

DUNES CITY COUNCIL

REGULAR MEETING
OCTOBER 8, 1987

A G E N D A

- I. CALL TO ORDER AND ROLL CALL
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- III. BILLS AGAINST THE CITY
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DUNES CITY COUNCIL

REGULAR MEETING OCTOBER 8, 1987

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, Mayor Johnson, E. Fillman, R. DePiero, R. Parent, City Recorder B. Stocking, and secretary K. Bacon. There were ten citizens in the audience.

ABSENT: Attorney Gerber who had asked to be excused.

II. APPROVAL OF MINUTES OF SEPTEMBER 10, 1987

ACTION A motion was made by E. Fillman and seconded by R. Parent to approve the minutes of the September 10 meeting. The voting was unanimous, and the motion carried.

III. BILLS AGAINST THE CITY

ACTION A motion was made by D. Eastman and seconded by E. Fillman to pay the bills against the City in the amount of \$5,310.97. The voting was unanimous, and the motion carried.

IV. RECEIPTS OF THE SESSION - \$6,418.94

V. ANNOUNCEMENTS AND CORRESPONDENCE

A. Cable TV Town Hall Meeting. The City received correspondence from Congressman Peter DeFazio announcing that he would be holding Town Hall meetings in Florence and Reedsport on Saturday, October 24th. Congressman DeFazio is soliciting citizen input as to whether effective competition to local cable television exists. The mayor asked that the staff post notices at City Hall and on Channel 10 when it receives notice of the times of the meetings on that date.

B. LCOG Appreciation Dinner. The LCOG appreciation dinner will be held at the Red Lion Inn in Springfield on Saturday, October 23rd. Bob Petersdorf said that he will be attending, and the mayor said that she would like the City to pay his meal and transportation costs.

C. FCC. The council was notified that the letter it had requested be sent had been written and sent to the F.C.C. office in Portland which sent it on to Washington, D.C.

- D. Election. B. Stocking announced that the November 3rd election will be conducted by mail.
- E. Solid Waste Tags. B. Stocking displayed the tags the City had ordered to be placed on solid waste collection vehicles.
- F. League of Oregon Cities Brochure. B. Stocking displayed a brochure the City had received entitled, "Summary of Bills Passed during the 64th Legislative Session". It also lists defeated bills. The mayor wants the City to keep one on file and have the second copy available to be checked out by citizens.
- G. County Commissioners. The Lane County Board of Commissioners will meet in the Dunes City Hall on Tuesday, October 20, at 8:30 A.M. B. Stocking was directed to refer to the commissioners the items discussed at the recent C.C.I. meeting.
- H. Public Transportation Grant. The Florence City Council has voted to make an application for a public transportation grant from the State Department of Transportation. This was in response to a request from the Florence Area Council on Transportation (F.A.C.T.) whose representatives had addressed the Dunes City Council in August.

VI. REPORTS

- A. C.C.I. R. Parent briefed the council on the items of discussion from the C.C.I. meeting that was held October 1st. The minutes were included in the city council packets and are on file in City Hall. The council discussed water rights as brought up at the C.C.I. meeting. The City maintains a water permit on Woahink Lake in anticipation of future need for a water system. Those attending the C.C.I. meeting were told by Doug Campbell of Siuslaw Water Systems that Siltcoos Lake has better water than Woahink Lake. The council was told that Chinese Carp were suggested as a means of clearing the weeds from Siltcoos Lake. It would cost \$3.50 per fish to plant them in the lake. The per-fish cost is high because the reproductive organs are removed to prevent them from multiplying. The Chinese Carp were used to remove the weeds from Devil's Lake in Lincoln County. A study would need to be done, it was suggested, to determine how many carp per acre would be needed to remove the weeds from Siltcoos Lake.

B. Petersdorf suggested that the City contact Douglas County to see if it would be interested in helping with the cost of planting the fish since half of Siltcoos Lake is in Douglas County. Del Isham from Lincoln County has said that he would be glad to make a presentation before the council. E. Fillman suggested that Mr. Isham be invited to make a presentation, and R. Parent suggested that Jerry McCleod of the Fish and Wildlife Department be invited to participate at the same meeting. Mayor Johnson asked the council to be thinking about this.

VII. ROAD BIDS

Reports were interrupted at 7:58 for the opening of the road bids that had been advertised. The City received two bids. They were a bid of \$28,723.15 from Johnson Rock Products, Inc. and a bid of \$43,565 from Wildish. B. Stocking made copies of the bids for each council member. The council was told that the City has \$25,000 in the road fund for this fiscal year.

ACTION

A motion was made by R. Forest and seconded by E. Fillman to accept the bid from Johnson Rock Products, Inc. deleting the blacktop optional for Cloud Nine Road which would remove \$8,682.65 from the bid and just rock and grade Cloud Nine Road for a total of \$20,040.50.

AYE: D. Eastman, R. Forest, E. Fillman, R. DePiero, R. Parent

NAYE: R. Petersdorf

Motion carried.

VI. REPORTS, Cont.

B. Answering Machine. R. Forest had purchased an answering machine for the City office during the past month. The office staff reported that it is a very nice machine.

C. Census Takers. The mayor announced that there was no progress yet on finding census takers. She said that perhaps by the next council meeting there would be some progress.

D. EMT 911. R. Forest displayed a radio that will be purchased from 911 funds and will be used by an EMT who lives in the Westlake area. The radio will remain Dunes City property. The City will be responsible for the maintenance. Since the radio has a fire frequency, Chief "Butch" Libby said that any service that needed to be done on the radio could be done through the Siuslaw Rural Fire Department and the cost to the City should be minimal.

VIII. UNFINISHED BUSINESS

- A. Siltcoos Lake Resort Signs.** Mr. Jim Fish was present to show cause why his sign permit should not be revoked. The City had sent a letter to Mr. Fish September 10, 1987, asking that he remove the small signs he had attached to a boat off his premises directing people to services available at the Siltcoos Lake Resort. The City had also asked that he appear and show cause why his sign permit should not be revoked.

The secretary reported that Mr. Fish had come to the office after receiving the letter and had asked what the City would like him to do. The secretary had advised him to remove the small signs since he did not want to apply for a Conditional Use Permit for an off-premise sign. The secretary asked that he appear before the city council to see if he could amend his sign permit or if he needed to apply for a new sign permit to have the signs attached to his larger sign.

Mr. Fish showed pictures of the small signs as they had appeared on the large sign before he had removed them. The mayor discussed with the council the possibility of having the large sign moved up and putting the small signs in a row across the bottom. The secretary was asked to check the minutes of the meeting to see what the fee was that Mr. Doran had paid for his sign permit. Mr. Fish said that he did not want to pay an additional fee or return to the planning commission for another hearing. He considered the placement of signs on his small boat as an expression of his First Amendment rights to free speech. He said that he would check with his attorney concerning his rights in the matter, and the City will check with its attorney to see what is necessary for Mr. Fish to be in compliance. The matter will again be on the November city council agenda.

- B. Conditional Use Permit - Marta Wiek.** Marta Wiek had been denied a Conditional Use Permit as recommended by the planning commission at the September city council meeting. However, since Ms. Wiek had been unable to attend that meeting, the council had given her the right to appeal the decision. Ms. Wiek was present at this meeting to request that the council reconsider her request.

