



**CITY COUNCIL REGULAR SESSION MEETING MINUTES ~ APPROVED
MARCH 25, 2020 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, March 25, 2020, 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 Tom Mallen, Councilor Robert Orr, Councilor Alan Montgomery, Councilor Duke Wells, and Councilor Susan Snow.

Also Present: Videographer Alan Campbell.

3. PLEDGE OF ALLEGIANCE

All who were present stood for the Pledge of Allegiance.

4. APPROVAL OF THE AGENDA

Councilor Orr made a motion to approve the Agenda. Councilor Montgomery seconded the motion. The motion passed by unanimous vote.

5. APPROVAL OF THE CONSENT AGENDA

Councilor Orr made a motion to approve the Consent Agenda. Councilor Montgomery 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. Dunes City is accepting nominations for Volunteer of the Year. Nomination forms are available on the Dunes City website, or you can call City Hall and a form will be emailed to you.

- B. Dunes City has one opening for appointment to the Planning Commission for the term ending January 12, 2022, and two openings on the Budget Committee.
- C. A group of citizens that live around Woahink Lake filed a petition with the Oregon Marine Board asking that a speed limit of 25 mph be placed on Woahink Lake. That petition has since been withdrawn.
- D. The Director of Government Affairs at Charter Communications announced that effective March 31, 2020, Spectrum Mi Plan Latino monthly pricing will increase from \$44.99 to \$54.99 for new customers only. Existing customers will not be affected.
- E. The Budget Committee will meet beginning Wednesday, May 6th, at 6:00 pm to receive the Budget Message and commence budget considerations, and will meet every Wednesday thereafter at 6:00 pm until approval of the 2020-2021 Budget for referral and consideration by the City Council.

City Administrator/Recorder Mills went on to announce that residents may have received their 2020 Census notification in the mail. If so they should take the online survey as soon as they can. She explained that if residents only receive mail at a PO Box, they would not have received notice. Those residents can still fill out the online survey at my2020Census.gov—there are a couple of extra steps for them to take, but the survey is easy to do and takes only about ten minutes.

City Administrator/Recorder Mills also announced that DMV is only open to Commercial Drivers and open only by appointment is a limited number of locations in the State. Most people can do DMV business via the DMV website, OregonDMV.com, or by mail.

City Administrator/Recorder Mills informed the audience that she receives regular updates on the COVID-19 pandemic from the Office of Emergency Management, Oregon Health Authority, Lane County and WLEOG. Anyone looking for information can email her at recorder@dunescityor.com and she can forward links, or they can call her at City Hall, 541-997-3338.

7. CITIZEN INPUT ON ITEMS NOT DISCUSSED IN PUBLIC HEARING

There was none.

8. OLD BUSINESS

A. Set 2020-2021 Goals

City Administrator/Recorder Mills read a letter from Mr. Steve Burton, a Dunes City resident, into the record.

"I meant to submit this suggestion to continue work with the Siuslaw Fire and Rescue to help ensure we, as a community and City government, are doing everything we can to improve

their ability to help prevent structural and wildfires as well as more efficiently respond to fires.”

Mayor Forsythe explained that the list of goals would be used during the FY 2020-2021 Budget meetings to help guide decisions on line item expenditures for the next fiscal year.

Councilor Montgomery suggested that the City look into the possibility of renting security equipment for City Hall to avoid spending almost \$20,000 on a system that could be out of date in a very short time. City Administrator/Recorder Mills agreed to do so.

Council President Meyer made a motion to accept the proposed goals for 2020-2021. Councilor Snow seconded the motion. The motion passed by unanimous vote.

B. Strategic Plan Consideration

City Administrator/Recorder Mills explained that the proposed Dunes City Strategic Plan was authored by Councilor Snow. There was some discussion about the item to encourage the expansion of local business. Councilor Snow explained that that does not necessarily mean the City would seek additional new business, but could help existing businesses thrive. Councilors generally agreed that they would like to see businesses such as bait shops, boat repair or maintenance, or small grocery stores return to the Westlake area.

City Administrator/Recorder Mills offered to rewrite the proposed language in the form of a Resolution to discuss at a future meeting. There were no objections.

C. Ordinance No. 250 Re Building Program and Building Regulations

City Administrator/Recorder Mills explained that she provided the proposed Ordinance and its Exhibits for informational purposes, a vote on adopting the Ordinance could be held in a future meeting. She reminded Councilors that the goals of the proposed Ordinance were to: Take the Building Program and Building Regulations out of land use Code in Title XV, moving it to a more easily managed section of Code; update the language to reflect current State Building Rules; and adopt new permit fees.

Mayor Forsythe suggested Councilors review the proposed Ordinance and Exhibits and be prepared to discuss them in a future meeting.

9. PUBLIC HEARINGS

There were none.

10. NEW BUSINESS

A. Resolution Series 2020, No. 4, Declaring Dunes City to be a Second Amendment Preservation City in the State of Oregon

Mayor Forsythe read the proposed Resolution into the record:

“Resolution Series 2020, No. 4. A Resolution Declaring the City of Dunes City to be a Second Amendment Preservation City in the State of Oregon.

