



CITY COUNCIL MEETING MINUTES ~ APPROVED
APRIL 20, 2022 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

Council President Sheldon Meyer called to order the Wednesday, April 20, 2022 meeting of the Dunes City City Council at 6:00 pm.

2. ROLL CALL

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

Present: Mayor Sheldon Meyer, Council President Susan Snow, Councilor Duke Wells, Councilor Rory Hammond, Councilor Robert Orr, and Councilor Tom Mallen.

Also Present: City Administrator/Recorder Mills, Planning Secretary Lani Noroña, Administrative Assistant Melissa House, Mr. Preston Martin, Ms. Melissa Stinson, Ms. Tina Nelson, Ms. Gail Nichols, Mr. Len Blackstone, Mr. River Molyneaux, and videographer Alan Campbell.

Absent:

Absent / Excused: None

3. PLEDGE OF ALLEGIANCE

All who wished to participate joined in the Pledge of Allegiance.

4. APPROVAL OF THE AGENDA

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

6. ANNOUNCEMENTS / CORRESPONDENCE

City Administrator/Recorder Mills announced the following:

- A. The Dunes City Budget Committee is meeting every Tuesday evening at 5:00 p.m. The public is welcome to attend the meetings in person, or may attend virtually by using the Go-To-Meeting platform. Information will be posted on the City's website prior to each meeting.
- B. Individuals who receive water from Woahink Lake by relying on the City's water right permit (the Dunes City Shared Domestic Water Supply Program) must have radio-read water meters and approved fish screens installed, with information regarding pumps, gallons per minute, horsepower, and pipe size, to Dunes City before October 1, 2022. Contact City Hall for more information.
- C. City Administrator/Recorder Mills pointed to a displayed fish screen, approved by Fish and Wildlife. The City is manufacturing these fish screens, has about thirteen (13) in stock, and more will be produced. Individuals who want to purchase one of the City produced fish screens should contact City Hall to put their name(s) on a list. Individuals who are required to have a fish screen must arrange for a plumber or diver to install the fish screen and complete the required form, so the City can meet the State's October 1, 2022 deadline.

Councilors and Staff discussed the fish screen and pump requirements.
- D. Accessory dwellings are not allowed in Dunes City, due to septic considerations and water quality concerns. Some have been approved through the Conditional Use process, but very few. This includes RVs. Dunes City does not allow people to live in RVs on the property of others without the approval of the Planning Commission.
- E. A reminder to residents of Dunes City that Clear Lake Road, Pacific Avenue, Lake Boulevard, Darlings Loop, and Canary Road are all Lane County roads, for which Dunes City has no control. If anyone has issues with those roads, contact Lane County.
- F. Dunes City is seeking volunteers to help maintain its roadways, as our former volunteer is no longer available. If you are interested in helping out, please contact Dunes City for further information.

7. CITIZEN INPUT ON ITEMS NOT DISCUSSED IN PUBLIC HEARING

There was none.

8. PRESENTATIONS / SPEAKERS

Business License Software Presentation.

Preston Martin of Net Assets and Dunes City Administrative Assistant Melissa House.

Ms. House gave a PowerPoint presentation about Net Assets software for online Business License processing and explained savings and benefits of using Net Assets software vs. the current process.

Mr. Martin informed Councilors that the data belongs to Dunes City and that if the City Council decides to proceed, the next step is a Service Agreement is prepared for City Council review.

Ms. House pointed out that a sample Service Agreement is included in the Council meeting packets.

City Administrator/Recorder Mills added that this is a presentation, and City Council acceptance of a Service Agreement is not on the agenda for this meeting, so would be a separate, future action item.

Councilor Wells made a motion that Staff move forward with the online Business License proposal. Councilor Hammond seconded the motion.

Councilors and Staff discussed financial aspects of the proposal.

The motion passed by unanimous vote.

Mayor Meyer thanked the presenters.