One of the reasons the planning commission had recommended denying the request that since Ms. Wiek had been unable to appear at the planning commission's hearing the commission was unclear as to what would happen to the remainder of tax lot 8002 once a portion of it would be removed. Testimony at this hearing from Ms. Wiek and others indicated that as tax lot 5802 is partitioned, the east 50 feet will be purchased by the owner of tax lot 5801 and the remaining east 20 feet of #5802 would be purchased by Mr. Richard Embree, owner of adjacent lot #5800. Likewise, the west 50 feet of tax lot 8002 would be purchased by the owner of 5801 and the remainder of tax lot 8002 would be purchased by Mr. Embree.

ACTION A motion was made by D. Eastman and seconded by R. DePiero to rescind the earlier motion to deny a Conditional Use Permit for Marta Wiek. The voting was unanimous and the motion carried.

ACTION A motion was made by R. DePiero and seconded by D. Eastman to table further action on the matter until the city attorney could be present for advice. There was discussion of the need to take final action on the matter because of the 120-day time limit. The secretary advised that the council to amend the planning commission's Findings of Fact and Conclusions of Law if the council felt they were in error based upon the additional testimony presented at this meeting. R. DePiero withdrew his motion to table, and D. Eastman withdrew his second.

ACTION A motion was made by R. DePiero and seconded by E. Fillman to accept the planning commission's Findings of Fact and Conclusions of Law with the exceptions that Finding of Fact #4 is amended by testimony presented at this meeting to say:

"A copy of an earnest money agreement shows that tax lot 8002 is also being re-aligned. The west 50 feet of 8002 will be purchased by the owner of tax lot 5801. The remainder of tax lot 8002 will be purchased by the owner of tax lot 5800." Conclusion of Law #2 is amended to say that the lot realignments will not result in a lot that is less than one acre in size because it will be increasing the size of both lots 5800 and 5801. Conclusions of Law 3 and 4 are also considered invalid because of the new testimony presented that the two lots will be enlarged. The motion is made with the following conditions:

CONDITIONS:

1. That the east 50 feet of lots 5802 and 8002 will be annexed by tax lot 5801 in a written agreement that those portions will not be sold separately.
2. That the west 20 feet of lots 5802 and 8002 will be annexed by tax lot 5800 in a written agreement that those portions will not be sold separately.
3. That this approval is contingent upon the review and approval of the City Attorney, Ron Gerber.

The voting was unanimous, and the motion carried. Ms. Wiek was advised that the council's action would not be final until the city attorney had reviewed it and concurred with the decision. She said that she understood that.

B. League of Oregon Cities Conference. B. Stocking announced that it would cost \$547.88 for her and the mayor to attend the League of Oregon Cities Conference November 7 - 11.

ACTION

A motion was made by E. Fillman and seconded by R. Forest to send the mayor and city recorder to the League of Oregon Cities Conference. The voting was unanimous, and the motion carried.

IX. NEW BUSINESS

A. Street Light Request. The City had received a request for a street light near the interesection of Clear Lake and Boy Scout Roads. B. Stocking had checked with Central Lincoln P.U.D. about the cost of installing a light. P.U.D. had said it would cost \$150 for initial installation plus \$12 per month. Mayor Johnson had checked the location out when it was dark and said that location was very dark for quite a ways. Council testimony said that there is a lot of vehicle as well as foot traffic in that area. Boy Scouts use that stretch of road coming and going to the beach. B. Stocking said that she thought the amount of money the City received in franchise fees from P.U.D. was increased to cover the cost of street lights whenever one was added.

ACTION

A motion was made by R. Petersdorf and seconded by E. Fillman to authorize the installation of a street light on the first pole east of the Hartshorne intersection near 83200 Clear Lake Road. he further requested the City to write a letter to P.U.D. asking if it will notify the City of its allocation for street lights and how many more the City may be entitled to have.

The voting was unanimous, and the motion carried.

- B. Highway Department Logo Signs. The City received notice from the State Highway Department that Woahink Lake Resort has requested highway department camping logo signs be placed on Highway 101 north and south of their property. The highway department was requesting input from the City. The council discussed it. The council also discussed that the resort had hung a "AAA Approved" sign without obtaining a sign permit from the City.

ACTION

A motion was made by R. DePiero and seconded by R. Petersdorf to approve the request for the camping logo signs to be placed by the State Highway Department for Woahink Lake Resort. The voting was unanimous, and the motion carried.

B. Stocking was asked to write to the state notifying it of the council's action. She was also asked to write a letter to the owners of Woahink Lake Resort notifying them of the City's sign ordinance and the need to apply for a sign permit for the "AAA Approved" sign.

X. CITIZEN INPUT ON UNSCHEDULED ITEMS

- A. Spraying by Lane County. A citizen was present to express concern for the spraying that is being done by Lane County along Clear Lake Road. He said that any spraying done near any of the little feeder streams will ultimately end up in Woahink or Siltcoos Lake which is used as the source of water for many of the residents of Dunes City. The mayor said that she will call the Lane County Department of Public Works and ask that the county stay well clear of the streams and lakes when spraying.

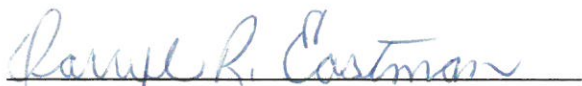
- B. Cable TV. R. DePiero said that since the discussion has come up about a water system for the community as well as cable tv competition. He thought the City could find a company that would be interested in making the investment if the water lines and cable tv lines could be installed at the same time. He said it was just something the City could be considering.

XI. ADJOURNMENT

The meeting was adjourned at 9:50 PM.



MAYOR NANCY LM JOHNSON

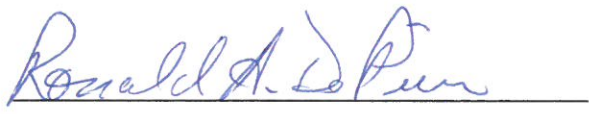

SECRETARY K. BACON

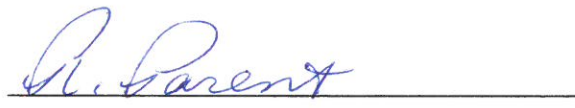

D. EASTMAN


R. FOREST


R. PETERSDORF


E. FILLMAN


R. DE PIERO


R. PARENT

DUNES CITY COUNCIL

SPECIAL MEETING

November 2, 1987

I. CALL TO ORDER AND ROLL CALL

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

PRESENT: R. Petersdorf, Mayor Johnson, E. Fillman, R. Parent, R. Forest, City Recorder B. Stocking and secretary K. Bacon. Council members R. DePiero and D. Eastman entered the meeting after the meeting had begun.

The meeting had been called by Mayor Johnson to give council members official notification that B. Stocking had submitted her resignation and would be retiring.

Mayor Johnson announced some changes she would like the City to implement once a new city recorder is hired. She suggested that the office hours be expanded to five (5) days a week from 10 a.m. to 2 p.m., that the new city recorder be paid \$6 per hour, for a maximum of four (4) hours per day (plus the time of any city council meetings) for the five (5) days a week the office will be open. She stressed that no overtime would be paid. She also suggested that the city recorder should not be paid for holidays and would be required to work one (1) year before being allowed one (1) week of paid vacation.

