1988, in the amount of \$1,675.00. The voting was unanimous, and the motion carried.


E. Supplemental Budget. K. Aitken said that she will be working on a supplemental budget within the next week.

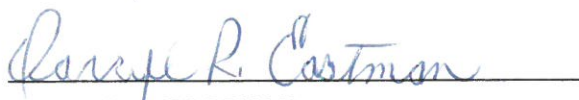
XII. ADJOURNMENT

ACTION

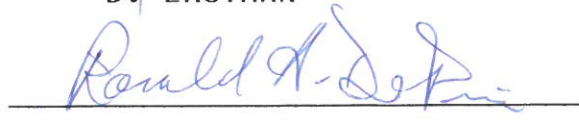
A motion was made by D. Eastman and seconded by R. Parent to adjourn, and the meeting was adjourned at 9:55 PM.


MAYOR NANCY LM JOHNSON


SECRETARY K. BACON


D. EASTMAN


R. PETERSDORF


R. DE PIERO


R. FOREST


R. PARENT

DUNES CITY COUNCIL

SPECIAL MEETING January 28, 1988

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 7:30 PM by Mayor Nancy LM Johnson.

PRESENT: Mayor Johnson, R. Petersdorf, R. DePiero, D. Eastman, R. Parent, City Recorder K. Aitken, secretary K. Bacon, Planning Commissioners M. Miller, H. Young, B. Knight, and E. Petersen, and three citizens.

At the beginning of the meeting, the mayor announced that she will not seek re-election. She wanted to notify the council in case someone from the council would be interested in filing for the position or may know of someone else who may be interested.

The meeting had been called by the mayor to discuss the goals that had been set by the council in January of 1987.

Master Road Plan. R. Petersdorf reported that the City will be receiving \$43,000 in Urban Transition Road funds from Lane County. Some of that money will be used to develop the Master Road Plan. Petersdorf had talked to Mike Buckwald who had said that the City should prepare a supplemental budget for the \$8,500 that will be allocated for the Master Road Plan. R. Petersdorf said that he would like to use some of the money to hire a secretary to attend the meetings and prepare the minutes of the Master Road Plan committee. Developing standards for private roads was considered as being a part of this goal.

Improved Communication with the Citizens. Mayor Johnson said that she thinks that there has been better communication with the citizens this past year. R. De Piero said that developing the road system will probably generate more interest from the citizens. De Piero said that he thinks improving communication with the citizens should be moved to the top of the list of goals since the Master Road Plan is coming along. Sam Marinisi, a citizen in the audience, suggested sending a newsletter to the citizens periodically to notify them of City happenings. It was also suggested that the City have a News from Dunes City column in the Siuslaw News each week. The City Recorder said that she would be interested in working on that. The mayor said that it wouldn't have to be someone from the staff; a citizen might be interested in writing the column.

Parks and Neighborhood Cleanup. The goals of "Parks" and "Neighborhood Clean-up" were combined since they were similar in nature. The mayor said that the parks committee and work on the parks has not been active this past year. B. Knight suggested designating a week as Neighborhood Clean-Up Week. The council was favorable to the idea, and R. DePiero suggested checking to see if the City could subcontract a truck for a day to pick up debris from the clean-up.

Petition to have the name of the Westlake Post Office changed to Dunes City. The mayor said that citizen opposition to changing the name for the post office brought to a halt efforts to have the Westlake Post Office designated as the Westlake Station of Dunes City. E. Petersen voiced his opposition to changing the name of the post office even to amend it as the Westlake Station. He said that changing the name would not change how the mail is delivered nor give the City more name recognition, and he thinks that it is unnecessary.

25th Anniversary of Dunes City. The group discussed ideas that could be developed to celebrate the City's anniversary in June of 1988. One of the ideas suggested was to develop some recently-acquired land by the Lane County dock in the Westlake area into a park. It was suggested that it could be named "Anniversary Park" and dedicated in June during the City's anniversary. R. Parent asked about having a community potluck. R. DePiero suggested sprucing up the grass along the water's edge by the county dock. He did not think Lane County would object to the City undertaking this project or in putting out some picnic tables and would perhaps even allow the City to name it. He suggested that the Bass Club would probably be willing to help with the project. The group was favorable to the idea.

Business. Although there has been opposition to a proposed business license, R. DePiero said that he thinks a business license should remain as a goal for the City. It would be a fair tax, he said; and he does not think it should be dropped. He said that the City had considered finding new sources of revenue. Sam Marinisi said that "quality control" through a business license is as important a reason as a means of raising revenue.

Office Improvements. The mayor said that during the past year the office had been improved by adding a black and white tv so that the staff could monitor announcements on Channel 10 and have soft music in the office. She said that she thinks the office will ultimately have to get a computer since the City is running out of storage space.

K. Aitken said that she would like to put up additional shelves in the office. She has been getting estimates from some carpenters for the work and materials. She said that the City also needs an additional phone line in to the office since there are times when she or the secretary or building inspector have to wait to use the phone because it is in use. And she has heard that people could not get through to the office because the phone was continually busy for long periods.

Citizen Recognition. During the past year, the City wrote to Bob and Judy Robertson of Woahink Mobile Home park expressing appreciation and recognition for the fine job they had done in beautifying their business. The group suggested that the City should do more of this and the Siuslaw News should be notified whenever a citizen is recognized for achievement.

In addition to the above-named goals, the mayor asked the group if there were any ideas or goals that anyone would like to see accomplished by January, 1989.

R. Petersdorf said that he thinks that the Master Road Plan should be done by summer of 1988.

The mayor said that she thinks that the street system and street lights that the City provides "super" for a city the size of Dunes City.

The group discussed a water system for the City. The City had not met the necessary income level to qualify for an F.H.A. grant to fund a water system. The group agreed that the City definitely needs the income survey proposed by Gary Dyer to be done by Portland State. However, the City does not have the money to do the survey. The mayor said that lack of money has stopped many of the city council's proposed projects.

