



CITY COUNCIL MEETING MINUTES ~ APPROVED

APRIL 10, 2019 AT 6:00 PM

City Hall ~ 82877 Spruce St., Westlake, OR

These proceedings of the Dunes City Council were recorded and are on file at Dunes City Hall. Upon approval by the City Council, these minutes will be available online at www.DunesCity.com

1. CALL TO ORDER

Mayor Robert Forsythe called the Wednesday, April 10, 2019, meeting of the Dunes City Council to order at 6:00 pm.

2. ROLL CALL

Roll Call was taken by City Administrator/Recorder Jamie Mills.

Present: Mayor Robert Forsythe, Council President Sheldon Meyer, Councilor Duke Wells, Councilor Susan Snow, and Councilor Tom Mallen. Councilor Robert Orr arrived at 6:03 pm and Councilor Alan Montgomery arrived at 6:04 pm.

Absent and Excused: There were none.

Also Present: Planning Secretary Rapunzel Oberholtzer, several Dunes City residents, and *Siuslaw News* reporter Jared Anderson.

3. PLEDGE OF ALLEGIANCE

All who were present stood for the Pledge of Allegiance.

4. APPROVAL OF THE AGENDA

Councilor Snow made a motion to approve the Agenda. Councilor Mallen seconded the motion. The motion passed by unanimous vote.

5. APPROVAL OF THE CONSENT AGENDA

Councilor Mallen made a motion to approve the Consent Agenda. Councilor Wells seconded the motion. The motion passed by unanimous vote.

6. ANNOUNCEMENTS / CORRESPONDENCE

City Administrator/Recorder Mills read from the list of announcements on the Agenda:

- A. Reminder to City Council and Planning Commission members that their Ethics Commission filing is due before April 15.
- B. The Siuslaw School District is looking for input on citizens' views on education and education facilities. Residents are encouraged to take the survey at [https://bit.ly/Siuslaw Survey](https://bit.ly/SiuslawSurvey).
- C. Dunes City is looking for volunteers to help with the 7th Annual Dunes City Triathlon and Duathlon. Volunteers are urged to register early so they have the best chance to get their first choice for their assigned location!.
- D. The Woahink Lake Association is holding a clean-up day along Clear Lake and Canary Roads on Saturday, April 27, from 10:00 am to 1:00 pm. Those wishing to help should meet at the Honeyman State Park boat ramp.
- E. The Florence Roundup of Household Hazardous Waste will take place on Friday, April 12, from noon to 5:00 pm and on Saturday, April 13, from 8:00 am to 2:00 pm. Visit the City of Florence website for more details.
- F. The public hearing on an Ordinance to adopt new Flood Damage Prevention Code has been cancelled until further notice.
- G. Nominations for Volunteer of the Year are open. Forms can be downloaded from the website and turned in to City Hall before May 31, 2019.
- H. Dunes City is looking for a Permit Tech as a result of Denise leaving on March 25. If you are interested, please submit your resume to City Hall before April 30.
- I. A Budget Committee meeting has been scheduled for Tuesday, April 30, at 5:00 pm at City Hall to begin consideration of the FY 2019-2020 budget.

7. CITIZEN INPUT ON ITEMS NOT DISCUSSED IN PUBLIC HEARING

There was none.

8. PRESENTATIONS

There were none.

9. PUBLIC HEARINGS

A. Ordinance No. 251 Declaring the Feeding of Wildlife in the Dunes City Limits To Be a Nuisance—Second Reading, Public Hearing, Deliberation and Decision

Mayor Forsythe opened the Public Hearing on Ordinance No. 251 at 6:06 pm and read aloud the title of the proposed Ordinance.

“An Ordinance amending Chapter 91 of the Dunes City Code of Ordinances entitled ‘Nuisances’ by adding a new section 91.03(C) prohibiting the feeding of deer, raccoon, bear, cougar, coyote, and/or wolf within the City Limits of Dunes City.”

Mayor Forsythe asked if anyone in the audience wished to comment on the Ordinance. No one did and Mayor Forsythe closed the Public Hearing at 6:07 pm.