There was discussion of the suggestion not to pay for holidays since the city secretary and recorder currently receive eight (8) paid holidays per year. It was suggested that it might cause friction between the new city recorder and the secretary and that it would be the equivalent of docking the recorder a day's pay to close the office for a holiday and yet not pay the recorder. The council decided that the paid holidays would continue to apply to both the secretary and the city recorder.

The mayor said that she would like to have a screening committee to review the applications that are submitted and to narrow them down to a maximum of four (4) finalists which will be interviewed by the council at a special meeting. The mayor and council determined that applications will be accepted until November 20 at 2 p.m. The screening committee will meet November 23rd (at a time to be determined) to select the finalists. The council will meet in a special session Monday, November 30, to interview the finalists.

The new city recorder will be determined following those interviews and will be confirmed at the city council meeting November 12, 1987.

Mayor Johnson said she would like to have Ed Fillman, B. Stocking, E. Passenger, and K. Bacon serve with her as the screening committee.


The council discussed having a probationary period for the new recorder. It was decided that the new city recorder would be on probation through March 31, 1988. The expanded office hours will begin after B. Stocking retires.

The City office staff was instructed to ask that applicants come to the office to pick up an application form and job description rather than to mail them to those who request an application. It was suggested that in addition to saving the cost of postage it would serve as an initial screening. The staff was also told to inform applicants that if they have not heard from the City by November 25th, they may assume that they were not selected as finalists.

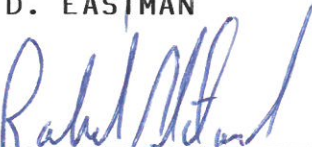
The meeting was adjourned at 8:45 p.m.

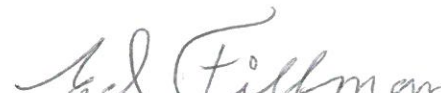

MAYOR NANCY LM JOHNSON



SECRETARY K. BACON



D. EASTMAN


R. FOREST


R. PETERSDORF


E. FILLMAN


R. DE PIERO


R. PARENT

DUNES CITY COUNCIL

REGULAR MEETING
November 12, 1987

A G E N D A

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF OCTOBER 8 and NOVEMBER 2, 1987
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF THE SESSION
- V. ANNOUNCEMENTS AND CORRESPONDENCE
- VI. REPORTS
 - A. League Conference
 - B. County Commissioner Meeting October 20 - E. Fillman
 - C. Census Takers
 - D. Street light allocation - B. Stocking
 - E. Any other reports council members may have
- VII. EXECUTIVE SESSION a) Litigation, b) Personnel, c) Negotiations
- VIII. UNFINISHED BUSINESS
 - A. Siltcoos Resort Sign
 - B. Master Road Plan - Jim Johnson
 - C. Marta Wiek - Conditional Use Permit
 - D. Woahink Lake Resort Sign
- IX. NEW BUSINESS
 - A. Inter-governmental agreement. Refer to pg. 3, Buckwald Hearing, of August city council minutes
 - B. Val Toronto - water system proposal
 - C. Custodian contract
- X. CITIZEN INPUT ON UNSCHEDULED ITEMS
- XI. ADJOURNMENT

DUNES CITY COUNCIL

REGULAR MEETING November 12, 1987

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, E. Fillman, R. DePiero, R. Parent, Attorney Ron Gerber, City Recorder B. Stocking and secretary K. Bacon. There were eight citizens in the audience.

II. APPROVAL OF MINUTES

ACTION A motion was made by R. Petersdorf and seconded by E. Fillman to approve the minutes of the regular meeting of October 8, 1987, and the special city council meeting of November 2, 1987. The voting was unanimous, and the motion carried.

III. BILLS AGAINST THE CITY

ACTION A motion was made by R. Petersdorf and seconded by R. DePiero to approve the bills against the City in the amount of \$4,108.70 plus \$60.00 for transportation to the League Conference. The voting was unanimous, and the motion carried.

IV. RECEIPTS OF THE SESSION - \$11,899.51

V. ANNOUNCEMENTS AND CORRESPONDENCE

A. Lost Time Injuries. B. Stocking displayed a plaque that had been presented to the City by the League of Oregon Cities for no lost-time injuries during the 1986-87 fiscal year.

B. Street Light. The City had received a letter of appreciation from Mr. and Mrs. H. Rentschler for a street light the City had recently installed on Clear Lake Road.

C. Boundary Commission. The governor had sent the City a letter requesting a list of no more than three names for possible appointment to the Lane County Boundary Commission. There was discussion of an early request to be exempt from the boundary commission's jurisdiction. The council was informed that only special districts may

request to be exempt from the Boundary Commission; cities may not.

VI. REPORTS

- A. **Master Road Plan.** County Administrator Jim Johnson was present to talk to the council members about the urban transition road funds. Mr. Johnson had written to the City offering to further explain the agreement. The county had offered to give the City \$43,000 to be used on City roads and could be used to develop the Master Road Plan. Mr. Johnson had also sent a copy of a draft contract "Urban Transition Agreement on Roads" between Lane County and the City. Copies of this draft had been included in council members packets. E. Fillman asked Mr. Johnson if the City would be asked to annex Pacific and Darlings Loop which are county roads not mentioned in the agreement. Mr. Johnson said that it would not make sense for the county to do that since the City does not have the money nor capability to maintain the roads. Johnson also stated that the \$43,000 would not be given just one time only; the City would receive the same amount each year that the contract is in effect.

In response to a question from the council, Mr. Johnson explained that the money the City will receive is money the county gets from timber receipts, gas tax, etc. and state law requires the county to spend the money on roads. He also said that money not spent by the City from the \$43,000 in one fiscal year could be carried over to the next year, and the next year's allotment would not be reduced by the amount of the carryover. The only stipulation would be that the money must be spent on roads.

Attorney Gerber said that he would like to see the county add a sentence to the contract that states that the City is not accepting any county roads. Mr. Johnson said that there would be no problem with adding such a statement.

ACTION

A motion was made by R. Petersdorf and seconded by D. Eastman to accept the concept of the contract with any corrections as stated by the City Attorney. The voting was unanimous, and the motion carried.

Mr. Johnson stressed that on page 3, III. subgraf 2. that paragraph does not mean the county will provide curbs, gutters and sidewalks at no cost to the City. It means that the county will cooperate with the City if it is possible.

- B. League Conference. Mayor Johnson gave a report on the conference she had attended with B. Stocking. She gave some of the highlights she had gleaned from the conference. She stressed that elected officials lead best by example. She announced that she had learned during the conference that Oregon will be the host to the 1998 winter olympics.
- C. County Commissioner Joint Meeting. E. Fillman reported on the joint meeting the council had had with the county commissioners. He said that the commissioners had suggested that Dunes City work with Terry Coleman of the Florence Chamber of Commerce on marketing the area. The mayor said that she would copy her copy of Roy Burns' comments on ORV's for each council member. She said that she learned from the conference that Dunes City is the only city in Oregon that does not have a tax base.
- D. Census Takers. The Director of Roads had held a committee meeting and found that none of the road representatives were interested in either taking the census or in finding census takers for their areas. B. Stocking said that the council may be having a misconception about the census takers. It appears that these census takers the City had been trying to find would be unpaid volunteers who would do an independent check to verify the census figures. B. Stocking said that she would call to see how important it is for the City to find these census takers.
- E. Street Light Allocation. B. Stocking announced that the City no longer receives an allocation from Central Lincoln P.U.D. for installing street lights. The current policy is that if the City requests a street light, the City will pay for the installation if it requires secondary wiring. She said, however, that the City is paid its franchise fee based upon the amount P.U.D. collects.

