



**CITY COUNCIL REGULAR SESSION MEETING MINUTES ~ APPROVED
JUNE 24, 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, June 24, 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 Duke Wells, Councilor Robert Orr, and Councilor Susan Snow.

Absent and Excused: Councilor Tom Mallen.

Absent: Councilor Alan Montgomery.

Also Present: Videographer Alan Campbell.

3. PLEDGE OF ALLEGIANCE

Mayor Forsythe led a reciting of the Pledge of Allegiance.

4. APPROVAL OF THE AGENDA

Councilor Orr made a motion to approve the Agenda. Councilor Wells 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 Snow 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. There will be a Special Session of the Dunes City Council on Wednesday, July 8, at 5:00 pm for consideration of the FY 2020-2021 budget.

7. CITIZEN INPUT ON ITEMS NOT DISCUSSED IN PUBLIC HEARING

Mayor Forsythe recognized Mr. Scott Vollmar who explained that he owned a house on Woahink Lake but he did not live there full time. He went on to explain that not long after he purchased the house he received a letter from the City about a complaint from a neighbor who said his outside lights were on all the time and were annoying. Mr. Vollmar admitted that he left the light on accidentally for about fifteen hours but has not had them on since then. He went on to say that he recently received a letter from a neighbor in which he was accused of operating a hotel in the neighborhood with tenants who used the neighbor's driveway to turn around and, at one point, damaged the neighbor's retaining wall. Mr. Vollmar explained that he did not rent the house to anyone and there was no one in the house the night that the neighbor complained about the damage to his retaining wall. He went on to say that he has cameras on the property and when he was informed that it was a green Subaru that damaged the retaining wall, he looked at the recordings from the cameras and did not see any green Subaru using his driveway.

Mr. Vollmar gave the letter he received from the neighbor to City Administrator/Recorder Mills and it is on file at City Hall. Mayor Forsythe thanked Mr. Vollmar for bringing the issues to the Council's attention.

8. OLD BUSINESS

A. Update on Retaining Wall Monitoring Project

City Administrator/Recorder Mills announced that Cascadia Geoservices, Inc. had lowered the cost of the project to \$350 for installing the Title Plate and the Initial Report and \$350 for the yearly measurement and monitoring report. She noted that she would sign the agreement.

B. Resolution Series 2020, No. 8, Re: IGA with Lane County for Road Maintenance Services

City Administrator/Recorder Mills reminded Councilors that they had seen the proposed IGA in a prior meeting and had asked her to find out if the language regarding arbitration could be strengthened to require it rather than only encouraging it. She explained that the County was not willing to change the language.

Following discussion, Councilors generally agreed to authorize City Administrator/Recorder Mills to execute the IGA.

Councilor Orr made a motion to adopt Resolution Series 2020, No. 8, as presented. Councilor Wells seconded the motion. The motion passed by unanimous vote.

- C. Ordinance No. 254 Re: Public Contracting Rules to be Adopted by Resolution, Repealing Ordinance No. 174 – First Reading

City Administrator/Recorder Mills asked to table discussion and action on this agenda item. She explained that the City is required to publish a series of public notices prior to adopting the new Contracting Rules and those notices have not been published. There were no objections.

9. PUBLIC HEARINGS

- A. Ordinance No. 254 Re: Public Contracting Rules to be Adopted by Resolution, Repealing Ordinance No. 174

There was no public hearing.

- B. Resolution Series 2020, No. 10, Certifying that Dunes City Provides Four Municipal Services

City Administrator/Recorder Mills explained that new State rules require this Resolution be heard in two public hearings—the first one was held during a Budget Committee meeting and this is the second.

Mayor Forsythe closed the regular session of the Council and opened the public hearing on Resolution 2020, No 10, at 6:20 pm.

Mayor Forsythe read the Resolution aloud for the record.

“Resolution Series 2020, No. 10. A Resolution certifying Dunes City provides four municipal services enumerated in Section 1, ORS 221.760; and declaring the City’s election to receive State revenues.

