



**City Council Meeting Minutes ~ Approved**  
**June 10, 2010 at 7:00 pm**  
City Hall - 82877 Spruce St., Westlake, OR 97439

**1. Call to order and roll call**

Mayor Eric Hauptman called the meeting of the Dunes City Council to order at 6:58 p.m.

**2. Roll call**

Roll Call was taken by Fred Hilden, City Recorder.

**Present:** Mayor Eric Hauptman, Council President Peter Howison, Councilor Richard Koehler, Councilor Jamie Mills, Councilor Susie Navetta, Councilor Rebecca Ruede, and Councilor Troy Sathe.

**Also Present:** Fred Hilden, City Recorder, Lisa Ekelund and 2 individuals.

**3. Pledge of Allegiance**

All who were present stood for the Pledge of Allegiance.

**4. Approval of the agenda**

**Councilor Ruede made the motion to approve the agenda. Councilor Sathe seconded the motion. The motion passed by unanimous vote.**

**5. Consent agenda**

- City Council meeting minutes from 05/13/2010 (revised)
- Bills of the session through 06/04/2010
- Receipts of the session through 06/04/2010

**Councilor Howison made the motion to approve the consent agenda with the revised addition to the minutes. Councilor Sathe seconded the motion. The motion passed by unanimous vote.**

**6. Announcements / Correspondence**

Mayor Hauptman announced the following:

- May & June Artists of the Month are Ralph Farnsworth (Ferndale, CA Collection in the foyer &

on the back wall) and Curt Peters, Digital Dunes Photography (Photos behind dais & on the sidewall).

- Volunteers are still needed for the Revenue Committee.
- June Birthdays: (Council President Peter Howison ~ June 21).
- Maria McConnell has tendered her resignation.
- Oregon Department of Forestry is holding a workshop on SB360 on Monday, June 14<sup>th</sup> at 6:00 pm at the Florence Events Center.
- Lane County Sheriff's Deputy Kerry Boggs has been called back to duty in Bosnia.
- Mayor's request to reschedule the work session to July 12 (The Council approved the request.)

## **7. Citizen Input**

There was no citizen input.

## **8. Mayor's report**

Mayor Hauptman made the statement that in the past it was confusing as to which roads were owned and which roads were not owned by the City. The Mayor said regarding Kiechle Arm Road, in 2004 Robert Petersdorf was Chair of the Road Commission and paved Kiechle Arm Road for the sum of \$400,000. The Mayor said Lane County never approved the dedication of Kiechle Arm Road and the City never took ownership. The Mayor said there were a couple of easements and Alan Montgomery deeded a part but the deed was notarized by a notary from Virginia. The Mayor said there were no bids, and no specs in the file for the paving project. The Mayor said the Council is concerned with how the City spends money and he (The Mayor) finds this infuriating. The Mayor directed Councilor Sathe to have the Road Commission research this to come to a solution.

Councilor Mills said as a notary, if the person were on vacation in Virginia and had the document notarized in the State of Virginia, the notarization would be valid.

Councilor Howison said after this job was done there were questions about this being a private road.

## **9. Committee / Commission reports**

- A written report of the Communication and Education Committee was received from Councilor Navetta.
- A written report of the Conservation Committee was received from Councilor Howison.
- A written report of the Parks and Recreation Commission was received from Councilor Ruede.
- Three written reports of the Road Commission were received from Councilor Sathe.
- The draft minutes of the 05/17/10 Road Commission meeting was received by Road Secretary, Maria McConnell.
- A written report of the Water Quality Committee was received from Councilor Koehler.
- The draft minutes of the 05/19/10 Water Quality Committee meeting was received from Councilor Koehler.
- A position paper was received from the Water Quality Committee.
- A written report of the Planning Department was received from Lisa Ekelund.
- A verbal report was received from City Recorder, Fred Hilden.

## **10. Unfinished / Old Business**

- Atkeson Property: Status of pavers, reimbursement for nuisance abatement costs, and status of bridge permits.

Councilor Howison recused himself at 8:00 p.m., left the dais and took a seat in the audience.

Councilor Sathe asked for the status of the bridges. Both Lisa Ekelund and Fred Hilden responded stating that the application is not yet complete.

Councilor Navetta stated that she does not believe the bridges are made of adequate wood, as it has not been graded thus making it not acceptable for building in Dunes City.

Mayor Hauptman said the Building Official would address Councilor Navetta's concerns.

Councilor Sathe said it would be terrible for the property owners if they did not have access to their property.

Regarding the nuisance abatement costs, Councilor Mills said she would appreciate a recap of what happened before.

