



## **CITY COUNCIL MEETING MINUTES ~ APPROVED**

### **REGULAR SESSION - SEPTEMBER 21, 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](http://www.DunesCity.com)

#### **1. CALL TO ORDER**

Council President Susan Snow called the Wednesday September 21, 2022 meeting to order at 6:02 p.m.

#### **2. ROLL CALL**

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

**Present:** Council President Susan Snow, Councilor Rory Hammond, Councilor Melissa Stinson, Councilor Duke Wells, Councilor Tom Mallen, and Councilor Robert Orr.

**Also Present:** City Administrator/Recorder Mills, Planning Secretary Lani Noroña, Jared Anderson of The Siuslaw News, Mr. Aaron Bowen, Ms. Kathleen Cook, Ms. Laurine Tonnelé, Ms. Tasha Proudfoot, and Ms. Lisa Himpens.

**Absent:** N/A

**Absent / Excused:** Mayor Sheldon Meyer.

#### **3. PLEDGE OF ALLEGIANCE**

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

#### **4. APPROVAL OF THE AGENDA**

Councilor Mallen made a motion to approve the agenda.

Councilor Hammond seconded the motion. The motion passed unanimously.

#### **5. APPROVAL OF THE CONSENT AGENDA**

Councilor Stinson made a motion to approve the Consent Agenda.

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

#### **6. ANNOUNCEMENTS / CORRESPONDENCE**

A. City Administrator/Recorder Mills wished Councilor Orr a belated Happy Birthday.

B: City Administrator/Recorder Mills introduced Ms. Tonnelé, Ms. Proudfoot, and Ms. Himpens, visiting from Dunes City's sister city Dunes, France. Ms. Tonnelé presented Dunes City with a Medal of Honor, a pamphlet of historical information of Dunes, France and a photo of Dunes, France. The gifts are on display in the Community Center at City Hall.

- C: The Siuslaw Vision Team invited the City Council to Celebrate Community Builders, on Saturday and/or Sunday, October 8-9, at Driftwood Shores. A detailed invitation is in the meeting packets.
- D. Dunes City still needs to fill two job openings at City Hall, one for Permit Technician and one for Administrative Assistant. Job descriptions are on the Dunes City website. Resumes can be submitted to City Hall by hand, by mail, or emailed to: recorder@dunescityor.com.
- E: The deadline to have your fish screens installed and water meters replaced is a week from Friday. If you have not made arrangements to have a fish screen installed and the water meter replaced, please contact City Hall immediately.
- F. Beginning the first week of October, Parkway Drive will be closed between Boy Scout Road and Buckskin Bob, for an indefinite period of time. Residents in that area are asked to pay attention to signs directing access to their properties.

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

Council President Snow recognized Mr. Aaron Bowen.

Mr. Bowen distributed a handout titled “Concerns related to Little Woahink Lake subdivision Phases 1 & 3, Dunes City, Oregon known as “Cedar Ridge on Little Woahink””.

City Administrator/Recorder Mills clarified that the subdivision is officially called Little Woahink Heights, but is referred to as Cedar Ridge by sales advertisements.

Mr. Bowen stated concerns about the development were first raised in 2019. He stated the subdivision was subsequently approved, roads built, and now lots are being sold.

He stated that eleven (11) of the lots are substantially less than an acre, contrary to Dunes City development requirements. Mr. Bowen stated the one-acre minimum lot requirement was established for several reasons, one being to ensure the soil can absorb septic effluent. He then quoted Dunes City code 155.2.1.122.

Mr. Bowen pointed out photos taken in September, 2022 showing a Restrictive Horizon, and the FEMA page that explains and diagrams that a Restrictive Horizon limits effluent percolation, allowing run-off into lakes and streams. He mentioned that Dunes City has had virtually no rainfall since about May, 2022 and the photos show water flowing out of the Restrictive Horizon. He expressed grave concern over the impact of the coming rainy season on this already compromised area and more water coming from future development. He called this a recipe for disaster. Mr. Bowen recommended that the City have a soils engineer out to the area, before it rains, to assess the situation.

