

**MINUTES  
DUNES CITY COUNCIL  
SPECIAL SESSION  
October 30 - 7:00 PM  
City Hall – 82877 Spruce Street 97493**

**\*\*\*DRAFT\*\*\***

**1. Call to Order and Roll Call**

Mayor Eric Hauptman called the Special Session of the Dunes City Council to order at 7:03 pm. Amy Graham, Dunes City Recorder, took roll call.

Present: Mayor Eric Hauptman, Councilor Richard Koehler, Councilor Susie Navetta, Councilor Jerry Curran, Councilor Bob Petersdorf and Councilor Robert Quandt.

Councilor Peter Howison was not present and excused.

Others Present: City Recorder Amy Graham, Planning Secretary Lisa Ekelund, and 26 members of the community.

**2. Pledge of Allegiance**

The Mayor, city councilors, office staff, and citizens present joined in the pledge of allegiance.

**3. Unfinished / Old Business: Ocean Blvd. roundtable discussion**

Mayor Hauptman noted that there is a sign up sheet for citizens who wish to speak.

**Dale Middlestadt 82820 Ocean Blvd.**

Mr. Middlestadt said he believes he's been blindsided by his neighbors and City Council. He states he has no place to park. He believes his property is no longer sellable. He believes everyone on the street should have an opportunity to park. He's owned the property for 11 years and no one has ever stated there was a problem until now. He said there's never been an issue with outsiders pulling up to park for no reason. He said he doesn't understand why there is an issue and he would like an answer as to why there are now "no parking" signs.

Mayor Hauptman asked Mr. Middlestadt why he doesn't use his garage to park and Mr. Middlestadt said his pickup truck is too large to fit in it.

Councilor Quandt asked what has changed since he's purchased the property to make the property worthless and Mr. Middlestadt said the parking changed.

Councilor Quandt referenced Mr. Middlestadt's garage and Mr. Middlestadt said that is how he purchased the property.

Councilor Quandt asked if the garage could be turned back into a garage for parking and Mr. Middlestadt said it would only be good for one car.

Mr. Middlestadt wanted to clear up the record regarding his parents motor home. He said they've parked there for over 25 years sporadically while visiting. He said it has never been an issue until now.

Councilor Navetta asked if Mr. Middlestadts property was wide enough to put in a driveway and Mr. Middlestadt said no.

Councilor Navetta said while viewing a photograph, it appeared a driveway could be placed on a strip of grass between homes.

Mr. Middlestadt said that property is split between the property owners.

Councilor Koehler asked what Mr. Middlestadt would do to come up with a solution.

Mr. Middlestadt said he would allow parking across the street.

Councilor Koehler asked what Mr. Middlestadt would do regarding the grassy area across the street and Mr. Middlestadt said he would replant grass seed.

Councilor Navetta asked if the riparian area belongs to the State or to the City.

Mayor Hauptman said is should belong to the State because the lake is a State owned body of water.

Councilor Koehler mentioned the need for amicable resolution between everyone.

#### Sue Dietz 82804 Ocean Blvd.

Ms. Dietz said she is in full agreement with Mr. Middlestadt. She said alot of visitors are short term they probably have more visitors because of their desirable location. She said the home next to them is a full time vacation place other than the month of August. This particular home handles 10 people yet only allows for two vehicles. She said there has always been amicable discussion between the neighbors regarding the parking. She said she is appalled at what has happened because there has never been an issue in the past. She said she sees no problem with returning the area to what it was. She suggested if it were necessary, a sign stating "residents and guests only" could be posted.

#### Fred Hilden 4776 Laurel Ave.

Mr. Hilden said he didn't get an invitation and mentioned another person who didn't get an invitation though he owns property along Ocean Blvd. He believes everything

should be returned to how it used to be. He said he believes this is more of a political issue than anything. He reiterated that he would like things returned to the way it was.

Councilor Koehler asked what Mr. Hilden believed the key issue was. He asked if it was about the road or about procedure.