City Administrator/Recorder Mills announced that Ms. House has tendered her resignation, so the City has a vacancy for a part-time Administrative Assistant.

9. OLD BUSINESS

- A. Ordinance No. 263, vacating roadways in Little Woahink Heights, in order to re-plat as a private road and install a gate. First Reading.

Councilor Snow made a motion that Mayor Meyer read the Ordinance by title only.

Councilor Orr seconded the motion. The motion passed by unanimous vote.

Mayor Meyer read Ordinance No. 263 by title and asked for the Staff Report.

Councilor Hammond asked if the Staff Report is already entered into the record and whether it must be read aloud.

City Administrator/Recorder Mills answered the Staff Report is in the record and does not need to be read aloud. She explained that the plat was previously approved and recorded. The developer now wants to install a gate to make Little Woahink Heights a gated community, and is required to get a vacation of the road from the City and then re-file the plat, showing the road as private.

Councilor Mallen asked who owns the roads and who paid for the asphalt.

City Administrator/Recorder Mills answered that the City currently owns the road, and that the developer paid for the asphalt. She added that if the City vacates the road, the owner of the development becomes the owner of the road and the land upon which the road sits.

Councilors and Staff discussed the pros and cons of the proposed road vacation.

Mayor Meyer stated there is a public hearing on Ordinance No. 263, after all items under "Old Business" are completed, which City Administrator/Recorder Mills confirmed.

B. Resolution Series 2022, No. 6 re: Intergovernmental Agreement for ePermitting.

Councilor Hammond made a motion that the City approve the Resolution authorizing City Administrator Mills to sign the Intergovernmental Agreement on behalf of Dunes City.

Councilor Snow seconded the motion. The motion passed by unanimous vote.

C. Ordinance No. 264, vacating an unimproved roadway in the Tsiltcoos Lake Club Plat. First Reading.

Councilor Snow made a motion that Mayor Meyer read the Ordinance by title only.

Councilor Orr seconded the motion. The motion passed by unanimous vote.

Mayor Meyer read Ordinance No. 264 by title only and asked for the Staff Report.

City Administrator/Recorder Mills summarized the Staff Report, noting the Staff recommendation that when the City makes its motion(s), to reserve a ten-foot-wide utility easement, measured from the center line, for possible future utility purposes. She added that the City has no plans of developing this unimproved roadway, and if the vacation is approved it removes potential City liability in the event of property damage or other accident.

Councilor Mallen asked about getting an accurate survey.

City Administrator/Recorder Mills answered the City is paying for the survey currently being done.

D. Review language of Ordinance No. 256-A as amended and adopted.

City Administrator/Recorder Mills explained the amendments:

1. The phrase “commercial insurance” was replaced with the phrase “general liability insurance”.
2. The definition of *Short-Term Rental(s)* was amended with the statement “*Short-Term Rentals does not mean a property that serves as a primary residence for the owners, for six (6) or more months a year that is rented out to others during the remaining months*”.

Councilors and Staff discussed the amendments and possible additional amendments.

City Administrator/Recorder Mills reminded everyone that all Code must be clear and objective.

Councilors and Staff discussed the issue of City liability and insurance requirements for Short-Term Rentals that protect the City and property owners.

Councilor Wells stated that property owners renting rooms or renting their home part-time are selling a service, with customers paying for that service, and that is a business for financial gain. He added that he does not think further amendments should be made to the Ordinance, unless an amendment is added that requires operators of Short-Term Rentals to have a Business License.

Councilor Hammond made a motion to keep the amended language “*Short-Term Rentals does not mean a property that serves as a primary residence for the owners, for six (6) or more months a year that is rented out to others during the remaining months*”.

Councilor Snow seconded the motion. The Council voted by roll call vote.

Councilor Hammond – Yes	Councilor Snow – Aye	Councilor Wells – No
Councilor Orr – Aye	Councilor Mallen – No	

The motion passed.

Councilor Hammond made a motion to retain 123.005 PERMIT; FEES, item 6.
Councilor Wells seconded the motion. The Council voted by roll call vote.