Gary Dyer had said that he would continue to look for money to fund the project if the City would send him a letter of intent saying that the City would hire him to do the work when it gets the money.

K. Aitken said that she had talked to Mr. Dyer just a day or two before this meeting, and Mr. Dyer had said that rather than a letter of intent he would like the council to make a motion at a city council meeting saying that the city council would hire him when the money is available. R. DePiero said that if the council makes that motion, he would like to see an expiration date included in the motion so that the City would not be obligated to Mr. Dyer for an indefinite period.

The mayor said that she thinks the City's pursuit of a resolution to the cable tv problem is using up a lot of time and money. She asked if the city council wants to continue with the cable tv matter or if it should be left to the larger cities to pursue. The consensus was to leave it up to the cable tv committee. There was a discussion of Attorney Gerber's role in the cable tv matter. The consensus of the group was that it should be left to the cable tv committee to provide information to the city council and it could be discussed at a meeting with Attorney Gerber present in case his interpretation is needed. This would eliminate his need to read or hear an item more than once.

B. Petersdorf said that he would like to see the planning commission work on possibly amending the sign ordinance to include signs such as "AAA Approved". Chairman M. Miller from the planning commission said that the planning commission had already done it, and the city council would have a recommendation in its February council packets.

It was decided to keep the cable tv committee active, but not to include its work as a City goal.

Sam Marinisi, with reference to a proposed water study for the City, said that the citizens in the past have rejected an earlier proposed water system. It did not make sense to him, he said, for the City to spend \$12,000 (\$4,000 for an income survey and \$8,000 for the water system study) for a proposal that the citizens will likely reject again. He thinks that it would be a waste of money. He said that there are so many more immediate needs within the City. R. DePiero agreed that Mr. Marinisi's rationale is accurate until someone gets sick drinking water from one of the lakes. He said that the City would lose control of the situation in that case. R. DePiero said that he would like to keep the water study in the forefront, but he does not think that the City should do the income survey.

R. Parent said that he is having trouble getting permission to remove some trees that are hanging over the Siltcoos outlet. He said that if they fall and uproot, they'll destabilize the bank as well as block the river. He had talked to Connie Frisch of the Dunes N.R.A. who had responded that she would get back to him. The mayor advised Parent to contact Mrs. Frisch at her office in Reedsport and to tell her that he had some citizens who would be willing to help remove the trees and only need a letter of permission.


K. Aitken asked if there was anyone who had a boat on Siltcoos Lake who would be willing to take the bird count people out to Booth Island on Saturday, February 13. She was told that E. Petersen had volunteered to use his boat.

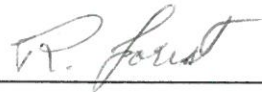
II. ADJOURNMENT

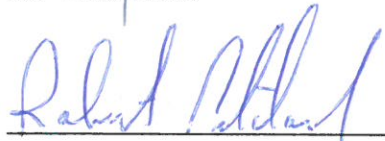
The meeting was adjourned at 9:10 PM



MAYOR NANCY LM JOHNSON



SECRETARY K. BACON


D. EASTMAN


R. FOREST


R. PETERSDORF


R. DE PIERO


R. PARENT

DUNES CITY COUNCIL

REGULAR MEETING

FEBRUARY 11, 1988

AGENDA

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF JANUARY 14 and JANUARY 28 MEETINGS
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF THE SESSION
- V. ANNOUNCEMENTS AND CORRESPONDENCE
- VI. CITIZEN INPUT ON UNSCHEDULED ITEMS
- VII. PUBLIC HEARING
- VIII. REPORTS
 - A. SALAL ROAD LAWSUIT - ATTORNEY GERBER
 - B. ANY OTHER REPORTS COUNCIL MEMBERS MAY HAVE
- IX. EXECUTIVE SESSION a) Litigation, b) Personnel, c) Negotiations
- X. UNFINISHED BUSINESS
 - A. LCOG GRANT AND LAND USE
 - B. SIGN ORDINANCE - PLANNING COMMISSION
 - C. WATER STUDY
- XI. NEW BUSINESS
 - A. BUCKWALD (26 ACRES)
 - B. STATE SIX YEAR HWY IMPROVEMENT PROGRAM
 - C. PASSIEN ABATEMENT
 - D. OFFICE SHELVING ESTIMATES / COST OF ADDING SECOND PHONE LINE
 - E. STREET LIGHT ON LAUREL
- XII. ADJOURNMENT

DUNES CITY COUNCIL

**REGULAR MEETING
FEBRUARY 11, 1988**

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 7:35 PM by Mayor Nancy LM Johnson.

PRESENT: D. Eastman, R. Forest, R. Petersdorf, Mayor Johnson, E. Fillman, R. DePiero, Attorney Ron Gerber, City Recorder K. Aitken, Director of Roads Keith Watson, and secretary K. Bacon. There were five citizens present in the audience.

ABSENT AND EXCUSED: R. Parent.

II. APPROVAL OF MINUTES OF JANUARY 14 and JANUARY 28 MEETINGS

ACTION A motion was made by D. Eastman and seconded by R. Forest to approve the minutes of the January 14, 1988, meeting. The voting was unanimous, and the motion carried.

ACTION A motion was made by R. Petersdorf and seconded by E. Fillman to approve the minutes of the January 28, 1988, meeting with any corrections. The voting was unanimous, and the motion carried.

III. BILLS AGAINST THE CITY

ACTION A motion was made by R. Petersdorf and seconded by E. Fillman to pay the bills against the City in the amount of \$2,651.55. The voting was unanimous, and the motion carried.

IV. RECEIPTS OF THE SESSION - \$7,282.25

V. ANNOUNCEMENTS AND CORRESPONDENCE

A. Thank You Note. The City had received a note of thanks from Betty Stocking for the retirement party that was held. It had also received a post card from Hawaii from her.

