



**CITY COUNCIL MEETING MINUTES ~ APPROVED**  
**AUGUST 14, 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](http://www.DunesCity.com)

**1. CALL TO ORDER**

Council President Sheldon Meyer called the Wednesday, August 14, 2019, meeting of the Dunes City Council to order at 6:03 pm.

**2. ROLL CALL**

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

**Present:** Council President Sheldon Meyer, Councilor Duke Wells, Councilor Alan Montgomery, Councilor Tom Mallen, and Councilor Robert Orr.

**Absent and Excused:** Mayor Robert Forsythe, Councilor Susan Snow.

**Also Present:** Administrative Assistant Rapunzel Oberholtzer and several Dunes City residents.

**3. PLEDGE OF ALLEGIANCE**

All who were present stood for the Pledge of Allegiance.

**4. APPROVAL OF THE AGENDA**

**Councilor Wells 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 Wells made a motion to approve the Consent Agenda with amended Bills of the Session and amended Receipts of the Session. Councilor Mallen seconded the motion. The motion passed by unanimous vote.**

**6. ANNOUNCEMENTS / CORRESPONDENCE**

Council President Meyer read from the list of announcements on the Agenda:

- A. The Oregon Coastal Caucus will be held at Three Rivers Casino and Resort on Wednesday and Thursday, August 21 and 22. Registration is required.
- B. The Planning Commission will consider adoption of the Findings of Fact, Conclusions of Law and Decision regarding the Little Woahink Phase III Subdivision at its regularly scheduled meeting on August 22, 2019.

## **7. CITIZEN INPUT ON ITEMS NOT DISCUSSED IN PUBLIC HEARING**

Council President Meyer recognized Ms. Kath Cook, a Dunes City resident who wished to comment on the Little Woahink Subdivision. She explained that she lived in the area where the proposed subdivision is located and had concerns, for the record, about the wastewater and stormwater proposal, traffic, and a rumor that if the subdivision doesn't go through the land will be logged.

Council President Meyer recognized Ms. Margie Kelley, a Dunes City resident who also wanted to comment on the Little Woahink Subdivision. She read an excerpt from Ordinance No. 181, Exhibit B, "In the event that sediment is inadvertently deposited in a wetland, stream or lake, the developer shall immediately contact the City Engineer and coordinate remedial actions with the City." She explained that this was a concern because there was no way to know if the developer would actually come forward to notify the City and she suggested that the City could hire an independent engineer to monitor development. She noted that she could not determine whether or not the City had a designated engineer and asked where citizens could report runoff or damage if they saw it.

Council President Meyer recognized Mr. Keith Hull, who yielded his time to Mr. Aaron Bowen.

Council President Meyer recognized Mr. Aaron Bowen, a Dunes City resident, who read, in part, from a prepared statement. He noted that he attended the July meeting during which the Planning Commission considered the subdivision final plat. He went on to say that while the Commission appeared to go through a checklist of items, it did not do the work necessary to ensure that the application met all the federal, State and County requirements to protect the quality of the water and the environment. He went on to point out that the 2007 Stormwater Management Plan for the subdivision did not match the applicant's plat map in terms of drainage, and the drainage that is indicated on the plat map drains into a protected wetland area. He went on to point out that the final plat contains a covenant that prohibits water from Little Woahink being used as a drinking water source for the subdivision but there are residents on Little Woahink Drive who get their water from the "two unnamed streams" that feed Little Woahink Lake.

Mr. Bowen went on to suggest that the water testers on Woahink Lake also start testing the water in Little Woahink Lake as part of the regular testing schedule. He went on to reiterate his opinion that the Planning Commission did not take all the steps necessary to make sure that the submitted plan works with the federal, State, County, and local requirements for

protection of water quality and the environment. Staff distributed copies of Mr. Bowen's prepared statement to Councilors.

*A COPY OF MR. BOWEN'S WRITTEN STATEMENT IS ON FILE AT CITY HALL.*

Council President Meyer recognized Ms. Pat Briggs, a Dunes City resident who also wanted to comment on the subdivision. Referring to the EGR & Associates Stormwater Plan of 2007, Ms. Briggs read from page 3, "The current use of the site is for timber production. Stormwater runoff from the site sheet flows to the existing road side ditch or to the lake shore. The road side ditch transports the flows transverse to the hill side and releases it through one of several cross culverts. Flows below the existing road will travel as sheet flow or shallow concentrated flows to Little Woahink Lake. Even though the topography of the site reveals a valley-like area in the central common area of the project, no drainage way exists (defined as having a defined bed and bank) in this location." Ms. Briggs pointed out that there is a spring and a stream located in the valley referenced in the text. She suggested that there should be more investigation into the stormwater plan before signing off on the final plat.

Council President Meyer recognized Mr. Rick Briggs, a Dunes City resident who wanted to comment on the proposed subdivision. Mr. Briggs pointed out that the area slated for development is the source waters for Little Woahink Lake, Woahink Lake and Siltcoos Lake and damage to the source affects everyone who takes water from the lakes to drink or uses them for recreation.

## **8. PRESENTATIONS/TRAINING**

### **A. Successful Governance for Local Officials – Protecting Rights**

City Administrator/Recorder Mills explained that she set up an online account for each of the Councilors to take the CIS training courses. She noted that Councilors could come into the office to take the courses if they wanted to.