VII. UNFINISHED BUSINESS

- A. Siltcoos Resort Sign. The council had received in its packets a copy of a letter the City had received from Douglas R. Schultz, attorney for Siltcoos Lake Resort, concerning the sign permit problems the City had been having with the resort. The council also had in its packets a copy of a draft letter Attorney Gerber proposed to send to Mr. Schultz in response.

The council reviewed Gerber's letter and amended the second paragraph to take out language about repainting. Attorney Gerber advised the city council not to discuss the matter further because there is a lawsuit threatened.

- B. **Conditional Use Permit - Martha Wiek.** The council reviewed the memo Attorney Gerber had written concerning the council action on Martha Wiek. The secretary was advised that she may send the Final Order with the conditions stipulated by Attorney Gerber in his memo. She was advised to request that the applicant send copies of the recorded documents showing that the lot realignments had been recorded as specified and to state in the Order that the council may rescind the permit if the action is not recorded as specified within six months of the date the Order is issued.
- C. **Woahink Lake Resort.** The mayor announced that the letter had been written to the Robertsons of Woahink Lake Resort asking that they apply for a sign permit. The council discussed amending the sign ordinance to allow certain types of signs without a permit. The types mentioned for possible exception would be signs announcing that credit cards would be accepted, AAA Approved, etc. The consensus of the council was not to amend the sign ordinance since it could create problems of selective enforcement and it could encourage sign clutter which the sign ordinance is designed to prevent.
- D. **Cable Television.** The City had received a letter from Senator Hatfield that was included in the October city council packets. Senator Hatfield encouraged the City in that letter to get into competition with the local cable company. Attorney Gerber encouraged the City to write to Hatfield because he seems to be unaware of the situation that exists in Dunes City.

John Carlson asked the City to petition Central Lincoln P.U.D. to enter competition with the local cable tv company since the P.U.D. has the lines. Ron DePiero said that he had learned from the time he spent on the cable tv commission that it was more feasible for the phone company to enter competition with the cable company since it not only had the necessary lines already strung but also had the necessary frequency and satellites and the service could be billed with the phone bill.

Mayor Johnson said that she would like the City to forward a copy of the minutes of the meeting held with Representative Peter Defazio to Senators Hatfield and

Packwood when the City receives a copy of those minutes.

Phil Tout asked if the City had ever received a response from the F.C.C. regarding the letter the City had sent. The staff was asked to write a letter to the F.C.C. at its Washington, D.C. address asking the status of the City's request.

X. NEW BUSINESS

- A. Intergovernmental Agreement.** Attorney Gerber summarized this matter for the council. As a result of the hearings on the Mike Buckwald proposal outside the City limits, a suggestion was made that the City also request jurisdiction through intergovernmental agreement with Lane County over land use matters in areas adjacent to the City. Gerber suggested that, if the city council wants to do this, the City should ask L.C.D.C. for guidance and assistance. There was considerable discussion of the costs and staff limitations that may make it difficult to administer lands on the west side of Highway 101 with commercial potential. D. Eastman asked if there was some reason the county couldn't now acknowledge the City's Comprehensive Plan. It was discovered during the Buckwald hearings that the county had not acknowledged the City's Comp Plan in the past because the City's plan had been accepted by the State before the county had provisions for acknowledging the City's plan. Because the Buckwald decision is being appealed through LUBA, it was thought that the county may not be in a position to acknowledge the City's plan until there are no further appeals pending.

The council also discussed the costs of legal fees if land use decisions are appealed to LUBA. Russ Heggen was present in the audience and testified that currently the applicants, Mike Buckwald and partners, are bearing the brunt of the costs of the appeal before LUBA. He said that it could be the same situation if Dunes City administered control over adjacent lands.

The attorney pointed out that the council had two options; i.e., to request control over adjacent lands in land use matters through an intergovernmental agreement, or to request Lane County to acknowledge the City's Comprehensive Plan. It was thought that it would be fastest and easiest for the City to get Lane County to acknowledge the City's Comprehensive Plan.

ACTION

A motion was made by R. Forest and seconded by R. DePiero to request that Lane County acknowledge the Dunes City Comprehensive Plan. The voting was unanimous, and the motion carried.

RECESS

The meeting was recessed at 9:30 PM and reconvened at 9:35 PM.

- B. Val Toronto - Proposed Water System.** Mr. Toronto was in the audience and had earlier requested permission to address the council about the possibility of engineering a water system for the City. Mr. Toronto briefed the council on his engineering background. He said that, as part of his service, he works with various agencies to obtain funds through grants to help pay the costs of the projects. He said that he works almost exclusively with the Farm Home Administration (F.H.A.) in obtaining grants and has a working relationship with Dan Frazier, the chief engineer for F.H.A. He said that most of the projects he has completed have been funded at 50% or more through F.H.A. grants. He said that cities must have a median income level to be eligible for funds through F.H.A.; but that if the figures are borderline, "it is possible to fudge the figures a little". As part of the services he provides, Toronto said that he produces a newsletter which can be amended to adapt to an area. He said that it is very important that the council be united in its desire for a water system and that 90% of the citizens be in support of the project.

Toronto said that he prefers to have no more than three public hearings on a project. He said that the first hearing outlines why a water system is needed, the second hearing shows maps, and the third hearing (if not combined with an earlier hearing) outlines actual costs and unit costs. He said that he tries to have F.H.A. representatives attend these meetings because their presence carries a lot of weight with the audience. He added that a water system and a sewer system are the two greatest costs a City can incur and that a sewer system is far costlier than a water system.

The mayor stated that she had been cautioned at the League of Oregon Cities conference that if the City does not have a water system, it should think of getting one "and fast" because sources of funds are shrinking and the Department of Environmental Quality (D.E.Q.) is moving into areas like Dunes City and insisting that

they develop a water system. R. DePiero said that, as a SCUBA diver, he has seen a lot of change take place in Woahink Lake and that it is becoming polluted.

John Carlson said that if the City develops a water system it will probably have to tie into a regional water system and asked if water can be taken from a lake that is primarily used for recreation. Carlson said that the City almost certainly would have to provide service to Honeyman State Park and the Dunes N.R.A., and Attorney Gerber added that the City may be required to provide water to Glenada.

Toronto said that it would cost \$6,000 for a study of the area as a basis for recommendation for a water system. That cost could be spread over three years; and if the project is accepted, half the cost would be credited back to the City.

It was mentioned that there are currently six private water systems operating in Dunes City.

The mayor asked what the ideal situation would be and was told that ideally a water system and sewer system should be done together so that both lines could be laid in the same ditch. Toronto suggested that the City budget \$750 to sink about five test wells between the septic, well point and the lake to check for nitrates.

Toronto said that it now takes about two years to get through the paperwork before a project can begin construction.

John Carlson said that the Lane County Boundary Commission will ultimately determine whether a system will be built and whether it will be local or regional.