“WHEREAS, ORS 221.760 provides as follows:

“Section 1. The officer responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820 and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following services:

“(1) Police protection; (2) Fire protection; (3) Street construction and maintenance, and lighting; (4) Sanitary sewer; (5) Storm sewers; (6) Planning, zoning, and subdivision control; (7) One or more utility services.

“and

“WHEREAS, City Officials recognize the desirability of assisting the State Officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760.

“NOW, THEREFORE, BE IT RESOLVED that the City of Dunes City hereby certifies that it provides the following five municipal services enumerated in Section 1, ORS 221.760:

“(1) Enhanced Fire protection through Agreement;

“(2) Street construction, maintenance, and lighting;

“(3) Storm sewers;

“(4) Planning, zoning, and subdivision control; and

“(5) A water utility service.

“BE IT FURTHER RESOLVED that the City of Dunes City hereby elects to receive State revenues for fiscal year 2020-2021.

“ADOPTED BY THE DUNES CITY COUNCIL THIS 24TH DAY OF JUNE, 2020.”

There were no questions or comments from anyone present in the audience or from the Councilors.

Council President Meyer made a motion to approve Resolution Series 2020, Number 10. Councilor Wells seconded the motion. The motion passed with four in favor (Meyer, Wells, Snow and Orr). There were no votes against the motion and no abstentions. Two Councilors were absent and there were no vacancies on the Council.

Mayor Forsythe closed the public hearing and reconvened the regular session at 6:25 pm.

10. NEW BUSINESS

- A. Ordinance No. 254 Re: Public Contracting Rules to be Adopted by Resolution, Repealing Ordinance No. 174

First reading and discussion of this item was removed from the agenda during discussion of Old Business Item 8(C).

- B. Resolution Series 2020, No. 10, Certifying that Dunes City Provides Four Municipal Services

Resolution Series 2020, No. 10, was adopted during the public hearing under Public Hearings, item 9(A) of the agenda.

- C. Ordinance No. 255 Re: Providing an Exclusion from Zoning Code for Certain Properties Owned by the City for the Benefit of the Public

City Administrator/Recorder Mills requested to remove this item from the agenda. There were no objections.

- D. Draft Ordinance Regarding Short-Term Vacation Rentals

City Administrator/Recorder Mills explained that the draft language was taken from the city of Seaside, Oregon, code and that she had added language providing for septic approval from the County whenever a residence is converted to a rental.

Mayor Forsythe suggested inviting residents, especially those who owned short-term rental property to sit on an ad hoc committee and review the proposed language. He offered to serve as Chairman of the committee. City Administrator/Recorder Mills offered to invite property owners who participated in the May teleconference discussion of this subject as well as neighbors of a short-term rental property that has been the subject of several complaints, and other residents of the City who might have an interest in the subject.

- E. Resolution Series 2020, No. 11, Re: Letter of Understanding for Financial Review Services

Council President Meyer made a motion to adopt Resolution Series 2020, Number 11. Councilor Orr seconded the motion. The motion passed by unanimous vote.

- F. Resolution Series 2020, No. 12 Re: Application for \$100,000 in Small Cities Allotment Funds

Council President Meyer made a motion to adopt Resolution Series 2020, Number 12. Councilor Orr seconded the motion. The motion passed by unanimous vote.

11. EXECUTIVE SESSION

There was none.

12. FOR THE GOOD OF THE ORDER

Councilor Snow announced that she will not be able to do water testing on Siltcoos Lake while she is recuperating from surgery and asked for a replacement volunteer.

Mayor Forsythe announced that he would like to form a committee of City business owners and other interested residents to discuss how the City can raise revenue without raising taxes. City Administrator/Recorder Mills agreed to contact local business owners.

Councilors agreed that the City should take action on short-term rentals as soon as possible.

13. ADJOURNMENT

Councilor Orr made a motion to adjourn. There was no second.

Mayor Forsythe adjourned the meeting at 6:48 pm.

APPROVED BY THE DUNES CITY COUNCIL ON THE 22nd DAY OF JULY 2020

[Signed copy available at City Hall]

Robert Forsythe, Mayor

ATTEST:

[Signed copy available at City Hall]

Jamie Mills, City Administrator/Recorder