Councilor Hammond – Yes	Councilor Snow – No	Councilor Wells – Yes
Councilor Orr – Aye	Councilor Mallen – No	

The motion passed.

Councilor Hammond made a motion to delete the following: 123.008 A. 2., *“The telephone number and website address of the City of Dunes City, Siuslaw Valley Fire and Rescue, and the Lane County Sheriff’s Office”*.

Councilor Snow seconded the motion. The Council voted by roll call vote.

Councilor Snow – Aye	Councilor Wells – No	Councilor Orr – No
Councilor Mallen – No	Councilor Hammond – Abstained	

The motion failed.

Councilors discussed 123.012 C., Insurance.

City Administrator/Recorder Mills pointed out that this Ordinance has an effective date of July 1, 2022, so there is time for this section to be more fully reviewed.

Councilor Mallen stated that City liability needs to be addressed and Councilor Orr agreed.

Councilor Orr made a motion to add language that requires the insurance policy names Dunes City as an additional insured.

Councilor Hammond seconded the motion. The Council voted by roll call vote.

Councilor Hammond – Aye	Councilor Snow – Aye	Councilor Wells – Yes
Councilor Orr – Aye	Councilor Mallen – Yes	

The motion passed.

10. PUBLIC HEARING

- A. Ordinance No. 263, vacating roadways in the Little Woahink Height Subdivision in order to re-plat as a private road and install a gate. Second Reading and Public Hearing.

Mayor Meyer opened the public hearing for Ordinance No. 263 at 7:30 p.m.

There was no written testimony submitted.

There was no verbal testimony presented.

City Administrator/Recorder Mills informed Councilors that the agent representing the property owner was in attendance, should Councilors have questions about the proposal.

No Councilor had questions of the representative agent.

Mayor Meyer closed the Public Hearing at 7:32 p.m.

Councilor Orr made a motion that the Second Reading of Ordinance No. 263 be read by title only.

Councilor Mallen seconded the motion. The motion passed by unanimous vote.

Mayor Meyer read Ordinance No. 263 by title only.

Councilor Orr made a motion that the Council adopt Ordinance No. 263.
Councilor Mallen seconded the motion.

Councilor Hammond stated his opinion of gated communities is that they are separated from the community as a whole, creating a perception of “us” and “them”.

The Council voted by roll call vote.

Councilor Hammond – Opposed	Councilor Snow – Aye	Councilor Wells – Yes
Councilor Orr – Aye	Councilor Mallen – Yes	

Mayor Meyer announced, “Ordinance No. 263 is hereby adopted and becomes effective upon recordation of this Ordinance with Lane County”.

B. Ordinance No. 264, vacating an unimproved roadway in the Tsiltcoos Lake Club Plat.

Mayor Meyer opened the public hearing for Ordinance No. 264 at 7:35 p.m.

There was no written testimony submitted.

There was no verbal testimony presented.

Mayor Meyer closed the public hearing at 7:36 p.m.

Councilor Orr made a motion that Ordinance No. 264 be read by title only.

Councilor Mallen seconded the motion. The motion passed by unanimous vote.

Mayor Meyer read Ordinance No. 264 by title only.

Councilor Mallen made a motion that City Council adopt Ordinance No. 264 as written.

Councilor Orr seconded the motion.

The Council voted by roll call vote.

Councilor Hammond – Aye	Councilor Snow - Aye	Councilor Wells - Yes
Councilor Orr – Aye	Councilor Mallen – Yes	

Mayor Meyer announced, “Ordinance No. 264 is hereby adopted and becomes effective upon recordation of the Ordinance with Lane County”.

11. NEW BUSINESS

A. Consideration of acceptance of property donation of land abutting Rebecca’s Trail property.

City Administrator/Recorder Mills explained that the property proposed for donation is mostly Wetlands and is not considered buildable. The property owners decided to donate this property to Dunes City.