Toronto discussed the size of the lines, pumping stations and hydrants with those present. He said that it would be difficult to estimate costs without studying the City further to determine the size of line and particulars.

The mayor asked if it would improve our chances of funding if it was stressed that a water system would improve fire fighting capability. Toronto replied that F.H.A. isn't interested in fire fighting capability. He

said that Economic Development might be interested in improved fire fighting ability if industry was involved.

The council discussed having a metered system or an unmetered system.

Toronto said that his cost estimates include the cost of repairing the roads after laying the lines.

Attorney Gerber suggested that a subcommittee be appointed to explore whether it wants to have a water system, funding and citizen support.

ACTION A motion was made by R. Petersdorf and seconded by R. DePiero to poll the council. The voting was unanimous, and the motion carried.

The mayor asked for a show of hands of those who were interested in having a water system. All voted aye.

In response to a question from the secretary, Toronto replied that F.H.A. does not issue grants to pay for the study. Economic Development may have grants available for this, and B. Stocking said she would check.

ACTION A motion was made by D. Eastman and seconded by R. Petersdorf to continue with New Business since it was 11:00 PM. The voting was unanimous, and the motion carried.

C. Custodian Contract. There was a draft of a Custodian Contract in the council packets. The council discussed the contract and made changes in paragraph four under the custodial duties.

ACTION A motion was made by E. Fillman and seconded by R. Forest to accept the custodian contract with the changes made. The voting was unanimous, and the motion carried.

D. Water Committee. R. Parent and R. DePiero were appointed to a committee to study the feasibility of a water system. R. Parent, as chairman of the committee, was asked to select some citizens to work on the committee with him.

E. Goal Setting. The mayor announced that the council would hold another goal setting session in January to review the goals that were set in January of this year.

- F. B. Stocking Retirement. The mayor announced that City Recorder B. Stocking would be retiring at the end of the year and that the office would be kept open five days a week from 10:00 a.m. until 2:00 p.m. after the new City Recorder is hired.
- G. Ordinance Compilation. B. Stocking announced that the ordinance compilation was completed and the City had received 20 copies. She said that council members could sign out a copy following this meeting. She pointed out that because of the cost per copy the compilation would remain the property of the City to be returned at the end of a council member's tenure.
- H. Lawsuit. D. Eastman said that he had seen a legal notice in the Register-Guard that Dunes City was named as co-defendant with Jeremy Orcutt in a lawsuit brought by Ruth Wood. He wondered if the City had received any notice of it. He was told that the City had not yet received notice.

XI. CITIZEN INPUT ON UNSCHEDULED ITEMS


- A. East Lake Drive. Phil Tout was present to request that the City pave East Lake Drive. He said that at one time East Lake Drive was on a list to be paved but was dropped from the list for some reason. He asked that it be added back on the list. The mayor agreed that East Lake Drive will be added to the list of streets to be paved.
- B. Acknowledging Comp Plan. John Carlson reminded the council that at the joint meeting between Lane County and the city council Chairman Bill Rogers had said that because of the conflicts between the Lane County plan and the Dunes City Comprehensive Plan, he would be in opposition to Lane County acknowledging the Dunes City Comprehensive Plan.


XII. ADJOURNMENT


The meeting was adjourned at 11:25 PM.



MAYOR NANCY LM JOHNSON

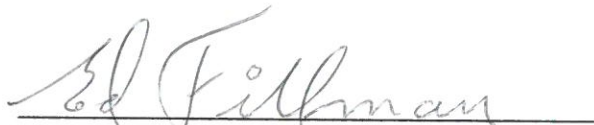

SECRETARY K. BACON



D. EASTMAN


R. PETERSDORF


R. DE PIERO


R. FOREST


E. FILLMAN


R. PARENT

DUNES CITY COUNCIL
SPECIAL MEETING
DECEMBER 7, 1987
A G E N D A

- I. CALL TO ORDER AND ROLL CALL
- II. WATER SYSTEM ENGINEERING PROPOSALS
 - A. 7:30 p.m. Richard Nord of HGE, Inc.
 - B. 8:30 p.m. Bill Bublitz of Western Engineering Consultants
 - C. 9:30 p.m. Gary Dyer of Gary L. Dyer, P.E.

DUNES CITY COUNCIL

SPECIAL MEETING

December 7, 1987

I. CALL TO ORDER

The meeting was called to order by Mayor Nancy LM Johnson at 7:40 PM.

PRESENT: R. De Piero, Mayor Johnson, R. Parent, R. Forest, D. Eastman, R. Petersdorf, City Recorder B. Stocking, newly-hired City Recorder Kathleen Aitken and secretary K. Bacon. There were two representatives from the press and 15 citizens present.

Mayor Johnson announced that the purpose of the meeting was to allow three engineers the opportunity to present proposals for a water system for Dunes City. She stated that each engineer would be given 30 minutes to present his proposal followed by 30 minutes for questions from the audience.

A. Richard Nord of HGE, Inc. distributed a few brochures related to his company's previous activities among city council members. The brochure outlined the history of the company and projects it had completed. Mr. Nord said that his company does not do water systems for private citizens; it works strictly with municipalities. He talked about two sewage disposal projects his company had done where the sewage effluent was pumped into a subsurface sewage disposal field when the effluent could not be discharged into a stream. These two sites are the Fall City football field and the Sutherlin golf course. Mr. Nord said that the State Health Division is implementing some new regulations of the Clean Drinking Water Act through E.P.A. The new regulations are not yet final, but they expect to have them final in the next six weeks. They are looking at requiring full treatment of all surface drinking water by mid-1992. He said that he understands that there are five (5) private water systems within Dunes City that are "ticketed" by E.P.A. to have something done with treatment by mid-1992. He identified on a Dunes City map where the present water systems are located. He compared the two types of filtration systems for the council that are presently used. They are slow-sand filtration which, he said, is the least expensive to operate because it has a lower manpower requirement. This form of filtration has been in use the longest. The second, a more recent form of filtration, is rapid-sand filtration.

Mr. Nord said that the majority of the long-range cost of a sewage treatment program comes in operation and maintenance. He estimated the cost of a system for Dunes City at between \$550,000 and \$1 million. He said that a sewage system for Dunes City will be costly because the houses are distributed so far apart. He suggested that Dunes City may want to consider regionalizing a system with Florence for both sewage and water. He said that the state offers Technical Assistance Grants that could be used to finance the study that would be necessary before planning for a water or sewer system could be done. However, the deadline to apply for the Technical Assistance Grant is December 28. Applications for the grant will be accepted between December 14 and December 28, and cities must hold a public hearing on the proposal prior to submitting the application. He said that his firm would prepare and submit the application for the grant at no charge to the City if the City would hold a public hearing and if there was some assurance that his firm would be selected to do the study. In response to a question from the audience, Mr. Nord said that his estimated costs of \$550,000 to \$1 million would include the necessary engineering, the cost of installation, and whatever administrative costs might be incurred. According to Bob Read of Read Insurance who was present in the audience, having a community water system would lower the fire insurance rating on dwellings from the present rating of 8 to 6. Nord estimated that it would take 2½ to 3 years from the start of the engineering study to the completion of the installation. He said that the hardest part of any project is obtaining the financing. The Farm Home Administration distributes \$3½ million annually to projects throughout the state, Nord said. Nord suggested that the City contract with P.S.U. to do an income survey of Dunes City to help determine what level of grant funds, if any, the City qualifies for through F.H.A. He explained the difference between median family and median household income. Median household income takes into account the income of all the homes in the City. This includes all people living together within a household whether or not they are married. To qualify for a 75% grant the median household income within the City cannot exceed \$12,750; and for a 55% grant from F.H.A., the income cannot exceed \$15,713. Having an independent income survey done by P.S.U., he said, almost always results in a lower median household income than shown by the last census. F.H.A. also makes loans for water and sewer projects, Nord said. Repayment can be made over 25 to 30 years. The interest rate is also based on the median household income, he said.