B. Comp Plan Maps. K. Aitken had learned from LCOG that it would cost \$300 to update the maps in the Comp Plan. The council asked if there would be money available from any LCDC grants. The secretary said that the City is receiving \$500 this fiscal year from LCDC from the Coastal Shoreland Grant. From that \$500, \$240 will be taken to purchase an overhead projector. The council

thought that the remainder of the shoreland grant could be used for the maps. The remaining \$40 for the maps could be taken from another fund.

D. Eastman pointed out that the council had voted at the last meeting to spend \$212.88 for the overhead projector. He asked why there was an increase for the projector. K. Aitken informed the council that the price quoted for the overhead projector had been a sale price, and the projector was no longer on sale when the office staff ordered it. D. Eastman suggested that a new motion should probably be made.

ACTION A motion was made by D. Eastman and seconded by R. Petersdorf to amend the motion made at the January 14, 1988, meeting and to authorize the expenditure up to \$240.00 for an overhead projector. The voting was unanimous, and the motion carried.

C. Workman's Comp Agreement. The mayor, city recorder and three trustees signed the Workman's Comp agreement. The City had recently changed its insurance coverage for Workman's Comp from SAIF to Alexis.

VI. CITIZEN INPUT ON UNSCHEDULED ITEMS

A. Clean Up of the Siltcoos Outlet. John Carlson was present to talk about the removal of trees from the Siltcoos outlet as discussed in the January 14, 1988, meeting. He said that he would like to request that only the center of the channel be cleared and that the trees and branches that are along the bank be left to help prevent erosion and to provide habitat for fish and wildlife.

The mayor said that she did not think anything had been done at this time, but she said that R. Parent had proposed to cut only those trees that were leaning out over the river precipitously and to leave the stump and roots to help hold the bank.

Carlson said that the Siltcoos outlet should be left as much in character as it is now.

VII. REPORTS

A. Police. The sheriff's report indicated that there had been one burglary the past month. This was the only crime.

B. Roads. The anticipated money for roads from Lane County has not yet come in.

- C. Foam in Siltcoos Outlet. The D.E.Q. had still not come out to investigate the cause of the foam in the Siltcoos outlet that was reported at last month's city council meeting. The mayor had advised K. Aitken to call D.E.Q. every day, if necessary, until someone comes out to investigate.

Keith Watson said that the foam is all gone now.

- D. Supplemental Budget. K. Aitken explained that a supplemental budget will only be necessary if the City expects to expend funds it receives this fiscal year.
- E. Salal Road Lawsuit. Attorney Gerber reported that the plaintiff has agreed to continue the suit against Dr. Jeremy Orcutt and to drop the suit against Dunes City as long as the City agrees to issue a road permit if the plaintiff (Ruth J. Wood) prevails in court. The council discussed costs. Attorney Gerber said that the City should request the insurance company to pay the filing fee. The council wondered if the insurance company would also pay all of Attorney Gerber's charges for this lawsuit. Mr. Gerber said that the insurance company would not. The council decided that a motion should be made to pay the filing fee in the event that the insurance company would not cover it.

ACTION

A motion was made by D. Eastman and seconded by R. Forest to pay the court filing fee of \$43.50 in the event that the insurance company will not cover the cost. The voting was unanimous, and the motion carried.

VIII. UNFINISHED BUSINESS

- A. Amend Ordinance #74 - the Sign Ordinance. The council members had received in their packets a recommendation from the planning commission that the council pass an amendment to Ordinance #74 which would allow one rating sign per business from a nationally recognized ratings organization be exempt from applying for a sign permit. The planning commission suggested some conditions for the sign to be exempt. The planning commission had also recommended that the change to the ordinance be handled as an amendment to the ordinance rather than as a resolution.

The council asked why the planning commission had made the request when the attorney had suggested that it be handled as a resolution. The secretary said that she did not recall the planning commission stating why it wanted it handled as an amendment.

The secretary said that a resolution is ordinarily a policy change and an amendment changes the substance of an ordinance.

R. Petersdorf said that the cost of publishing for a first and second reading and the time delay involved made a resolution more appealing. Attorney Gerber said that he would be attending the February planning commission and can ascertain from the commission its feelings on this matter.

The council did think that the suggested wording in the recommendation was very good. Attorney Gerber said he was not sure that it could be handled as a resolution rather than an amendment without checking. However, he said he could draft something that could be passed as either an amendment or a resolution. If it needed to be published as a first and second reading, he would notify the office staff in time to publish.

Attorney Gerber was directed to draft a proposed amendment or resolution following the planning commission meeting.

- B. Water Study. Gary Dyer had requested that the city council approve a motion to retain him as engineer of record for the Dunes City water system in the event the City finds a source of funding for the project with the understanding that the City will not be obligated to any expense until such time as the City has determined a course of action. R. DePiero said that he would like to see a time limit included in the motion. Attorney Gerber advised a one-year time limit with the option to renew on the part of both parties at the end of one year and that it will be Mr. Dyer's responsibility to request the renewal. City council discussion indicated that the council feels the citizens are probably not in favor of a water system at this time. R. DePiero said that by approving the motion the city council is not committing to spending any City funds and yet could get a water study done without cost if Mr. Dyer finds a source of funding. He said conditions do not require a water system at this time. "But that could change overnight," DePiero said, "if there is a spill in the lake or three people get sick drinking the water from the lake." He said that the City may be forced into an emergency situation without adequate planning if that were to happen.

D. Eastman argued that a water study may be obsolete by the time funds are available for a water system or the citizens are ready to have one. He said that he thinks it would be better to wait until the citizens would support having a water system.