Mr. Hilden said many people have been involved and mistakes have been made as neighbors and as a city. He said it's understood there is an issue with motor homes being parked for 4 weeks at a time and he believes it will never happen again.

Councilor Koehler asked if he asked Mr. Middlestadt if the motor home was no longer going to be parked.

Mr. Hilden turned and asked Mr. Middlestadt during the meeting and Mr. Middlestadt said it wouldn't be an issue.

Councilor Koehler said he sees a strong possibility that everything could be re-vegetated and returned to a riparian area. He questioned how to rectify the electrical, and the digging.

Mr. Hilden said many of the citizens have electrical power on the lake in their boathouses. He said the city needs to solve the general overflow parking.

Councilor Quandt asked what Mr. Hilden would see the solution would be, to repair and protect the riparian area.

Mr. Hilden said there were more fish to fry on the Lane County boat ramp. He said he is not concerned with the small amount of oil drippings that may happen in that small area. He said everyone who has owned property along Ocean Blvd. has treated the property across the street as their own and has taken pride in it.

Councilor Quandt said the only reason this has been brought forward is because it turned into a paving project and that is why it's before the council. He asked Mr. Hilden what he believed would be a good timeframe for parking.

Mr. Hilden said 4-5 days but said it's the council's decision.

#### Darlene Beckman 82150 Booth Island

Mrs. Beckman said they have a boat moored in the marina. She said there are a number of people who have their boats at the marina and need a place to park. She said the council needs to take others as well as property owners into consideration. She said they should replant the grass and bring the parking back to the way it was.

Councilor Koehler asked if Mrs. Beckman knew there were parking spaces along the county boat launch and Mrs. Beckman said it's not 24 hours and the county is not willing to change it.

Mayor Hauptman clarified that Mrs. Beckman wanted to return the parking to the way it was.

Councilor Koehler asked what Mrs. Beckman felt everyone has learned.

Mrs. Beckman said there were procedures that weren't followed but the citizens need to get the benefit of the doubt.

Councilor Koehler made an example to help those who are present, understand the philosophy of where to draw the line in the ordinances.

Jean Stroud 82836 Ocean Blvd.

Mr. Stroud said he's owned his property for 16 years and he believes a problem has been made out of something that was not a problem. He has a fundamental disagreement with a newspaper article in the Siuslaw News and he read a portion of it. He gave examples of past parking situations. He said everyone has tried to get along and they live in a quiet little neighborhood. He brought up several examples of different situations that have arisen over the years. He believes the state is the jurisdiction over the parking area. He believes there is a prescriptive easement for use. He said there is a place for regulation and a place for common sense. He said he is in favor for grass.

Mayor Hauptman said a lot of staff time is involved in reminding neighbors to be neighborly while giving examples. He said it's a shame the city has to legislate manners and neighborly behavior. He said it appeared; there was mutual neighborly respect in the past on Ocean Blvd. He said his one concern is if someone sells the property and this all starts all over again if a neighbor forgets to be neighborly.

Mr. Fred Hilden said he believes this is a good exercise in understanding exactly what the Mayor is talking about. He believes it's just a matter of hoping and praying everyone doesn't vacate at the same time.

Councilor Navetta said this land belongs to the State. She said she doesn't know how the city could sell parking spaces and neighborly behavior to the state. She said she believes they've overstepped their bounds.

Mr. Johnson said his complaint has never been the parking. His complaint was publicly owned land being used as a campground for months at a time. He said no one ever came to him and asked if it was ok to park in front of his home. He said the city has a parking ordinance that everyone has chosen to disobey. He said the problem is the camping and not the parking. He's against camping and fires.

Myrtle Stroud said she has taken care of and mowed part of the riparian area.

Judy Bedsole 4840 Summit Ave.

Mrs. Bedsole said as a business owner of a campground, she feels she would be in competition with the city regarding free parking and her business would lose. She said it's the states responsibility to regulate the land. She said she doesn't believe this is a political issue but rather it's a problem of people over using the property as a campground. She gave names of campgrounds that can be used.

Mayor Hauptman said the active camping is what appears to be the problem and addressed the council to look at this issue.