Mayor Forsythe asked if Councilors wished to continue the matter to the next regular session of the Council to allow more time for consideration. No one did. Mayor Forsythe asked if there was a motion to amend the language of Ordinance No. 251 as presented. There was none.

Councilor Wells made a motion to enter Ordinance No. 251 into the record as written. Councilor Montgomery seconded the motion. There was no vote taken.

Mayor Forsythe read aloud the title of Ordinance No. 251 for the second time.

“An Ordinance amending Chapter 91 of the Dunes City Code of Ordinances entitled ‘Nuisances’ by adding a new section 91.03(C) prohibiting the feeding of deer, raccoon, bear, cougar, coyote, and/or wolf within the City Limits of Dunes City.”

Councilor Wells made a motion to accept Ordinance No. 251 into the record as written. Councilor Montgomery seconded the motion. In a roll call vote, Councilors Orr, Mallen, Wells, Meyer, Montgomery, and Snow all voted in favor.

Mayor Forsythe announced that Ordinance No. 251 was adopted and would become effective on May 10, 2019.

Council President Meyer suggested that the City provide some citizen/public education about the adoption of the Ordinance so that citizens are aware of the new prohibition on feeding wildlife.

10. NEW BUSINESS

A. Mayoral Proclamation Declaring April, 2019, as Child Abuse Prevention Month in Dunes City

Mayor Forsythe read aloud the Proclamation:

“WHEREAS, more than 80,000 reports of child abuse or neglect were made in Oregon between October 2016 and September 2017; and

“WHEREAS, child abuse prevention is a community as well as a personal responsibility and finding solutions depends on the involvement of all citizens; and

“WHEREAS, communities must take steps to promote programs that benefit children and their families; and

“WHEREAS, effective child abuse prevention programs are more likely to succeed when there are partnerships among cities, schools, religious organizations, law enforcement agencies, and the business community; and

“WHEREAS, everyone in the community should become more aware of child abuse prevention while assisting parents to raise their children in a safe, nurturing environment;

“NOW, THEREFORE, I, Mayor Robert Forsythe, do hereby proclaim the month of April 2019 to be Child Abuse Prevention Month in Dunes City, Oregon, and urge all citizens to work together to help reduce child abuse and neglect in the years to come.

“Signed this 10th day of April, 2019.”

B. Consideration of Offer by Property Owners to Accept Donation of Real Property

City Administrator/Recorder Mills referred Councilors to copies of correspondence about the possible donation to the City of a .11-acre lot owned by Ms. Roslyn Burch. Included in the packet of information was an email from the City Attorney, in which he advised the City to perform a thorough title report, possibly a survey and an environmental review of the property in question. City Administrator/Recorder Mills explained that the lot is too small to build on, but could potentially be used for storage of emergency supplies or a cell tower.

City Administrator/Recorder Mills explained that Ms. Burch attempted to offer the property to adjacent neighbors, but did not receive a response. There was some discussion about cell towers in residential neighborhoods and whether or not one would be allowed or suitable. Council President Meyer suggested that if a cell tower could be located there it would enhance communication from Camp Baker.

Mayor Forsythe suggested that City Administrator/Recorder Mills find out more about cell tower requirements and whether or not one could be situated on the lot. He expressed some concern about whether or not a cell tower would devalue other properties in the neighborhood or affect setbacks so no one could build on their lots in the future.

Councilor Wells noted that the land could be fenced and used for equipment or emergency supplies storage.

Councilors agreed that the first step would be to determine whether or not a cell tower can be placed there, before proceeding with a survey and lien search.

C. Request for City to Participate in the Siuslaw School District Education Expo on February 29, 2020

Councilor Orr explained that the Siuslaw School District is planning an Education Expo at the high school for February 2020. He went on to explain that the purpose of the Expo will be to showcase the opportunities for education in the Florence area, such as schools, non-profit organizations, local clubs, and local government agencies. Councilor Orr asked the Council to consider participation by Dunes City such as hosting a table or booth at the event. He noted that partners already on board to participate include the school district, Siuslaw Vision, PTA, KXCR and Aspire. He also noted that partnerships did not require financial expense.

Councilor Wells made a motion for Dunes City to participate. Council President Meyer seconded the motion. The motion passed by unanimous vote.