“WHEREAS, the Second Amendment of the United States was ratified in December of 1791, shortly after the colonists defeated the British army and ended the rule of King George the III; and

“WHEREAS, the Second Amendment states: ‘A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms shall not be infringed.’; and

“WHEREAS, the City Council of Dunes City considers the confiscation of legally owned and possessed firearms of any citizen to be unconstitutional; and

“WHEREAS, the duly elected officials of Dunes City will not assist in any fashion any local, State or federal agency in the unconstitutional confiscation of firearms from any resident of Dunes City, Oregon; and

“WHEREAS, no employee of the City of Dunes City will assist in any fashion any local, State or federal agency in the unconstitutional confiscation of firearms from any resident of Dunes City, Oregon; and

“WHEREAS, the people of Dunes City, Oregon, affirm support of the Lane County Sheriff Department to exercise sound discretion against enforcement of any unconstitutional firearms laws; and

“WHEREAS, the people of Dunes City, Oregon, hereby oppose the enactment of any legislation that would infringe upon the rights of the people to keep and bear arms and consider such laws to be unconstitutional and beyond lawful legislative authority;

“NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DUNES CITY THAT:

“Dunes City, Oregon, does hereby declare itself to be a Second Amendment Preservation City in the State of Oregon.

“This Resolution takes effect immediately upon adoption.”

There was some discussion about the need for this Resolution in which Mayor Forsythe explained that it is intended to frame the City’s position on the right to keep and bear arms in light of some other State actions that seem to put that right at risk. He noted that the Resolution had no, or very little, legal ramifications at this time.

Councilor Orr expressed concern about the last “Whereas” stating that the people of Dunes City oppose the enactment of any legislation that would infringe upon the rights of the people to keep and bear arms. Councilor Orr went on to explain that he couldn’t support the Resolution as it is currently written—he is not opposed to the Second Amendment but, in his own opinion, more gun control laws, such as banning assault-style weapons, should be in place.

Council President Meyer said that, in his opinion, the proposed Resolution supported the right of people to keep arms and did not necessarily conflict with any national ban on assault-style weapons—residents of Dunes City would still have the right to have weapons, but not assault-style. (00:25:30) Mayor Forsythe explained that one of his concerns is that some legislation does not identify a difference between automatic and semi-automatic weapons and is written and passed by people who do not understand the difference.

There was some further discussion during which most Councilors supported the message put forth by the Resolution.

Councilor Montgomery made a motion to approve Resolution Series 2020, No. 4. The motion was seconded by Councilor Wells. In a roll call vote the motion passed with five votes in favor (Meyer, Wells, Montgomery, Mallen, and Snow) and one opposed (Orr).

B. Resolution Series 2020, No. 6, Declaring an Emergency and Other Matters Related Thereto

City Administrator/Recorder Mills explained that FEMA requires cities to adopt emergency declarations before it will approve reimbursement for any city expenditures related to an emergency. She went on to note that the proposed Resolution also: Establishes a chain of command if she is unable to perform her duties as City Administrator; allows her to make emergency decisions; and allows the Mayor to sign documents she is not authorized to sign.

There was some discussion about the pitfalls of suspending normal City procedures during an emergency, particularly with respect to allowing the possibility that the City could enter into contracts with private entities. Following discussion, it was generally agreed that the Resolution only applied to the emergency due to the spread of the COVID-19 virus.

Councilor Orr made a motion to accept Resolution Series 2020, No. 6. Councilor Wells seconded the motion. The motion passed by unanimous vote.

A COPY OF THE SIGNED RESOLUTION IS ON FILE AT CITY HALL.

C. Consideration of Agreement for Professional Services for Engineering by The Dyer Partnership Engineers & Planners, Inc.

City Administrator/Recorder Mills explained that the City has traditionally contracted with The Dyer Partnership for engineering services, but has not had occasion to use their services for some time. She suggested that the City seek other bids for the services. Councilors did not object.

D. Consideration of Agreement with Cascadia Geoservices, Inc. for Installation of Equipment (\$1,400) and Annual Monitoring of the Wall Behind City Hall

City Administrator/Recorder Mills explained that part of the retaining wall behind the City Hall building is also the rear structural wall of the building. There is some indication that the shorter part of the retaining wall is failing. The proposal is to install measuring devices along the length of the wall and monitor it for indications of structural failure.

Councilor Montgomery suggested that City Administrator/Recorder Mills put out a request for a proposal on the project. There were no objections. Mayor Forsythe went on to suggest that any contract contain an exist or termination clause.

E. Appoint FY 2020-2021 Budget Officer

Councilors unanimously agreed to appoint City Administrator/Recorder Mills as Budget Officer.

11. EXECUTIVE SESSION

There was none.

12. FOR THE GOOD OF THE ORDER

City Administrator/Recorder Mills noted that copies of her Emergency Services and Staff Report were included in the Councilors' meeting packets. She explained that there is some grant funding available to acquire another piece of property along Chet's Trail and that there may be an opportunity to acquire from another source the matching funds that the grant requires. Councilors generally agreed that she should pursue the alternative funding opportunity.

City Administrator/Recorder Mills suggested that Councilors take their ICS 100 and 700 courses.

Mayor Forsythe informed Councilors that he wrote to Governor Brown to declare Darlings Resort and Marina an essential business. The owners have since closed the restaurant to the public but the retail grocery business is continuing to operate.

13. ADJOURNMENT

Councilor Orr made a motion to adjourn. Councilor Mallen seconded the motion. No vote was taken.

Mayor Forsythe adjourned the meeting at 7:25 pm.

APPROVED BY THE DUNES CITY COUNCIL ON THE 27TH DAY OF MAY 2020

[Signed copy available at City Hall]

Robert Forsythe, Mayor

ATTEST:

[Signed copy available at City Hall]

Jamie Mills, City Administrator/Recorder