### **B. James Graham, Partnership Specialist, US Census Bureau, Census Presentation**

City Administrator/Recorder Mills introduced Mr. Graham who gave a PowerPoint presentation to explain the purpose of the decennial census. Mr. Graham explained that in 2016 the State of Oregon received over \$13,452,000,000 in funding for programs and services as a result of the 2010 census. He went on to explain that the goal of the 2020 census is to count every person living in the US, as mandated by the US Constitution. The census provides datasets that are used for purposes such as reapportioning the House of Representatives, redrawing boundaries for congressional and state legislative districts, determining how to distribute funding for schools, hospitals, roads, public works, grants, public assistance, and other projects—the amount of funding pencils out to about \$3,200 per year per counted person. Mr. Graham encouraged residents to participate fully when contacted by a census taker and assured everyone that the information provided was completely confidential.

## 9. NEW BUSINESS

### A. Resolution Series 2019, No. 11 (8/14/2019), Regarding Support for the 2020 Census

**Councilor Orr made a motion to accept the Resolution supporting the US Census. Councilor Wells seconded the motion. The motion passed with four votes in favor (Orr, Wells, Mallen, and Montgomery), none opposed and no abstentions. The Mayor and Councilor Snow were absent.**

### B. Water Testing on Siltcoos Lake

City Administrator/Recorder Mills reminded Councilors that there have been issues between the water testers on Woahink Lake and the testers on Siltcoos Lake, as discussed during the most recent review of goals for the City. Ms. Mills explained that the Siltcoos crew recently conducted testing in several locations and they have asked for their own testing equipment. She has contacted DEQ to find out if DEQ can provide the needed equipment.

### C. Consideration of Bids for Public Emergency Storage Facilities on Property Across the Street from City Hall

City Administrator/Recorder Mills referred Councilors to copies of two quotes for converted cargo containers from two vendors that were included in their meeting packets. Following discussion, Councilor Montgomery offered to do more research into the storage units. Councilors agreed to table further discussion, pending more information.

### D. Consideration of Appointment of Siltcoos Water Testers Gary Lizzo and Bernard Vescove

**Councilor Mallen made a motion to approve Mr. Lizzo and Mr. Vescove as Siltcoos Lake Water Testers. Councilor Mallen seconded the motion. The motion passed by unanimous vote.**

### E. Consideration of Approval of IGA with Lane County for Street Maintenance

City Administrator/Recorder Mills explained that the City's Public Works Maintenance Supervisor's road equipment was out of order for a little while, the IGA is intended to be used in the event the City required assistance on an as needed basis. She went on to note that she planned to ask the County to revise the contract to include a fee or rate structure and to revise the contract dates. Councilor's agreed to table discussion until the contract changes are made.

F. Request for Approval of \$715 for Training for Permit Tech Jazilynn Kinyon

City Administrator/Recorder Mills explained that the training would give Jazilynn valuable training and knowledge of permitting.

**Councilor Wells made a motion to approve the expenditure. Councilor Montgomery seconded the motion. The motion passed by unanimous vote.**

G. Volunteer Policy Manual

City Administrator/Recorder Mills explained that the Policy Manual was recommended by CIS, and all City volunteers would be required to read it and sign the acknowledgment form.

**Councilor Mallen made a motion to adopt the Volunteer Policy Manual as presented. Councilor Wells seconded the motion. The motion passed by unanimous vote.**

## 10. EXECUTIVE SESSION

There was none.

## 11. OLD BUSINESS

A. Selection of Company to Use for Replacement of Water Meters to Drive-By Radio or Wifi-Read Water Meters

Councilor Montgomery explained that South Coast Water District in Dunes City uses the radio- or wifi-read water meters from Oregon Water Services and it might be possible to contract with Oregon Water Services to read City-installed meters once a month and report the numbers to City Administrator/Recorder Mills. City Administrator/Recorder Mills will follow up with both entities and report back. If a contract can be negotiated, it would save the City the expense of investing in the software and equipment required to read the new meters.

## 12. REPORTS

- A. Mayor's Report: Mayor Forsythe was absent and excused, there was no report.
- B. Community Center Report: Councilor Wells will install emergency eye wash kits throughout the building.
- C. Water Quality Report: No report was submitted by Councilor Snow. Council President Meyer asked City Administrator/Recorder Mills to find out if the owners of Little Woahink Lake will allow water testing.

- D. Public Works Maintenance Supervisor's Report: City Administrator/Recorder Mills reported that Richard Palmer has been working on Leavitt Loop.
- E. Emergency Services Report: City Administrator/Recorder Mills reported that WLEOG members will meet to finalize Emergency Operations Plans and plug in the names of each person responsible for managing the various components.
- F. City Administrator/Recorder/Planning/Staff Report: City Administrator/Recorder Mills reported that she continued to follow up on various requirements identified by DLCD re floodplain development permits and procedures as well as the deficiencies identified by CIS. She also reported that she has updated the water data and submitted it to Laura Schroeder's office.

### **13. FOR THE GOOD OF THE ORDER**

Councilor Montgomery announced that he will be moving out of Dunes City. City Administrator/Recorder Mills will look into whether or not he can continue as a Councilor if he no longer resides in the City Limits.

### **14. ADJOURNMENT**

**Councilor Montgomery made a motion to adjourn. Councilor Mallen seconded the Motion. The motion passed by unanimous vote.**

Council President Meyer adjourned the meeting at 7:04 pm.

**APPROVED BY THE DUNES CITY COUNCIL ON THE 11<sup>th</sup> DAY OF SEPTEMBER 2019**

[Signed copy available at City Hall]

Robert Forsythe, Mayor

ATTEST:

[Signed copy available at City Hall]

Jamie Mills, City Administrator/Recorder