ACTION

A motion was made by R. Forest and seconded by R. DePiero to retain Mr. Gary Dyer as engineer of record for the period of one year at no cost to the City with the option to renew the agreement on the part of both parties at the end of one year. It shall be Mr. Dyer's responsibility to request the renewal for the second year if he desires. The voting was unanimous, and the motion carried.

IX. NEW BUSINESS

A. **Buckwald Property.** The mayor reported that she had approached Mr. Buckwald about annexing his 26 acres of property to the City. He said that a realtor had already approached him with the same idea. He said that eight acres of the property are for sale at this time. Buckwald said that he would talk with his partners and contact the City about annexation if they are in favor of the idea.

John Carlson said that at one time it had been contemplated to annex this property under different ownership. At that time it could not be done because the land is not inside the City's urban growth boundary and there were no City services that could be extended to it. Mr. Carlson said that he would be opposed to annexing the property.

B. **State Six-Year Highway Improvement Program.** Council members had received in their packets information from the City of Florence and LCOG about the state's Access Oregon program. The two had recommended that Highway 126 be added to the Access Oregon program and requested Dunes City's support. The mayor said she would like to see Dunes City write a letter of support to the Oregon Transportation Commission. The council discussed adding that Highway 126 is also a principal commercial corridor between Eugene and Florence as well as a heavily traveled tourist route.

ACTION

A motion was made by R. Petersdorf and seconded by E. Fillman to write a letter to the Board of Directors of LCOG in support of the January 8 letter from the City of Florence requesting that Highway 126 be added to the Access Oregon program. And it was asked that the letter also add that Highway 126 is a principal commercial corridor as well as a heavily traveled tourist route between Eugene and Florence. The voting was unanimous, and the motion carried.

C. **LCOG Dues.** The council had also received a notice of the annual LCOG dues. K. Aitken said that she had paid half the dues in January. The other half of the \$614 dues will be paid July 1. The increase in the dues will have to be included in next year's budget.

D. **Passien Abatement.** The City had sent a letter of abatement to Mr. Renold Passien concerning dogs creating a nuisance on property he owns on Lakeshore Drive. K. Aitken reported that after posting the abatement notice, the dogs were gone the next day. Several of the neighbors had called or written thanks to the City for the resolution of the problem.

E. **Office Shelving.** K. Aitken reported that, although she had contacted several carpenters, only one carpenter chose to give the City an estimate for installing shelves in the office. Mr. Doug Haydter estimated that for 38 feet of shelves it would cost \$139 for labor and materials. The shelves would be 3/4" fir with adjustable brackets.

ACTION

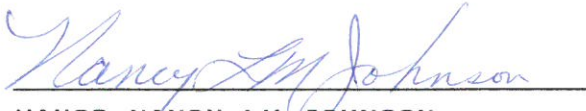
A motion was made by E. Fillman and seconded by R. Forest to approve the expenditure of \$139 for office shelving as per the estimate given. The voting was unanimous, and the motion carried. K. Aitken will notify Doug Haydter of the council's decision.

F. **Second Phone Line for the Office.** K. Aitken had gotten information on the costs of installing a second phone line to the office. She said that it would cost \$250 - \$300 for the initial installation of the second line and the purchase of two new phones (with a hold button) at \$80 to \$100 each. The monthly bill would be increased from the present \$71.80 to approximately \$116.58. The annual budget for telephone would more than double. The council discussed the option of having "Call Waiting" as an alternative. K. Aitken said that she will get the figures for "Call Waiting" for the next council meeting.

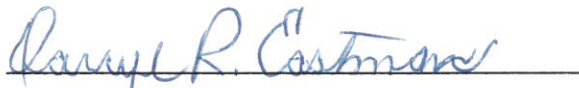
- G. Street Light for Laurel. R. Parent had requested that this item be on the agenda. However, since Mr. Parent was absent and the city council did not have enough information to discuss the matter, it was decided to drop the matter. Mr. Parent can again request to have the item on the agenda, if necessary, the mayor said.

X. ADJOURNMENT


The meeting was adjourned at 8:45 PM.


MAYOR NANCY LM JOHNSON



SECRETARY K. BACON

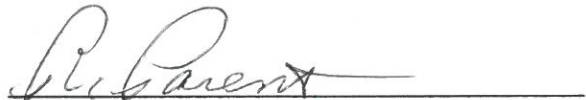

D. EASTMAN


R. FOREST


R. PETERSDORF


E. FILLMAN


R. DE PIERO


R. PARENT

DUNES CITY COUNCIL

SPECIAL MEETING February 18, 1988

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 7:35 PM by Mayor Nancy LM Johnson.

PRESENT: D. Eastman, R. Forest, R. Petersdorf, Mayor Johnson, E. Fillman, R. De Piero, Attorney Ron Gerber, City Recorder K. Aitken and secretary K. Bacon. There were 21 citizens present in the audience and one representative from the press.

ABSENT: R. Parent

Mayor Johnson announced that the meeting had been called to give the council the opportunity to address the ten points raised by the Westlake Community Committee in its recent request for de-annexation.

Attorney Gerber said that he had talked with the Lane County Boundary Commission; and, at this time, there have been no de-annexation papers filed with the Boundary Commission. He said that if petitions are filed with the Boundary Commission requesting de-annexation, the commission will hold a public hearing and either accept, reject, or modify the proposal. If the Boundary Commission approves the proposal, then the City may or the citizens of Dunes City may request an election of the people. Attorney Gerber said that a vote of the people may supercede the Boundary Commission. However, there are no statutory guidelines on this. Once petitions are filed with the Boundary Commission, the Boundary Commission will send the City a list of specific things to which the City may respond if it so desires.

For the benefit of those in the audience, the mayor read each of the ten points stated by the de-annexation group. After each statement, she gave city council members a chance to respond.

1. "Westlake is geographically separated from the rest of Dunes City with no connecting roads within city limits."