Mr. Middlestadt said he's the only person on the street who has violated the camping situation. He said there will be no more camping and he understands the issue.

Ellen Trailer 82842 Ocean Blvd.

Ms. Trailer said once the state is involved, there is no going back. She believes common sense should be used in the use of the land.

Councilor Curran said the City shouldn't be in competition with the RV parks. He believes if the parking were limited to 24 hours it would solve the problem.

Mrs. Judy Johnson said she would like the council to make a decision on timed parking. She said Councilor Petersdorf told her there was only a 2-hour parking limit. She said she cares a great deal about her neighbors. She said she became involved in this was when she tried to clarify the law.

Councilor Koehler said what has occurred is two scars that were created by the form of parking plats. He said this is not about the parking but rather the taking of the land.

Mr. Middlestadt and Mr. Stroud said they didn't want the parking pads. The no parking signs came up first and they put the pads to comply.

Councilor Curran said he believes people assume that because the property is across from their homes that they have some sort of ownership. He asked what would stop just anyone from setting up camp.

Mr. Hilden said they would do the neighborly thing and they would tell the person to leave.

Councilor Curran said what would be Mr. Hildens right to kick this person off.

Mrs. Bedsole asked if there was a city ordinance stating people can't camp overnight on the public right of way.

Councilor Quandt said there is an ordinance. He said the city either ignores the ordinance, or put something along with it that accommodates it.

Councilor Koehler brought the issue of returning the land back to it's natural state. He said the unpacking of the dirt is important, but also informing local contractors of what is allowed. He made the point of the need for business licenses in the City. He said this situation wouldn't have arisen if the contractors would have checked into the ordinances. He said if a sign is placed, it should be placed in the entry of the street as there is not a need to litter the area with signs.

Amy Graham, the City Recorder suggested the council discuss the process of beginning the claim with the insurance company to reimburse the citizens who began their parking plats.

Councilor Quandt asked Mr. Middlestadt to explain his invoice and why there is such a large discrepancy between his and Mr. Stroud's.

Mr. Middlestadt said they would need to ask the contractor.

Councilor Curran said both bills need to be specific as to what was done and it needs to be itemized.

Amy Graham said the insurance agent would make sure they are itemized.

Councilor Quandt asked if anyone from the audience objected to a sign at the end of the street saying no RV parking.

Councilor Petersdorf asked Councilor Quandt to clarify the term recreational vehicle.

Mr. Middlestadt suggested the city just let the issue lie and if there is a problem, they should address it at a later date.

Councilor Navetta said she would be happy to write a resolution that could be read at the next council meeting. She said she would have Mr. John Stead help.

Councilor Curran said the resolution should be specific to Ocean blvd. directing no camping and no motor homes permitted to park in this area. He said it should not mention small vehicles.

Councilor Koehler said he was in contact with the County regarding overnight parking stickers at the boat launch for local citizens.

It was suggested from to audience to make sure Ocean Blvd. is exempt to the 2 hour parking limit along with no motor homes or camping.

Councilor Quandt made a motion to take down the no parking signs on Ocean Blvd. and it was seconded by Councilor Petersdorf. After unanimous vote, the motion carried.

Councilor Quandt made the motion to charge Councilor Navetta with producing the resolution that includes the solutions the council came up with tonight and have it

ready for council vote at the next meeting on November 13, 2008. Councilor Curran seconded the motion and after unanimous vote, the motion carried.

Councilor Koehler discussed the need to make sure the area is brought to its original state. He said the conservation committee should observe the progress.

Amy Graham said Mr. Wells is clear on permitted work in the riparian area.

The city insurance agent suggested requiring pre-work with the contractors before projects are completed.

Councilor Quandt made the motion to get approval to start the claim with the insurance company. Councilor Navetta seconded and after unanimous vote, the motion carried.

## **6. Adjournment**

Councilor Navetta made the motion to adjourn and Councilor Quandt seconded. After unanimous vote, the motion carried and the meeting adjourned 8:49 pm.