Councilor Hammond made a motion to accept the property donation.

Councilor Orr seconded the motion. The motion passed unanimously.

B. Resolution Series 2022, No. 7 re: accepting operation and control of Fern Acres Water Association, Inc. Community Water system.

Councilor Wells recused himself, as his property is in the Fern Acres subdivision.

Councilors and Staff discussed the problems of owners in the Fern Acres Water Association and the current state of the system's disrepair.

Councilor Orr asked if there is a cost to the City, if Resolution No. 7 is adopted.

City Administrator/Recorder Mills answered, "yes" and explained she requested the City Engineer to estimate the costs of changing the way water is delivered to the storage tank, changing the storage tank, treating the water to drinking water standards, and installing the distribution system to the users.

Councilor Mallen asked if Federal funds would be used to make the repairs.

City Administrator/Recorder Mills answered, "yes" and explained that passage of this Resolution establishes a Dunes City municipal water system, that serves only the property owners in the current Fern Acres system. She added this is how Oregon coast small cities start municipal water systems.

Mayor Meyer stated that the Council had previously decided to use a portion of the American Rescue Act Fund to make sure that Dunes City residents have drinkable water.

Councilor Hammond made a motion for City Council to adopt Resolution Series No. 7.

Councilor Orr seconded the motion.

Councilors discussed the pros and cons of Resolution Series 2022, No. 7.

Councilor Mallen mentioned an option for Fern Acres water system users is for individual property owners to install a pump into Woahink Lake and pump water directly to each property, instead of pumping water to a community holding tank.

Councilor Snow asked if Dunes City establishes a municipal water system for Fern Acres water users, can property owners exercise the option of installing their own pump into Woahink Lake.

City Administrator/Recorder Mills explained that each lot in the Fern Acres has a diversion point, but all property owners on the Fern Acres system have agreed to use a Dunes City municipal water system.

Councilors and Staff discussed what the Federal ARFA funds would cover, what expenses Dunes City would have to fund, and water testing requirements.

City Administrator/Recorder Mills stated that owners would have to pay for connecting to the proposed municipal system, pay for the water meter and installation of the meter, and pay regular usage fees.

Councilor Hammond added that the City can continue to pursue additional grant funding.

Councilor Mallen asked City Administrator/Recorder Mills for a cost estimate to get the Fern Acres system up and running.

City Administrator/Recorder Mills answered that a ballpark estimate is about \$30K -\$50K.

Resolution Series 2022, No. 7 was adopted by unanimous vote of the City Council.

C. Resolution Series 2022, No. 3, Changing the name of the Water Rights Compliance Fund to the Water Fund and changing said fund to an Enterprise Fund.

Councilor Hammond made a motion to adopt Resolution Series 2022, No.3.

Councilor Snow seconded the motion. The motion passed by unanimous vote.

- D. Resolution Series 2022, No. 4, creating a new Trust and Agency Fund to track the acquisition and expenditures of the American Rescue Funds Act dollars.

Councilor Hammond made a motion to adopt Resolution Series 2022, No. 4.
Councilor Snow seconded the motion. The motion passed by unanimous vote.

- E. Resolution Series 2022, No. 5, authorizing the City to apply for a Local Government Grant Program from the Oregon Parks and Recreation Department for improvements to Rebecca's Trail.

Councilor Hammond made a motion to adopt Resolution Series 2022, No. 5.
Councilor Orr seconded the motion.

Councilor Hammond asked how these grant funds would be used.
City Administrator/Recorder Mills said she first must review the engineered plans, and that these grant funds would be used to put in the initial trail.

The motion passed by unanimous vote.

12. EXECUTIVE SESSION

There was none.

13. REPORTS

- A. Mayor's Report:

There was none.

- B. Community Center Report:

Councilor Wells asked City Administrator/Recorder Mills for a status of work on the City's storage unit. City Administrator/Recorder Mills reported that today interior lighting was installed and now outdoor lighting must be purchased. She reported the next step is to contact the heating company.