Nord said that if the income level is under \$12,750, the interest rate is 5%. If the income level is under \$15,713, the interest rate is 6-5/8%. If the income level is above \$15,713, the interest rate is 7-5/8%. The bonds can be repaid through user fees, taxation, and connection fees. He was asked by a member of the audience if citizens could have the option of hooking up to the system or opting not to hookup. Nord said that he has seen it handled both ways where citizens who were quite a distance off the main line were allowed to wait to hook up. He has also seen communities where the citizens were compelled to hook into the system so that it reduced the burden to each individual user.

- B. Bill Bublitz of Western Engineering Consultants.** Mr. Bublitz outlined his experience for those present. He said that he had worked with Ed Riley to develop the Heceta Water System north of Florence. Mr. Riley had advised Bublitz that either Siltcoos or Woahink Lakes would be a good water source for a water system for the City. He said that Siltcoos is four times as large and has fewer people living around its boundaries making it a more appealing source. However, he said that the problems caused by "the human element" can be overcome by filtration beds. He discussed storage tank size based on pounds per square inch (p.s.i.). He said that the standard use is 100 gallons per day per capita. That figure would determine a bare minimum storage capacity figure. He said that part of the engineering study would be a population projection. The City would need to determine how much it wants to grow. He said that he could not give an estimate on the cost of a system without doing further study. John Carlson from the audience pointed out two previous studies of a possible water system that had been conducted in the 1970's. He said that the 1976 study showed that a water system at that time would cost about \$1 million. Carlson said that the 1979 study estimated that a regional water system would cost an estimated \$2.3 million. Carlson asked if those studies would still be useful and if the costs would have increased during the intervening years. Bublitz said that he would like to study and perhaps use the previous studies. He also said that the cost of water systems has not increased much in the past few years. Bublitz said that he would try to have some additional information on a proposal from his firm for the city council meeting December 10.

Bob Read said that he would like to see the city council take a new look at a water system rather than rely on old studies.

Clay Baumeister said that he would like to see two cost estimates given: an estimate for running a water system from the Siltcoos outlet to the Siuslaw River with a main line only outside the City limits, and one estimate for a water system inside the City limits only.

- C. Gary Dyer of Gary L. Dyer, P.E. Mr. Dyer displayed a chart which outlined previous projects and services he thinks his firm is capable of supplying for the City. His firm has four (4) licensed engineers and a total staff of seven (7). He said that his firm is most comfortable in working with small cities such as Dunes City. He suggested that the City, when checking references before selecting an engineer, ask the reference about all the engineers who have addressed the city council since many projects have used more than one engineering firm. Dyer said that, although it may be more economical to combine a water system with a waste water system, the City may have to give up some of the attractions of the City such as rural living and larger lot sizes.

Dyer said that an engineering study would determine the scope of the project; i.e., whether or not the system would be strictly within the City boundaries or larger, it would inventory existing facilities to see if they could be incorporated, it would determine the City's water needs in terms of maximum needs and minimum size for lines and storage. The study would also explore alternatives to determine the most viable alternatives for site, sources of water, treatment and possible distribution alternatives. A development plan would determine whether the project could be done in phases. And the engineering study would include a financial plan to "maximize grants and minimize local costs". Dyer also suggested having P.S.U. do an income survey to determine if Dunes City will be eligible for a grant. He presented the same figures Mr. Nord had presented regarding the median family income necessary to qualify for grants through F.H.A. However, he added that before the City can get a grant, it must incur a local debt equal to 1% of the median family income. In Dunes City, he estimated that cost at \$10 per month per family. He

advised that the City apply for a grant before it holds a bond election. This gives the electors the opportunity to see what grant funds will be available to reduce the amount needed. Dyer suggested that the City not extend a water system to Glenada since it would take in too many planning considerations. However, he said that he had talked to Ron York who had indicated that if the City included Honeyman State Park in a water system, York thought the state would add some funds. Dyer quoted that figure as \$1,000.

Dyer said that he could do the engineering study for \$8,000. If the City could not get a Technical Assistance Grant, he thought the study could be done for \$5,000; but he said that he did not think the City would be happy with that study.

In response to a question from the audience, he said that the deadline for the Technical Assistance Grants is December 29, and he thinks the governor will announce the grant awards in February. A member of the audience asked Dyer if he thought the same funding opportunity would be available in December of 1988. He said that he thought the program would still be available. He added, since someone had asked about water meters, that water meters are essential if the City hopes for funds through grants since all grants require that a system be metered.

Clay Baumeister asked if the loan rate through F.H.A. would be variable. Dyer responded that the City would be locked in at the rate it is given when the funds are awarded or loaned.


D. Eastman asked if, when the new requirements are implemented for the Clean Drinking Water Act, small cities would be required to implement a water system for filtration of surface drinking water. Dyer responded that the State Health Division is now "gearing up" to take enforcement action against communities. Recent amendments to the Clean Drinking Water Act are requiring mandatory filtration of surface water, he said, over the next three years. However, he said, if the City does not have a system, he does not know if the City will be forced to implement one. He said that ultimately it will happen since the City has a situation which will eventually create a health problem with subsurface sewage disposal systems, wells and variety of water sources. He said that eventually the City is going to get some contamination.

Dyer suggested that the City not act hastily. However, he suggested that the City do its planning now so that it can work to do the project on its terms rather than on a state agency's terms. He said that if the City has a plan prepared, then if required to implement one by the state, the City can state that it has a plan prepared; but that unless the state can help fund it, the City plans to wait "another year" until funds are available.


Dyer suggested that the council hold a public hearing to be able to apply for the Technical Assistance Grant within the December deadline. The council scheduled a special public hearing for Thursday, December 17. B. Stocking said that the council had missed the deadline to have the legal notice published in the December 9 issue of the Siuslaw News. However, she said that she would check to see if the legal notice could still be published.


II. ADJOURNMENT

The meeting was adjourned at 11:00 PM.