R. Petersdorf responded that former mayor James Baumeister began work to get a road connecting Westlake with the rest of the City. Petersdorf said that the Master Road Plan will address having a connecting road between the Westlake area and the north beach area.

2. Westlake started around a sawmill 75 years ago and has historical ties and memories three times as old as the modern Woahink section of Dunes City. Westlakers want to retain their heritage and their post office against constant city harassment for change."

The mayor said that she thinks that the main statement in item 2. refers to a former goal of the city council to add the name of Dunes city to the Westlake Post Office. However, she said that the testimony offered at a public hearing indicated that the citizens were so opposed to this that this item has been dropped.

3. "Westlake's older residences already occupy most of the buildable land nearby. The predominance of stabilized incomes fosters a life style that emphasizes upgrading existing homes rather than construction of new palaces. Westlakers resent the council's attitude of favoring aesthetics over utility."

There was no council comment on this item.

4. "The schools, fire department, police, electric service, TV Cable, garbage pickup are all regional and not supplied by the city. Any other needed services are already supplied by Lane County without adding another layer of unnecessary city government. Any unnecessary city services will soon necessitate a city property tax."

R. DePiero said that he is opposed to a property tax and was sure that the rest of the city council felt the same way. He did not know why the citizens would think that there would soon be a city property tax since it was unlikely that one would be forced upon the city. The mayor said that item 4. fails to point out that the City provides streets. John Carlson said that the streets in Westlake are county roads.

5. "Westlake would have remained a separate community if the threat of Dunes National Recreation Area condemnation had not risen. That threat no longer exists."

R. Forest and P. Tout asked why Westlake hadn't incorporated as a separate city from Dunes City when Dunes City had incorporated if it had wanted to maintain a separate identity.

John Carlson did not know why it was not incorporated separately.

6. "If Westlake ever needs a water system it could be obtained cheaper and quicker as a community outside of Dunes City because of the income level and the compactness of the service area."

Mayor Johnson said that of the ten points raised, she would "have to agree with this statement 100%".

She said that there is no doubt that the Westlake area could obtain a water system much more cheaply. However, she wanted the citizens to remember that the council must represent the entire City and do what is best for the entire City.

7. "Westlake residents comprise only 14% of the Dunes City electorate and therefore can not control issues before the council that effect mostly Westlake. Such issues are: changing the name of the post office, the city taking control of the county boat landing, taking control of the Westlake offshore waters, the push for an expensive overbloated water system for the benefit of Woahink Lake development."

R. Petersdorf responded to this point that the citizens of the Westlake area cannot say that they do not have a voice in City government since two of the city council members, two of the planning commissioners and the director of roads are all from the Westlake area of the city.

R. Forest said that the citizens from the Westlake area attend the City's meetings more frequently than citizens from the north end of the City. Jim Fish responded from the audience that he feels that, although they come to the City's meetings, their input falls upon deaf ears unless they say the same thing time after time.

The mayor said that the City has no intent to take over the county boat landing, and B. Stocking responded from the audience that the plan to take over offshore waters was begun as a plan to assume land use jurisdiction as a help to the citizens of Dunes City because of overlapping jurisdictions. Attorney Gerber said that if the people of the Westlake area object to having the City assume jurisdiction of land use over the shorelands in their area of the city, they could petition the city council to be exempt from this in which case they would still be under Lane County's and the state's jurisdictions. Attorney Gerber also advised the group that an area-wide election of only those citizens in the Westlake area could not be held to decide de-annexation following the Boundary Commission decision. He said that it would have to be a city-wide election by statute.

8. "The Westlake business community can take care of its own advertising in its own way using methods that have worked in the past. It does not need any business license fees to protect against competition. A business license ordinance is already halfway enacted."

D. Eastman responded that the City had the first reading of a business license at least three years ago. It was also discussed in depth at a C.C.I. meeting, and citizen opposition cause the matter to be dropped. Eastman doubted that after such a lengthy period of time, the council would call for a second reading without beginning the process over again. He pointed out that a business license was discussed not only as a means to raise needed revenue but as a quality control. R. DePiero said that he has stated that he is in favor of a business license and is sorry if it upsets people for him to express his opinion. He wanted to stress that it was only his opinion. R. Forest responded that the business license would not single out only the businesses in the Westlake area since he counted close to 50 businesses in the Yellow Pages of the phone book that do business in Dunes City and would be required to obtain a business license if one were enacted.

9. "The rest of Westlake does not care to be marketed or sold to the entire country as the council insists on as one of its goals."

Mayor Johnson responded that since tourism is important to Oregon and most of the businesses in the Westlake area rely upon tourism, she thought that the people of Westlake would not object to having the area marketed. D. Eastman pointed out that Jim Fish of the de-annexation committee had even requested room tax money from the city council in the past to help with advertising the area.

10. "This is the time to leave before the city occurs any bonded indebtedness."

The mayor said that this point addresses the future where no one knows what will happen, and she said that she feels no one could rightfully comment on this point.

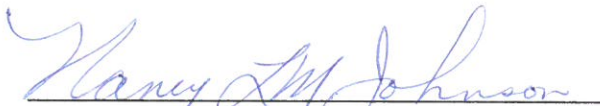
R. Forest said that he is not for or against the proposal, but he respects the citizens' right to try to change the situation if they are dissatisfied. However, he said that the matter has to be decided by the entire City.

Attorney Gerber advised the audience that the prospect of de-annexing an urbanized area is "pretty grim". He said that the proposal would be counter to L.C.D.C. goals and guidelines and the Dunes City Comprehensive Plan. Gerber cautioned the group that Lane County's plan is pro-development while Dunes City's plan is not pro-development and prefers to maintain the status quo. He said that, if citizens have to deal with Lane County, they will find it "more expensive and probably less satisfying".