Mr. Bowen also asked about a water testing report.

Council President Snow answered there is a water testing report every month.

Mr. Bowen expressed concern that water testing has not been done for about three years and offered his boat and experience as a water quality tester.

Council President Snow thanked Mr. Bowen.

Council President Snow recognized Ms. Kathleen Cook.

Ms. Cook did not wish to comment.

Council President Snow asked if the visitors from France had any comments or questions.

Me. Proudfoot excused the visiting party from the remaining City business part of the meeting.

The Councilors and City staff thanked the visitors and everyone exchanged good-byes.

## 8. OLD BUSINESS

### A: Schedule public meeting on Short-Term Rentals

Councilors reviewed the October calendar and scheduled the meeting for Monday, October 17, 2022 at 6:00 p.m. The meeting will be a Town Hall meeting, allowing for open conversation.

### B: Follow-up report on Employment Contract for any new employees hired by the City.

City Administrator/Recorder Mills informed Councilors that the City attorney stated that the proposal for employment contracts that mandate a minimum term of employment are not allowed in government.

Councilor Wells suggested incentives, such as incremental pay increases, to encourage newly hired employees to stay longer.

Councilor Stinson supported this idea, adding that there are incentives other than monetary ones. Councilors discussed the issue of employee retention and agreed this needs further consideration.

### C: Follow-up discussion on formation of Neighborhood Watch Groups.

City Administrator/Recorder Mills referred to the Lane County Neighborhood Watch information in Councilors' meeting packets. She added that the Florence Police Department said the City could pay for dispatch services. Lane County Sheriff would be dispatched, and if no Lane County deputy is available the Florence P.D. would then respond.

### D: Update on Fish Screen and Meter Installation, and status of request for Extension of Time on Water Right Permit

City Administrator/Recorder Mills reported the following:

1. There are less than fifty (50) pumps that still need fish screens.

There are three (3) divers available for installation and documentation.

Work to determine who is using a plumber and who needs to schedule a diver is ongoing.

2. The request for Extension of Time on the Water Right Permit was reviewed by the State engineer.

The request was opened to public comment and public comment closed on August 25, 2022.

The State engineer is awaiting a letter from ODFW, but first the ODFW is requesting a copy of all data from each installation. The data from each fish screen installation is being sent to the ODFW.

If the extension is granted, the extended date would be 2042.

### E. Update on American Recovery Act funding

City Administrator/Recorder Mills reviewed expenditures to date and reported that the City received the second payment of \$156K. She informed Councilors there is another neighborhood that has requested assistance from the City with their water system. She explained the details of what the homeowners need to do, prior to setting up an agreement with the City.

### F. Letter of Guarantee for Payment of costs to make repairs to the Fern Acres Subdivision (Ray Wells, Inc.)

Councilor Hammond made a motion for City Administrator/Recorder Mills to  
Councilor Wells recused himself.

Councilor Orr seconded the motion.

The motion passed.

## **10. PUBLIC HEARING**

There was none.

## **11. NEW BUSINESS**

### **A. Paid Leave or Equivalent Plan**

City Administrator/Recorder Mills informed Councilors of Oregon's Paid Leave legislation and pointed out the available training information included in the meeting packets.

## **12. EXECUTIVE SESSION**

There was none.

## **13. REPORTS**

### **A. Mayor's Report**

There was none, as Mayor Meyer was absent/excused.

### **B. Community Center Report**

City Administrator/Recorder Mills reported the following:

1. English Ivy is invasively growing into the interior walls of the Community Center and the attic of the City Hall building. Brett Chipps is removing the ivy from the exterior of the building.
2. There is a water leak in the lobby restroom, at the water inlet to the toilet.