MAYOR NANCY LM JOHNSON


SECRETARY K. BACON


D. EASTMAN


R. FOREST


R. PETERSDORF


R. DE PIERO


R. PARENT

DUNES CITY COUNCIL
REGULAR MEETING
DECEMBER 10, 1987

A G E N D A

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF MINUTES OF NOVEMBER 12, 1987
- III. BILLS AGAINST THE CITY
- IV. RECEIPTS OF SESSION
- V. ANNOUNCEMENTS AND CORRESPONDENCE
- VI. REPORTS
- VII. PUBLIC HEARINGS
 - A. Variance - Carl Garrett, applicant
 - B. Variance - Kenneth Booze, applicant
- VIII. UNFINISHED BUSINESS
 - A. Census Count
 - B. Clear Lake Mileage
 - C. Lane Manual Section on Economic Development Assistance Program
- IX. NEW BUSINESS
 - A. Holiday Calendar for 1988
- X. CITIZEN INPUT ON UNSCHEDULED ITEMS
- XI. EXECUTIVE SESSION a) Litigation, b) Personnel, c) Negotiations
- XII. ADJOURNMENT

DUNES CITY COUNCIL

REGULAR MEETING DECEMBER 10, 1987

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 7:40 PM by Mayor Nancy LM Johnson.

PRESENT: D. Eastman, R. Forest, R. Petersdorf, Mayor Johnson, E. Fillman, R. DePiero, R. Parent, Attorney Ron Gerber, City Recorder B. Stocking, newly-hired City Recorder Kathleen Aitken and secretary K. Bacon. There were 12 citizens present in the audience and no representatives of the press.

II. APPROVAL OF MINUTES OF NOVEMBER 12, 1987

ACTION A motion was made by E. Fillman and seconded by R. Petersdorf to approve the minutes of the meeting November 12, 1987. The voting was unanimous, and the motion carried.

III. BILLS AGAINST THE CITY

There was a discussion of the bills as presented. B. Stocking said that since the bills had been prepared she had talked with the City's insurance carrier. She requested permission to delete the \$80.00 bill from S.A.I.F. for workman's comp insurance. B. Stocking thought the City could get comparable coverage from City-County Insurance at a lower cost. Bob Read of Read Insurance had told B. Stocking that he would like the City to have its insurance payment on a fiscal year basis. The City Council gave B. Stocking permission to delete the \$80.00 as long as the City employees would still be covered by workman's comp.

B. Stocking also requested permission to pay the Sa-So sign bill when they correct the signs for South Shore subdivision. She said that Jim Archer has agreed to pay half the cost of the signs. The City's amount will be \$49.86.

ACTION A motion was made by R. De Piero and seconded by E. Fillman to pay the bills against the City in the amount of \$7,410.30. The voting was unanimous, and the motion carried.

IV. RECEIPTS - \$8,684.06

V. ANNOUNCEMENTS AND CORRESPONDENCE

B. Stocking briefed the city council on the correspondence that was not included in their packets.

VI. REPORTS

A. Dog Complaint. B. Petersdorf reported that he had investigated a dog complaint. The owner of the dog had said that she would try to keep the dog in at night.

VII. PUBLIC HEARINGS

A. Variance - Carl Garrett, applicant. The mayor opened the public hearing at 7:58 PM. D. Eastman declared that he had visited the property and had talked to Mr. Garrett. Eastman said that he did not think their conversation would affect his ability to be impartial. Mr. Garrett said that he had no further information than the information the city council members had received in their packets. Chuck Douglass testified that he is building a home on a lot behind Mr. Garrett's adjacent neighbor to the north, Mr. and Mrs. Reed Condie. Mr. Douglass said that he is purchasing a five-foot easement along the property line between Condies and Garretts to run a water line to Woahink Lake. Douglass said that he will be moving the storage building that is presently on the property line off the five-foot easement. The Siuslaw Rural Fire Department and the planning commission had thought that the storage building on the property line and the carport built to the property line would create a potential fire hazard. The secretary asked Mr. Douglass if there would be room, since he was planning to move the storage building, to move it the required ten feet off the property line as required in the Zoning Ordinance. Mr. Douglass said that he thought there would be adequate room to move it that amount.

D. Eastman speculated that if Mr. Garrett would combine tax lot #2800 with tax lot #2900 which he also owns to the south, Garrett would have room at the south end of his home to add a carport without applying for a Variance. The public hearing was closed at 8:08 PM.

R. De Piero said that the City has setback requirements for a reason, and that a Variance in the past has been granted for a portion of the setback but not the deletion of the entire setback.

The council discussed the cost of moving the carport to the south of the present structure and combining both lots. Attorney Gerber advised that if the council wanted to set a precedent by establishing cost as a factor in establishing hardship, they had the discretion to do so.

ACTION

A motion was made by D. Eastman and seconded by E. Fillman to accept the planning commission's Findings of Fact, Conclusions of Law and recommendation and to reject the request of Mr. Carl Garrett for a Variance to encroach into the sideyard setback to the property line to build a carport. The voting was unanimous, and the motion carried.

B. Variance - Kenneth Booze, applicant. The mayor opened the public hearing at 8:20 PM. Mrs. Kenneth Booze was present. She showed the council members plans for the proposed addition to the house they own on Woahink Lake.

J. Carlson said that granting this Variance into the shoreland zone may not set a precedent but would make a strong argument for any future requests to encroach into the shoreland zone.

There was considerable council discussion of how Mr. and Mrs. Booze could enlarge their present house without enlarging their nonconforming use and encroaching into the shoreland zone. R. De Piero suggested that an addition could be built upon pilings behind the present house and a level above if it were built outside the 50-foot shoreland zone. De Piero asked if the property had been surveyed. Mrs. Booze answered that it had not been. The public hearing was closed at 8:45 PM.

The mayor suggested that Mrs. Booze have a designer design something that would satisfy their need for a larger home without encroaching into the shoreland zone.

ACTION

A motion was made by E. Fillman and seconded by D. Eastman to accept the planning commission's Findings of Fact and Conclusions of Law and recommendation to deny the request. The voting was unanimous, and the motion carried.

VIII. UNFINISHED BUSINESS

A. Census. B. Stocking reported that the 1990 Census will have its own census takers, but the census representative

had suggested to her that the City do its own independent survey to compare the figures of the 1990 census. There was discussion of determining the present count of homes from the City maps and add new construction as building permits are issued to keep the count current. It was suggested that the City office staff work with Lane County Deputy Chuck Tidball in upgrading the maps.

- B. Clear Lake Road Mileage. It was announced that it has been determined by Lane County that part of Clear Lake Road is not within Dunes City. There had been a question raised about the length of Clear Lake Road, but the county staff had determined from maps that the boundary omits part of Clear Lake Road.
- C. Urban Transition Road Agreement. Attorney Gerber briefed the council members on the status of the Urban Transition Road Agreement. He had drafted an Addendum which had been approved by the council previously and submitted to Lane County for its approval. However, County Administrator Jim Johnson had said that rather than approve the Addendum he would re-write the Agreement and incorporate the points suggested in the Addendum. Johnson had said that there was one point that had been requested by Dunes City that the county would not concede. That point was that if the City should annex any property that contains a county road, the road shall become a City road.

ACTION A motion was made by R. Petersdorf and seconded by R. Forest to sign the contract with Lane County for the Urban Transition Agreement on roads. The voting was unanimous, and the motion carried.

IX. NEW BUSINESS

- A. Holiday Closure Calendar. The council discussed the calendar that had been prepared and submitted by the office staff for office closure on holidays during 1988. A copy of that calendar is attached with these minutes.

ACTION A motion was made by R. Forest and seconded by E. Fillman to accept the holiday closure calendar submitted by the staff and to leave it to the discretion of the staff to decide whether to use February 12 or February 15 as the holiday for Presidents' Day. The voting was unanimous, and the motion carried.