Councilor Orr asked everyone to take survey at <https://bit.ly/SiuslawSurvey>.

11. EXECUTIVE SESSION

There was none.

12. UNFINISHED/OLD BUSINESS

A. Consideration of AMR Plan for Replacement of Water Meters to Radio-Read Meters

City Administrator/Recorder Mills referred Councilors to a copy of a proposal from AMR to provide hardware, software, and twenty-four radios and meters to the City for a first year price of \$20,000. She noted that the City's budget has allocated \$20,000 in funding for this project for the past three years.

Mayor Forsythe noted that with the automatic meter reading, the City would be easily able to collect monthly readings required by its water permit. Councilor Mallen objected to a mandate by the City to replace existing meters at City expense. Councilor Orr and Council President Meyer suggested moving forward with installing the new meters. Councilor Montgomery suggested looking at alternate providers.

Councilors generally agreed to table further discussion until May to allow City Administrator/Recorder Mills to do more research into other vendors and the type of meter.

B. City of Florence's Policy for Official City Use of Social Media

Mayor Forsythe voiced concern over the cost of Staff time involved in maintaining a social media presence. Councilors generally agreed with the Mayor's concerns. Councilors agreed to take no action.

C. Consideration of Contract for Legal Services for Water-Related Issues

City Administrator/Recorder Mills reminded Councilors that there was some work to be done on defining points of diversion under the City's water right permit. She referred Councilors to a copy of a contract prepared by Schroeder Law Offices that was included in their meeting packets.

Council President Meyer made a motion to allow City Administrator Mills to execute the contract. Councilor Mallen seconded the motion. The motion passed by unanimous vote.

Mayor Forsythe asked City Administrator/Recorder Mills to provide him with a list of the City's water permits and their expiration dates.

13. REPORTS

- A. Mayor's Report: Mayor Forsythe explained that he is in the process of reviewing state laws relating to water rights and the Building Codes Department.
- B. Community Center Report: Councilor Wells reported that there have been no new issues with the City Hall building.
- C. Water Quality Report: City Administrator/Recorder Mills reported that water testers provided her with a copy of an equipment inventory. Councilor Snow reported that there was no recent testing, but testing on both Woahink and Siltcoos would begin in May.
- D. Public Works Maintenance Supervisor's Report: City Administrator/Recorder Mills reported that the City is still on a list to receive funding for work on Alder Court and Parkway Drive.
- E. Emergency Services Report: City Administrator/Recorder Mills reported that she attended the March meeting of WLEOG.
- F. City Administrator/Recorder/Planning/Staff Report: City Administrator/Recorder Mills reported that the City is still receiving telephone calls from residents who complain that they've received emails from the City with attached invoices or receipts for payments, none of which were sent by the City—it is a result of the City's email list being hacked. She went on to report that the City is hiring for a Permit Tech and an Administrative Assistant.

Councilors agreed to schedule the next Budget Committee meeting for May 8 at 4:00 pm.

14. FOR THE GOOD OF THE ORDER

City Administrator/Recorder Mills referred Councilors to a copy of ORS 221.727 regarding alternative procedures for sale of city real property and explained that she will work with the City Attorney on an Ordinance for a process for the City to follow.

City Administrator/Recorder Mills reported that the City received a complaint from a resident who had a property for sale and was in the process of signing the paperwork outside of the home when a neighbor's rooster began crowing. The buyer backed out of the sale. City Administrator/Recorder Mills sent a letter to the rooster's owner to notify that noisy animals are a violation of City Code.

City Administrator/Recorder Mills reported that the Department of Justice has issued an opinion stating that it was not a violation of the constitution for cities to use third parties as Building Officials, but may be a legislative matter. More information will follow as the legislature addresses the issue.

15. ADJOURNMENT

Councilor Mallen made a motion to adjourn. Councilor Orr seconded the motion. The motion passed by unanimous vote.

Mayor Forsythe adjourned the meeting at 7:10 pm.

APPROVED BY THE DUNES CITY COUNCIL ON THE 8^h DAY OF MAY 2019

[Signed copy available at City Hall]

Robert Forsythe, Mayor

ATTEST:

[Signed copy available at City Hall]

Jamie Mills, City Administrator/Recorder