### **C. Water Quality Report**

Council President Snow reported she is still communicating with the State, to implement the new water testing program, there is a training webinar for the new testing program, and she sent a list of questions which have not yet been answered.

Councilor Stinson mentioned an OHA training and offered to forward this information to Councilors.

### **D. Road Reports**

Councilor Hammond reported that the roads in his assigned area generally look good, except for some overgrowth on Ka-Teech.

Councilor Stinson expressed reported worsening potholes on Ford Way and a STOP sign at the corner of Ford Way and Lake Drive that is hanging upside down.

Councilor Mallen reported a large pothole on Cloud Nine Rd. and that the asphalt layer appears to be quite thin, about one (1) inch.

City Administrator/Recorder Mills stated that Dunes City code is four (4) inches, and that she would like to see that minimum increased.

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

Councilor Orr asked the Council if they will address issues tonight, that Mr. Bowen raised about development of the Little Woahink Heights, aka Cedar Ridge subdivision.

City Administrator/Recorder Mills answered that the City's conditions of the subdivision approval require alternative treatment septic systems and strict setbacks. She added that the subdivision Homeowner's Association (HOA) also has Covenants, Conditions, and Restrictions (CCRs) and that property owners must do their due diligence to determine what development is allowed and what restrictions are in place. She added that Dunes City code has restrictions for property with wetlands, for property close to a lake, and lots that have slopes require geo-tech engineering.

Councilors and staff discussed some history of this subdivision and the current status of development.

Councilor Mallen summarized the work done to the City's patrol car and said it needs the spotlight replaced, the air conditioning needs repair, and the car needs a deep-clean detail job, seat covers, and floor mats.

Councilor Orr asked about the patrol car's markings.

Councilor Mallen said that the marking sticker is peeling, and the City can design a new marking sticker to replace the worn marking sticker.

Councilor Wells stated that the ongoing problems of a property on the corner of Berry and Manzanita are getting worse. Neighbors of that property have complained to him about the condition of the property and the vehicles parked all over the roadway. He stated that residents depend on the City to enforce the laws, the City has written letters, the Fire Department cited violations, and the situation is worse. He added that he thinks the City should have any inoperable or unlicensed vehicles towed off the right-of-way.

A new complaint from a neighbor is that vehicles area being dismantled at all hours, which he observed today for himself.

Councilors and staff discussed the possibility of issuing a 72-hour notice to remove the vehicles or have them towed, issuing fines, or liens against the property.

Councilor Stinson stated that residents of Ford Way complained about Short-Term Rentals on Ford Way, and were not sure if these had a Dunes City permit. She also mentioned an ongoing problem with people lighting fireworks, on Ford Way or in the campground across the street.

City Administrator/Recorder Mills reported that a previous Westlake resident, with a history of mental illness, was recently arrested for a disturbance at the Westlake Post Office. This individual has been frequently visiting City Hall and loitering in the around the building.

Council President Snow stated this individual was previously arrested for trespassing on private property. Councilors and staff discussed the use of "No Trespassing" and "No Loitering" signs.

Council President Snow thanked City Administrator/Recorder Mills for assistance with an issue of transients camping at the boat dock parking lot. She said the ranger from Wax Myrtle campground informed her that these transients were evicted from the campground, that they were known thieves, and advised her to be armed and lock up belongings. She then called the sheriff's department and was told there would not be a response for at least 24 hours. She then called City Administrator/Recorder Mills, who also contacted the sheriff's department and the transients were removed from the boat dock parking lot.

## **15. ADJOURNMENT**

Council President Snow adjourned the meeting at 7:16 p.m.

**APPROVED BY THE DUNES CITY COUNCIL ON THE 19th DAY OF OCTOBER, 2022.**

[Signed Copy Available at City Hall]  
Sheldon Meyer, Mayor

ATTEST:

[Signed Copy Available at City Hall]  
Jamie Mills, City Administrator/Recorder