



**CITY COUNCIL MEETING MINUTES ~ APPROVED  
REGULAR SESSION - JULY 20, 2022 AT 6:00 PM**

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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**

Mayor Sheldon Meyer called the Regular Session on Wednesday July 20 , 2022 to order at 6:00 p.m.

**2. ROLL CALL**

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

**Present:** Mayor Sheldon Meyer, Council President Susan Snow, Councilor Melissa Stinson, Councilor Duke Wells, Councilor Tom Mallen, and Councilor Robert Orr.

**Also Present:** City Administrator/Recorder Mills, Planning Secretary Lani Noroña, and Zac Burt of The Siuslaw News.

**Absent:**

**Absent / Excused:** Councilor Hammond.

**3. PLEDGE OF ALLEGIANCE**

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

**4. SWEARING IN OF COUNCILOR STINSON**

City Administrator/Recorder Mills conducted the swearing in and oath of office, for new Councilor Melissa Stinson.

**5. APPROVAL OF THE AGENDA**

City Administrator/Recorder Mills proposed an amendment to the agenda, adding a new item C under New Business, regarding a Resolution accepting expenditure of shared State revenues.

Councilor Stinson made a motion to approve the amended agenda.

Councilor Mallen seconded the motion. The motion passed unanimously.

**5. APPROVAL OF THE CONSENT AGENDA**

Councilor Mallen made a motion to approve the Consent Agenda.

Council President Snow seconded the motion. The motion passed by unanimous vote.

## **6. ANNOUNCEMENTS / CORRESPONDENCE**

City Administrator/Recorder Mills announced the following:

- A: On or around August 16<sup>th</sup>, 2022, Spectrum will launch GAC Family in high definition on channel 156 and will simultaneously remove the standard definition feed so customers will continue to enjoy GAC family programming on the same display channel.
- B: The “You Buy One, We Plant One” campaign will donate a dollar from select six-pack cans of Sunriver Brewing and Fort George beers, as well as Portland Cider Company cider, and Oregon wine by Stoller Wine Group to Oregon Parks Forever’s Wildfire Tree Planting Fund. Look for displays in local grocery stores throughout July and August.
- C: The contracts are all signed and completed, and work on Parkway Drive is anticipated to begin sometime in August. Residents are asked to use care around the construction area and heed signs designating safe ways to access their properties.
- D: Dunes City is once again seeking someone to fill the positions of part-time Administrative Assistant and full-time Permit Technician, which is now Permit Administrator. Qualifications and job descriptions are available on the Dunes City website: [www.dunescityhall.com](http://www.dunescityhall.com). Résumés should be submitted to Dunes City by mail, by hand, or by email to: [recorder@dunescityhall.com](mailto:recorder@dunescityhall.com). The positions will remain open until filled.

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

There was none.

## **8. PRESENTATIONS / SPEAKERS**

There were none.

## **9. NEW BUSINESS**

- A: Volunteer of the Year award

City Administrator/Recorder Mills said at the last City Council meeting the possibility of awarding the Volunteer of the Year to Bonnie Allen, but this was not an agenda item so the Council could not act.

Council President Snow made a motion to award Volunteer of the Year to Bonnie Allen.

Councilor Orr seconded the motion. The motion passed unanimously.

- B: League of Oregon Cities 2023 Legislative Priorities Ballot

City Administrator/Recorder Mills asked Councilors to review this material in their packets, rate the items 1-5, with 1 most important and 5 least important. She will then calculate the common concerns to submit to League of Oregon Cities. She asked this be done as soon as possible.

Council President Snow asked whether the State Land Use Initiatives is part of Building Code.

City Administrator/Recorder Mills said no, this is Land Use Planning which is separate from construction. She summarized what Land Use Planning encompasses, and stated cities usually can have stricter Land Use Code than the State.

Council President Snow asked about the “additional burden” phrase under State Land Use Initiatives. City Administrator/Recorder Mills said DLCD is considering adding requirements that mandate cities consult local tribes in Planning, which would create additional burdens on staff workload and staff time.

C: Resolution Series 2022, No. 10

A Resolution declaring the City’s election to receive State revenues

City Administrator/Recorder Mills explained the requirements for this Resolution. The Council voted unanimously to adopt Resolution Series 2022, No. 10.

D: Discussion of a possible Ordinance regarding drones

“The authority to regulate the ownership and operation of unmanned aircraft systems is vested solely in the Legislative Assembly and only as expressly authorized by State statute. A local government may not enact an Ordinance or Resolution that regulates the operation of unmanned aircraft systems or otherwise engage in the ownership or operation of unmanned aircraft systems.