Councilors requested the outdoor lighting be light sensor, to come on at dusk and go off at dawn.

- C. Water Quality Report:

Councilor Snow reported she is still waiting to hear from the State.
She clarified that the water quality analysis the Water Quality Committee performs is for a State of Oregon program, for the general health of the lakes. The water quality analysis is not for Dunes City or for an H.O.A., and is not tested to drinking water standards.

D. Road Reports:

Councilor Hammond reported the following:

1. The end of Buckskin Bob Road could benefit from curbs, citing a property owner who has placed tires along the edge of the road, so people do not drive onto the property.
2. Google Earth indicates Chet's Trail a continued right-of-way, but there is a gate at the end and Chet's Trail, which is Rebecca's Trail, and stated the City may have future problems with this.
3. Helkat Trail has had some tree and brush clearing. It is still narrow, but better than it was.
4. A pothole was patched on Osprey Way.
5. The work in progress on Parkway Drive has stopped. There is a pothole at the turn, where Parkway Drive meets Boy Scout Road.

Councilor Snow reported that she sent City Administrator/Recorder Mills the road report for her assigned area. She added that Westlake needs lots of work, such as pothole repair and trimming.

Councilor Mallen reported that people are racing quads up and down Cloud Nine Road.

Mayor Meyer reported that the roads in his assigned area need trimming, but the roads themselves appear to be in good shape.

City Administrator/Recorder Mills announced that the City needs volunteers for trimming on roads,

Councilor Hammond asked if County inmates could perform some of the road work.
City Administrator/Recorder Mills said she could contact Camp Florence.

E. Emergency Services Report:

City Administrator/Recorder Mills reported the following:

1. She attended the April 18, 2022 WLEOG meeting.
She reported that most of the meeting related to upcoming events.

F. City Administrator/Recorder/Planning/Staff Report:

1. City Administrator/Recorder Mills reported that between March 10th and April 14th, the City issued sixteen (16) permits:
Four (4) Structural, three (3) Mechanical, one (1) Plumbing, three (3) Electric, and Five (5) Public Works permits consisting of four (4) right-of-way facility placement permits and one (1) Shoreland Vegetation Removal permit. She added that there are two (2) new homes under construction.
2. The City currently had fifteen (15) approved Fish Screens for purchase, but four (4) were sold. There are currently eleven (11) available for purchase. Anyone who wants to purchase one must contact City Hall. Orders will be filled on a first come, first served basis.
3. A complaint of work in the Shoreland Zone is being resolved with re-vegetation of the area, with a fine already paid.

4. Other complaints to the City involve people allowing others to live on their property in RVs, and a complaint about Clear Lake Road. Clear Lake Road is a County road, which is not within Dunes City's jurisdiction.
5. The City needs volunteers for road brushing, sweeping, or trimming. The City's previous volunteer is no longer available.
6. Budget Committee meetings are held at 5:00 p.m. every Tuesday, and will continue until the Budget Committee approves a budget to submit to City Council for consideration.

14. FOR THE GOOD OF THE ORDER

Councilor Mallen stated the City should work on getting back City equipment, such as the boom truck and the police car. He volunteered to patrol and stated he is willing to train others to patrol.

Councilor Orr thanked Mayor Meyer for conducting the meeting so well.

Councilor Wells reminded Councilors of the three (3) interviews for City Council applicants, scheduled for 5:30 p.m. on Thursday, April 21st.

Councilor Hammond made a joke.

Mayor Meyer thanked everyone for their participation in a meeting with many agenda items.

15. ADJOURNMENT

Councilor Wells made a motion to adjourn.

Councilor Orr seconded the motion. The motion passed by unanimous vote.

The meeting adjourned at 8:18 p.m.

APPROVED BY THE DUNES CITY COUNCIL ON THE 18th DAY OF MAY 2022.

Sheldon Meyer, Mayor

ATTEST:

Jamie Mills, City Administrator/Recorder