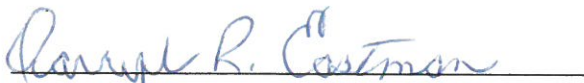
Attorney Gerber said that many of the complaints expressed by the group could be dealt with by working with the City and through amendments to the Comprehensive Plan, if necessary. Attorney Gerber concurred with R. Forest that the group has every right to request de-annexation. However, he reiterated that it would be very difficult to achieve. He said that no one he talked to on the state level could ever remember an urbanized area being de-annexed.


II. ADJOURNMENT


The meeting was adjourned at 8:20 PM.

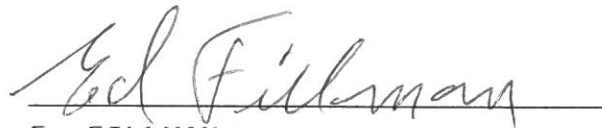

MAYOR NANCY LM JOHNSON



SECRETARY K. BACON


D. EASTMAN


R. FOREST


R. PETERSDORF


E. FILLMAN


R. DE PIERO

DUNES CITY COUNCIL

REGULAR MEETING
March 10, 1988

A G E N D A

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF FEBRUARY 11 and FEBRUARY 18, 1988
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF THE SESSION
- V. ANNOUNCEMENTS AND CORRESPONDENCE
- VI. CITIZEN INPUT ON UNSCHEDULED ITEMS
- VII. PUBLIC HEARING
 - A. Major Partition - Richard Anderson, applicant
- VIII. REPORTS
 - A. Westlake De-Annexation -- K. Aitken
 - B. Salal Road Lawsuit
 - C. Call Waiting - K. Aitken
 - D. Comp Plan Printing - K. Bacon
 - E. Any other reports council members may have
- IX. EXECUTIVE SESSION a) Litigation, b) Personnel, c) Negotiations
- X. UNFINISHED BUSINESS
 - A. Sign Ordinance Amendment - discussion only
 - B. LCOG Intergovernmental Agreement
 - C. Walkabout Cove - Final Approval
- XI. NEW BUSINESS
 - A. Library Outreach Program - Susan Gale
- XII. ADJOURNMENT

DUNES CITY COUNCIL

REGULAR MEETING

March 10, 1988

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 7:35 PM by Mayor Nancy LM Johnson.

PRESENT: D. Eastman, R. Forest, R. Petersdorf, Mayor Johnson, E. Fillman, R. Parent, Attorney Gerber, City Recorder K. Aitken and secretary K. Bacon. There were 15 citizens present in the audience.

ABSENT AND EXCUSED: R. De Piero was excused to attend another meeting and entered the meeting at 9:50 PM.

II. APPROVAL OF MINUTES OF FEBRUARY 11 and FEBRUARY 18, 1988

ACTION A motion was made by E. Fillman and seconded by R. Forest to approve the minutes of both the February 11 regular meeting and the February 18 special meeting. The voting was unanimous, and the motion carried.

III. BILLS AGAINST THE CITY

ACTION A motion was made by R. Petersdorf and seconded by E. Fillman to approve the bills against the City in the amount of \$3,291.64. The voting was unanimous, and the motion carried.

IV. RECEIPTS OF THE SESSION - \$5,249.44

V. ANNOUNCEMENTS AND CORRESPONDANCE

A. Passien Abatement. The City had received a thank you letter from Mrs. Damon for the City's action in the Passien abatement.

B. Foam on Siltcoos outlet. K. Aitken announced that she had talked with Donald Hernandez of the D.E.Q. about the recent problem of foam on the Siltcoos outlet. She was told that the problem is typical of all lakes and streams. It seems to be aggravated by high winds and rains. It is caused by many factors rather than one single factor, it eventually dissipates, and there is nothing that can be done to alleviate it.

C. U.S. West Direct. K. Aitken announced that she had talked with the Bob Williams, Product Manager for U.S. West Direct. He had assured her that Dunes City will be listed in the next publication of U.S. West Direct.

VI. CITIZEN INPUT ON UNSCHEDULED ITEMS

There was no citizen input on unscheduled items.

VII. PUBLIC HEARING

A. Major Partition - Richard Anderson, applicant. The mayor opened the public hearing at 7:40 PM. She asked the applicant if he would like to make any comments. He said all he would like to add was that "that there are two beautiful lots that will enhance the community, and there will be some beautiful homes built on them".

The mayor then asked if there was anyone in the audience in opposition. Former mayor James Baumesiter said that when the council approved South Shore Subdivision, it required a paved width of only 16 feet because the roads in the subdivision would be private and would only serve 26 lots. The C.C. and R.'s for South Shore stipulate that the lot owners within that subdivision would be responsible for the street maintenance. He also cited the conditions for approval of South Shore which stipulate that the City reserved the right to review the entire ingress and egress if Dr. Anderson ever wanted to develop his adjacent parcel. Baumeister concluded that it was his opinion that there is access available for ingress and egress to the Anderson parcel over North Pioneer Road without using the private roads in the South Shore subdivision.

The mayor said that it was her understanding that North Pioneer Road is also a private road in the Tsiltcoos Lake Club plat. The attorney concurred.

Roger Cates, a resident in South Shore Subdivision, said that the City is setting a precedent by extending the use of the private roads in South Shore. He wanted them to be aware that the property owners within that subdivision are assessed for the maintenance of those roads and implied that the owners of the newly partitioned lots or Dr. Anderson as the partitioner should help share in the maintenance cost of the roads.

Attorney Gerber said that, without checking the file, he recalled that the City had the right to require the roads in South Shore subdivision to be widened if more lots were ever added.

There was discussion of possible alternate access to the Anderson property over other roads platted in the Tsiltcoos Lake Club plat that abut the Anderson property. Dr. Anderson said that of those roads platted, North Pioneer Road is presently the only road that has been opened.