Mayor Meyer stated that Woahink Lake is a designated airport, and he does not believe it is legal to fly drones over a designated State airport.

Planning Secretary Noroña stated that ORS 836 and/or ORS 837 include regulations for drones around airports, law enforcement facilities, and private property.

Councilor Wells stated that he hears from Dunes City residents that drones are intruding and trespassing their privacy.

City Administrator/Recorder Mills suggested this be handled with the existing nuisance ordinance, giving Code Enforcement the opportunity to file a complaint with the FAA.

The Council continued discussing State law, Dunes City nuisance ordinance, enforcement, and the question of home rule.

City Administrator/Recorder Mills said she will contact the FAA for more information and ask if there are signs the City can post, regarding drones near an airport. She assured the Council she will conduct more research and report the results.

E. Discussion of a possible Ordinance limiting the number of Short-Term Rentals in Dunes City

Councilor Wells stated constituents are reporting problems with the number of Short-Term Rentals in Dunes City and in Florence. He has experienced STR renters speeding up and down his road. He asked how many STRs are currently registered in Dunes City.

Planning Secretary Noroña said the City has received 37 STR permit applications but that number will likely increase, as STRs are advertised on various websites, the total number varies according to the timeframe entered when searching STRs online, and there are existing STRs that have not submitted an application for a STR permit.

Councilor Wells stated that if there are 37 STRs and Dunes City is experiencing a negative impact, the total number of allowed STRs should be fifty (50).

The Council and staff discussed the number of STR permit applications, how many approved permits were issued, and the processing time between receiving an application and issuing a permit.

Councilor Wells stated a bigger problem than complaints of noise and partying is the impact on available housing. He added that if the owner(s) of an existing STR have not submitted an application prior to the July 1, 2022 deadline the City should not issue a permit.

Councilor Orr asked what the City does if a known STR does not submit an application for a permit. City Administrator/Recorder Mills stated it would be under Dunes City violation Code and that she could notify Lane County taxation and assessment.

Councilor Wells asked about costs of process STR applications.

City Administrator/Recorder Mills answered the STR permit fee is \$100 for two years and does not cover the costs of processing the STR applications.

Councilor Wells stated the STR permit fee will need to be amended.

Councilor Orr agreed, pointing out he had previously argued for a higher STR permit fee.

City Administrator/Recorder Mills pointed out that the Ordinance includes language that property owners are required to reimburse the City's costs of mailing required notices, which is in addition to the initial STR permit fee.

Councilors directed staff to provide updated numbers and agreed to continue discussing STRs at the next City Council meeting.

- E. Ordinance No. 266, Banning Psilocybin Service Centers and the Manufacture of Psilocybin products in the Dunes City City limits and referring the matter to a vote of the people at the November 2022 general election. First Reading.

Councilor Stinson made a motion for Mayor Meyer to read Ordinance No. 266 by Title only.

Council President Snow seconded the motion. The motion passed by unanimous vote.

Mayor Meyer read Ordinance No. 266 by Title.

## **10. PUBLIC HEARING**

Mayor Meyer opened the Public Hearing at 6:35 p.m.

There was no public testimony.

Mayor Meyer closed the Public Hearing at 6:36 p.m.

## **11. OLD BUSINESS**

Ordinance No. 266, Banning Psilocybin Service Centers and the Manufacture of Psilocybin products in the Dunes City City limits and referring the matter to a vote of the people at the November 2022 general election. Second Reading and consideration.

Councilor Orr made a motion for Mayor Meyer to read Ordinance No. 266 by Title only.

Council President Snow seconded the motion. The motion passed unanimously.

Mayor Meyer read Ordinance No. 266 by Title.

Councilor Orr asked if there were any issues, such as smell, water usage that apply to this Ordinance. There was no definitive answer.

Councilor Orr made a motion that the City Council adopt Ordinance No. 266.

Councilor Mallen seconded the motion. The motion passed unanimously.

## 12. EXECUTIVE SESSION

There was none.

## 13. REPORTS

### A. Mayor's Report

Mayor Meyer expressed appreciation for the work done to get the City's boom truck operational, for the brush clearing and tree trimming done on several Dunes City roads and hauling that debris to the dump.

### B. Community Center Report

Councilor Wells asked about scheduling a time for moving items from the main City Hall building into the storage unit across the street and whether another unit might be needed.

City Administrator/Recorder Mills said additional storage will likely be needed, and suggested this could be a goal that might be financed with grant funds. There is no scheduled date to move items at this time.

### C. Water Quality Report

Council President Snow said she met, via phone, with Oregon DEQ.