- B. Planning Commission Appointments. The planning commission secretary had notified the council that the terms of planning commissioners Marilyn Miller and Julie Olson would expire on December 31, 1987. She had recommended that both commissioners be re-appointed. R. Petersdorf asked if the openings had been advertised. The secretary replied that they had not. He said that he thought that it had been the policy in the past to advertise openings.

ACTION

A motion was made by R. De Piero and seconded by D. Eastman to re-appoint Marilyn Miller and Julie Olson to the planning commission. The voting was unanimous, and the motion carried. The staff was asked to write a letter to Miller and Olson thanking them for their service and notifying them that they had been re-appointed for another three-year term.

- C. Woahink Lake Resort. Mr. and Mrs. Bob Robertson of Woahink Lake Resort had sent a response to the City's letter asking that they remove the "AAA Approved" sign they had erected on their property and to apply for a sign permit. The Robertsons had removed the sign and requested that the city council amend the sign ordinance to allow one sign per establishment to be exempt from requiring a permit if it is an approval or rating known to the general public from an accepted industry source. Attorney Gerber suggested that the amendment to the sign ordinance could be handled as a resolution.

ACTION

A motion was made by D. Eastman and seconded by R. Petersdorf to refer the matter to the planning commission for its review and recommendation. The voting was unanimous, and the motion carried.

B. Stocking was asked to write a letter to the Robertsons notifying them of the council's action and telling them that they will be notified when the matter comes before the planning commission for review so that they may be present if they desire to be.

- D. Salal Road Permit. The City had received a summons from circuit court concerning a lawsuit that had been filed by R. J. Wood Tree Farm against Jeremy Orcutt and Dunes City. Attorney Gerber said that he had talked with Mrs. Wood's attorney. He said that Mrs. Wood's attorney had indicated that Mrs. Wood would probably settle with the City if the City files pleading that it will issue the road permit if she prevails in court. Attorney Gerber advised the City to notify its insurance carrier.

Attorney Gerber asked that the letter to the insurance company be routed through his office so that he could discuss with them the negotiations he has been working on with Mr. Foss and so that it can be determined whether he or the insurance company will notify Mr. Bobbitt, Mrs. Wood's attorney.

- E. Water Study. The mayor asked if the council wanted to appoint an engineer to do a water study for the city after hearing the three engineer's proposals at the special meeting December 7 as well as Mr. Val Toronto at a previous meeting.

Since the special meeting December 7, the City had learned that it would not qualify for the Technical Assistance Grant it had hoped to use to fund the initial study. The City did not qualify for the grant because its median income level is too high.

The council discussed contracting with Portland State University to do an income study of the City and at what point in the process that income study should be done. The mayor suggested that the council should select an engineer first, and the engineer could look for sources of income to do the study.

R. De Piero said that he thinks it is important to do the engineering study even if the City does not implement a water system at this time. He thinks that the City should do an engineering study for a water system at least every ten years to determine what the City's needs are since the City is growing and the quality of the lakes are changing.

B. Stocking was asked to talk to LCDC to see if there are funds available to do the study through LCDC. She was also asked to call P.S.U. to see what P.S.U. would charge to do an income survey and how long it would take to complete the study.

The mayor said that her choice of engineers from those the council had heard so far would be Gary Dyer of Gary L. Dyer, P.E. The council indicated that it was also impressed with Richard Nord of HGE, Inc.

ACTION

A motion was made by R. De Piero and seconded by R. Petersdorf to request an engagement letter from Gary Dyer proposing what services he would provide, his time frame and charges. The voting was unanimous, and the motion carried. B. Stocking was directed to send the letter.

X. CITIZEN INPUT ON UNSCHEDULED ITEMS

- A. Marta Wiek Partition. Mr. Richard Embree was in the audience to thank the city council for its decision on the Marta Wiek partition and to say that the parties involved are in the process of completing the conditions of approval.

The mayor mentioned that she would like to see Citizen Input moved before Reports on future agenda.

- B. Signs. J. Carlson said that "AAA Approved" signs are for businesses -- most of which are located along Highway 101. He said that those businesses have a large sign allowance now. He thinks that a sign such as the above could be included within the borders of an existing sign where blank space is available.
- C. Cable TV. Attorney Gerber advised the council to request that its cable tv commission hold a meeting to discuss the response the City had received from F.C.C. about exempt status from the effective competition standard of the Cable Act. He suggested that the committee also review the letter received from Representative Peter DeFazio. Gerber said that the solution he sees to the problem is to structure the industry so that competition is possible. Presently, according to testimony presented at Congressman DeFazio's hearing, some cable channels do not offer programming to competitors within the same area.

R. Forest said that Cooke Cablevision is prepared to show that 80% of Florence cable customers can get off-air competition. Attorney Gerber said that because of the considerable amount of money it will take for legal fees and court battles, he sees the battle as being ultimately won by large cities.

- D. City Recorder. The mayor introduced Kathleen Aitken to the audience and announced that she had been hired as the new City Recorder to replace Betty Stocking who was retiring at the end of 1987. She announced that the City was planning a retirement party for Betty and that the council would receive information on this later as plans are completed.

MEMO TO: City Council Members
FROM: City Office Staff
DATE: December 3, 1987
SUBJECT: 1988 Holiday Closure Calendar


We would like to suggest for your consideration the following eight (8) days when the City office would be closed for holidays in 1988:

<u>Date</u>	<u>Holiday</u>
Friday, January 1	New Year's Day
Monday, February 15 or Friday, February 12	Presidents' Day
Monday, May 30	Memorial Day
Monday, July 4	Independence Day
Monday, September 5	Labor Day
Friday, November 11	Veterans' day
Thursday, November 24	Thanksgiving Day
Monday, December 26	Christmas


- E. Lane County and Comprehensive Plan. D. Eastman asked if the City staff had written the letter to Lane County asking that it approve the City's Comprehensive Plan. The staff said that it was an oversight, and the letter had not been written. B. Stocking said that she will write the letter.

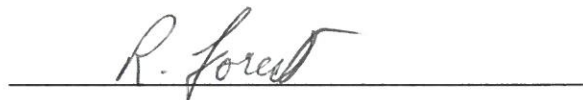
XI. ADJOURNMENT

The meeting was adjourned at 10:05 PM.

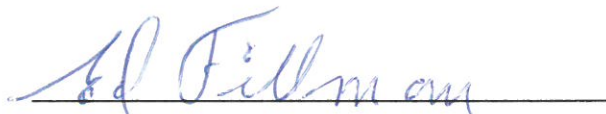

MAYOR NANCY LM JOHNSON

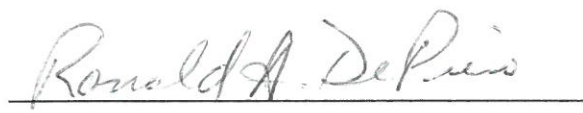

SECRETARY K. BACON

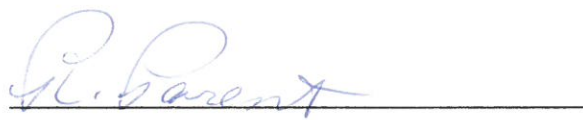

D. EASTMAN


R. FOREST


R. PETERSDORF


E. FILLMAN


R. DE PIERO


R. PARENT