Dr. Anderson said that he had reached an agreement with Harthorne/Keel, Inc. which grants him the right to use the roads in South Shore subdivision for access to his newly-created lots in exchange for which he and the owners of the newly-created lots shall bear an equal portion for the maintenance of the roads and gate system in South Shore subdivision. The agreement states that if Parcel 3 is ever further subdivided, any new lots created will have to find access other than the roads in South Shore subdivision.

The public hearing was closed at 7:56 PM.

D. Eastman asked if the city council should require the roads to be widened beyond the required 16-foot paved width since additional lots will be using them.

R. Petersdorf said that his concern is that there is a house being built on the remaining 48 acres, and there is presently a building on the remaining 48 acres. He asked Dr. Anderson what would become of the existing building when the new house is completed. Dr. Anderson said that the existing building was intended all along to serve as a garage and guest house. R. Petersdorf told Dr. Anderson that the City does not allow two dwellings per tax lot and asked if Dr. Anderson intended to remove the kitchen. The secretary interjected that the building inspector, Emile Mortier, was aware of the situation and had stated on the building permit that the kitchen would have to be removed from the present dwelling. Dr. Anderson said that he had not seen the building permit and was unaware of that stipulation. He asked how this matter related to his major partition. D. Eastman replied that Dr. Anderson's choices are to further partition the remaining 48 acres so that each dwelling will be on a separate tax lot or to remove the kitchen. Since an applicant may only do one partition a year, he wondered if Dr. Anderson was considering a further partition; and, if so, what the access would be.

Dr. Anderson said that he also owns adjacent tax lot 101 and would probably do a lot line adjustment to incorporate the new building. The council then questioned the zoning of tax lot 101. R. Petersdorf said that he thought tax lot 101 was zoned commercial. However, the comprehensive plan designates that tax lot as residential.

The council then discussed the future development plan. The council declined to review the development plan at this meeting and preferred to have it first reviewed by the planning commission. The council would then consider the future development plan with the planning commission's recommendation.

Eugene Wobbe said that he would rather call the future development plan a tentative layout.

Attorney Gerber advised the council that whatever Dr. Anderson submits as a future development plan the council may consider as binding upon the property once it has been approved by the City. Attorney Gerber advised that the city council may approve the major partition subject to conditions being met, or it may require that the conditions be met before approval will be granted.

D. Eastman said he would like the planning commission to clarify condition #4. He said that "adequate road improvements" is too vague. Since the City has specified that the roads in South Shore subdivision have a paved width of 16 feet, he wondered if the planning commission intended that the extension of Brentwood Drive would be the same. He also questioned if the new lots would share in the cost of blacktopping.

D. Eastman said that he is not in favor of approving the major partition without the planning commission approving the future development plan and without seeing the agreement between Anderson and Hartshorne/Keel, Inc.

ACTION

A motion was made by D. Eastman to table the request for a major partition from Richard Anderson and to send it back to planning commission for review of the future development plan. The motion died for lack of second.

ACTION A motion was made by R. Petersdorf and seconded by E. Fillman to accept the planning commission's Findings of Fact, Conclusions of Law and conditions and to grant the major partition request of Dr. Richard Anderson with the following additional conditions:

16. That the extension of Brentwood Drive will be paved at the same time as the roads in South Shore subdivision and to the same width and specifications.
17. That the developer will deposit an irrevocable letter of credit in the amount of \$10,000 to ensure the completion of the project.
18. That the developer will submit the tentative future development plan to the planning commission and city council for approval before final approval will be granted.

There was discussion before the vote was taken as to whether or not the agreement between Dr. Anderson and Hartshorne/Keel, Inc. had to be signed by all the property owners within the South Shore subdivision.

Attorney Gerber advised that the City should take the position that unless everyone in South Shore subdivision signs the agreement, the City should not accept the agreement as proof of adequate ingress or egress since it would be possible for anyone in the South Shore subdivision to bring litigation and possibly upset the agreement. This was not added as an additional condition because Attorney Gerber felt the language of condition #15 was adequate and would cover the question of this agreement.

The voting was unanimous, and the motion carried.

The mayor called for a recess at 8:45 PM. The meeting was reconvened at 8:55 PM.

VIII. REPORTS

- A. Westlake De-Annexation. K. Aitken reported that she had checked with the State, and the City would lose approximately \$8,000 annually in revenue from cigarette, liquor and highway taxes and room tax receipts if Westlake was de-annexed. There are two county roads and eight private roads in the Westlake area. Those eight private roads would no longer be maintained by the City. And the Westlake area would lose 13 street lights which are now paid for by the City.

K. Aitken also reported that the Boundary Commission will look closely at the city's comprehensive plan. The Boundary Commission would like the City to file a response by May 20 and address the following issues:

1. Impact of de-annexation on other units of government
2. Financial impact
3. Land use impacts
4. Access impacts
5. Long-term impacts

K. Aitken said that she would have the information ready for the April city council meeting.

B. 9-1-1. The mayor reported that 9-1-1 had recently approved a \$35,000 operating budget.

C. Call Waiting. K. Aitken reported that there would be a one-time charge of \$11 to install call waiting for the City office plus a monthly additional charge of \$4.35. She felt it would be worthwhile for the City to obtain call waiting.

ACTION

A motion was made by R. Petersdorf and seconded by D. Eastman to authorize the City Recorder to order call waiting for the City office. The voting was unanimous, and the motion carried.

D. Comprehensive Plan. The planning secretary reported that she had finished proof reading the revised Comprehensive Plan and had sent it back to LCOG to correct the errors and omissions. LCOG had sent a proposed base map, but the secretary felt that it was too condensed to be usable and had requested that LCOG add more street names if possible so that the City would have more points of reference. LCOG had agreed to do so and will send the revised base map when that has been done.

E. Overhead Projector. The City staff reported that it had purchased the overhead projector, and it is now available for use.