She reported the following is needed:

1. City Council must decide exactly what they want tested.
2. The current volunteers are good at obtaining samples, but not many are interested in lab work. The City might outsource the lab work to a company, but those costs are not yet known. She told Councilors that checking the health of the lakes is important, but testing for potable water is not feasible because people obtain water from many different sources. The Council discussed testing procedures and fielded suggestions for getting the lab work done. Council President Snow explained that there is the potential for the City to use equipment that replaces the previously used chemical processes.

### D. Road Reports

City Administrator/Recorder Mills informed the Council that the Parkway Drive project is anticipated to begin in August and there are signs directing residents how to safely get to their homes.

### E. Emergency Services Report

City Administrator/Recorder Mills reported that the July, 2022 WLEOG meeting was cancelled.

### F. Water Status Report

City Administrator/Recorder Mills reported the following:

1. The previous month's focus was installation of fish screens, scheduling divers, gathering photos, and gathering all required information. There are a total of 30 fish screens installations completed, including all required information. There are more fish screen installations completed, but the City is waiting for the photos and all required information.
2. The work at Alderwood is almost complete. The pumphouse floor was removed, and replaced with a new, poured concrete floor.
3. The State approved a fee increase for South Coast Water Company (SCWC) to raise their rates.
4. Peninsula Road: Costs to purchase the pump and install the intake and distribution lines were paid.

5. Woahink Overlook, which is Ford Way and Lake Drive, fish screens were installed. Awaiting bids for the remaining infrastructure.
6. Fern Acres: The corporation's formation documents and bylaws were found, thank to Pat Stutzman. A meeting is scheduled for 5:30 p.m. on Thursday July 21, 2022, to elect officers and determine the direction individuals want to take, based on the gathered information. Awaiting an estimate for replacement of water infrastructure throughout the subdivision.

G. City Administrator/Recorder/Planning/Staff Report

City Administrator/Recorder Mills reported the following:

1. There were five (5) Permits issued, four (4) were Building Department Permits:  
One (1) Structural, one (1) Mechanical Permit, and two (2) Electrical Permits.  
There was one (1) Public Works Permit issued, for an Erosion and Sediment Control Plan (ESCP).
2. No permit(s) issued for new housing units, but the City received three (3) new housing permit applications, which are in plan review.
3. All individuals who participate in the Dunes City Shared Domestic Water Supply Program please contact City Hall and let us know with whom you have arrangements for fish screen installation. The City must avoid sending divers to install fish screens if other arrangements are in place.
4. Short-Term Rental permits are coming in fast and furiously. Staff spends much of their time reviewing the applications to get all applicable information, and especially preparing notices to surrounding property owners.
5. The Permit Technician accepted a position elsewhere and resigned, effective July 29, 2022. This position and the part-time Administrative Assistant vacancy are advertised.  
Councilor Mallen asked why the City is losing employees.  
City Administrator/Recorder Mills said the reasons are wages and benefits.  
Councilors and staff discussed employee turnover and possible ways to reduce turnover.  
Councilor Wells suggested new employees be hired under an employment contract, stipulating the training and a timeframe required to compensate the City for training expenses.  
Councilor Mallen suggested the acquiring agency be required to reimburse the City.  
Councilor Orr questioned if it is legal for the City to require reimbursement from future employers.  
Councilor Wells requested this be on the Agenda for the next City Council meeting.  
City Administrator/Recorder Mills suggested a sample Employment Contract.

## FOR THE GOOD OF THE ORDER

Councilor Mallen proposed placing a ballot measure to determine if Dunes City residents want a Police force in Dunes City. He stated he is willing to train a Dunes City volunteer Police force. He added that financing a City Police force needs funding.  
Councilor Orr asked about funding sources and/or taxes.  
Councilors and staff discussed what a City Police force requires, such as equipment, dispatch, vehicles, personnel, training, the question of personal liability and insurance coverage for volunteers or City officers, ballot requirements, and all legalities.  
City Administrator/Recorder Mills stated that much research is needed.

Councilor Wells said Dunes City needs more money for things like road maintenance and other City services. He suggested researching taxes, a bond issue, or other funding sources. Councilor Orr agreed, citing previous City Council discussions about what it takes, financially, to operate a City and provide services.

Council President Snow thanked the Council for patience with her, as she attended to family matters.

Councilor Stinson said she supports further discussion of the City's finances.

#### **14. ADJOURNMENT**

Council President Snow made a motion to adjourn.

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

The meeting adjourned at 7:18 p.m.

**APPROVED BY THE DUNES CITY COUNCIL ON THE 17<sup>th</sup> DAY OF AUGUST, 2022.**

[Signed Copy Available at City Hall]

Sheldon Meyer, Mayor

ATTEST:

[Signed Copy Available at City Hall]

Jamie Mills, City Administrator/Recorder