IX. NEW BUSINESS

- A. **Library Out-Reach Program.** Susan Gale was present from the Siuslaw Library District to talk about a proposed outreach program to reach senior citizens and disabled adults. A recent survey showed that 35% of the district's patrons are senior citizens. The program will provide two types of service: 1) service to homebound patrons, and 2) satellite libraries in residential developments or community centers. The district has received a grant which will provide funds for lockable bookcases, and the library will keep them stocked with large print books. The books will be rotated approximately every eight weeks. The satellite libraries will be staffed by volunteers. The district has selected the Senior Booster Center and a location at Greentrees as two of the locations for the satellite libraries. Susan Gale asked if the city council would agree to have the third satellite library in the Dunes City Community Center. She assured the council that there would be no cost to the City and the bookcases would be lockable.

The grant that the library district has obtained is a one-year grant. The district must make an effort to fund the program beyond the one-year funded by the grant.

The mayor said that she would be delighted to have the third satellite library located in the community center since it sounds like a wonderful idea. The city council members were also in favor of the idea and suggested that Ms. Gale meet with K. Aitken to settle details.

X. UNFINISHED BUSINESS

- A. **Sign Ordinance Amendment.** K. Aitken suggested that, if the council approves of the amendment to Ordinance #74, the council have a first and second reading and declare an emergency at the April city council meeting. The city council agreed to handle the amendment on this basis, and K. Aitken will advertise it as a first and second reading and declaring an emergency.
- B. **Urban Transition Road Money.** It was reported that the City has still not received the urban transition road funds from Lane County. R. Petersdorf said that he would call Jim Johnson, Lane County Administrator, Monday, March 14, and check on the money.

- C. Walkabout Cove. Eugene Wobbe, representing the developers of the Walkabout Cove subdivision, was present to request final approval.

There was considerable discussion of the large spruce tree at the corner of Boy Scout Road and Parkway Drive. It had been a condition of approval that the tree would be removed at the expense of the subdivider at the time Lot 8 is sold and that a street light will be installed at the developer's expense near Lot 5 within six months of the first house being built within the subdivision. The council was concerned about guaranteeing that these conditions would be met.

Mr. Wobbe suggested recording a statement on the subdivision plat about removing the tree and stump prior to the sale. The council was concerned that an unwary buyer may not be aware of the stipulations. Attorney Gerber suggested that Mr. Wobbe alert the developer as to what his liability will be if he sells the lot without removing the tree. Mr. Wobbe said that if the city council stipulates, he can ask the developer if he would be willing to remove the tree now.

The attorney advised that the City wait to sign the final order until the tree has been removed since the tree is on property which is being deeded to the City for widening Parkway Drive. The City does not want the expense of removing the tree.

In the discussion of the street light near Lot 5, Eugene Wobbe advised the City that it is the responsibility of the City to request a street light. P.U.D. had advised that the request for the light must come from the City rather than the developer. R. Petersdorf said that the City had made it a condition of approval because there is no transformer near where the street light is to be installed, and there will be expense for installing the transformer. Wobbe said that he was unaware that there is an initial installation cost if a transformer has to be installed.

R. Petersdorf suggested that the city council request an estimate from P.U.D. for installing a street light at that location, give the information to Mr. Wobbe, and get the money from the developer prior to requesting the street light from P.U.D.

ACTION A motion was made by D. Eastman and seconded by R. Petersdorf to grant final approval to Walkabout Cove Subdivision with the following conditions:

1. That the developer show proof that the tree and stump that have been in question prior to approval have been removed from the southeast corner of Lot 8.
2. That the City receive the cost estimate from Central Lincoln P.U.D. for the installation of the street light in the area of Lot #5 and be reimbursed by the developer prior to the final signing of the subdivision map.
3. That Mr. Wobbe add on the subdivision plat along the east boundary of Lot #8 an indicator of restricted access and that it be included on the map that is filed with Lane County.

The voting was unanimous, and the motion carried.

IX. NEW BUSINESS - Continued


B. Lane County Coastal Consensus Group. R. De Piero reported on the meeting he had attended. It was the first meeting of the Lane County Coastal Consensus Group. He said that the group had been formed to include as many interested groups as possible in the formation of a coastal plan. Groups that have been in opposition must make concessions and come to agreement. The final agreement of the consensus group will be the basis for the coastal plan.

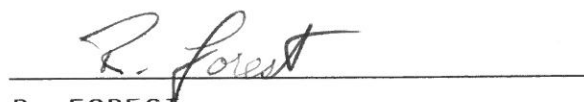
XI. ADJOURNMENT

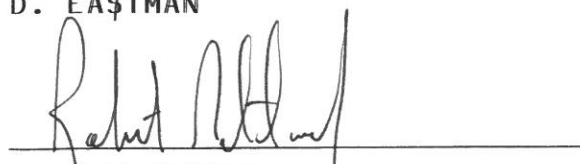
The meeting was adjourned at 10 PM.

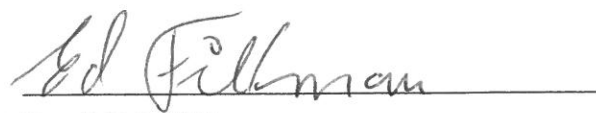

MAYOR NANCY LM JOHNSON


SECRETARY K. BACON


D. EASTMAN


R. FOREST

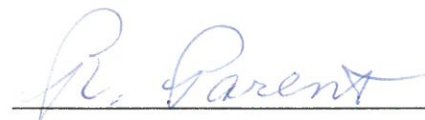

R. PETERSDORF


E. FILLMAN

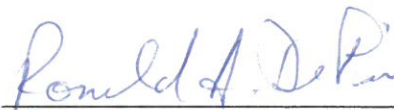
Dunes City Council

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A handwritten signature in blue ink, appearing to read "R. Parent", written over a horizontal line.

R. PARENT

A handwritten signature in blue ink, appearing to read "Ronald A. De Piero", written over a horizontal line.

R. DE PIERO