**Councilor Navetta made the motion that they table the nuisance abatement of the Atkeson property to the July regular session council meeting. Councilor Sathe seconded the motion. The motion passed by unanimous vote.**

Councilor Howison returned to his seat on the dais at 8:23 p.m.

- Public Comment on Business License Ordinance

Mayor Hauptman opened the agenda item for public comment at 8:22 p.m.

Councilor Mills read a letter received from Honeyman Landscaping into the record. City Recorder, Fred Hilden read a letter received from David W. Jackson into the record.

Mayor Hauptman asked if there was any further public comment and no one responded. The Mayor closed the public comment period at 8:26 pm

- Business License Ordinance (First Reading)

**Councilor Sathe made the motion to have the Mayor read Ordinance No. 206 by title only. Councilor Howison seconded the motion. The motion passed by unanimous vote.**

**Councilor Sathe made the motion to accept the wording of Ordinance No. 206 as presented and set the time for the second reading for July 8, 2010. Councilor Howison seconded the motion.**

Councilor Howison withdrew his second and Councilor Sathe withdrew his motion.

**Councilor Sathe made the motion to accept the wording of Ordinance No. 206 as presented or with revisions and set the time for the second reading for July 8, 2010. Councilor Howison seconded the motion.**

The Council engaged in discussion on the advantages and/or disadvantages of the City having a Business License Ordinance and discussed changes.

**The following are suggested amendments:**

1. Strike "E" (garage sales) by Councilor Howison.
2. Section 120.55 paragraph "C" change 15 days to 30 days by Councilor Ruede.
3. Lower \$85 fee by Councilor Ruede.
4. 120.55 C if after 30 days such... by Councilor Howison

Councilor Koehler made the motion to retain the \$85 fee. Councilor Navetta seconded the motion. The motion passed by vote of 4 ayes and 2 nays (Councilor Ruede and Councilor Mills).

Councilor Koehler made the motion that they maintain the language of the 15 days as it is stated and no changes be made. Councilor Navetta seconded the motion. The motion passed by vote of 4 ayes and 2 nays (Councilor Ruede and Councilor Mills).

Councilor Sathe made the motion that they remove garage sales in 120.10 Section E. Councilor Navetta seconded the motion. The motion passed unanimous vote.

5. 120.55 C the last line it says the license is not renewed add comma, it is subject to 120.60 by Councilor Howison.
6. Original license fee \$85 and renewal is \$25 by Councilor Ruede.
7. 120.60 section C refers to application fee triple the usual fee, change to double the fee on page 8 and on page 10 by Councilor Ruede.

Mayor Hauptman called for a recess at 9:10 p.m. and Council reconvened at 9:20 p.m.

Councilor Koehler made the motion that they maintain the renewal fee at \$85. Councilor Sathe seconded the motion. The motion passed vote of 4 ayes and 2 nays (Councilor Ruede and Councilor Mills).

Councilor Howison made the motion to change triple to double on page 8, 120.60 C and on page 10, 120.90. Councilor Navetta seconded the motion. The motion passed by unanimous vote.

Councilor Koehler made motion to send the Ordinance as amended to the City Attorney for approval. Councilor Mills seconded the motion. The motion passed by unanimous vote.

Councilor Sathe made the motion to have the first reading of Ordinance No. 206 as amended. Councilor Howison seconded the motion. The motion passed by vote of 4 ayes and 2 nays (Councilor Ruede and Councilor Mills). A roll call vote was requested by the City Recorder and was as follows:

Councilor Navetta	aye
Councilor Sathe	aye
Councilor Koehler	aye
Councilor Howison	aye
Councilor Ruede	nay
Councilor Mills	nay

Mayor Hauptman said the second reading of Ordinance No. 206 would be on July 8, 2010.

- Woahink Lake Outlet Control Structure (Weir).

The Council had discussion on the status of the Woahink Lake Outlet Control Structure.

## 11. New Business

- Site Review Committee Appointment (Milton Farrand 5474 Little Woahink Drive)

**Councilor Navetta made the motion to appoint Milton Farrand to the Site Review Committee. Councilor Mills seconded the motion. The motion passed by unanimous vote.**

- Motion to initiate a vacation proceeding for the Samuel Haig Jameson Gateway Road

**Councilor Sathe made the motion that the Dunes City Council initiate a vacation proceeding for the Samuel Haig Jameson Gateway Road, which was established by order of the Lane County Court dated January 8, 1940 and the City Council further moves to set a hearing for a determination on the proposed vacation for the next regular City Council meeting on July 8, 2010. Councilor Navetta seconded the motion.**

Mayor Hauptman explained the purpose of vacating the Gateway Road.

**The motion made by Councilor Sathe and seconded by Councilor Navetta regarding the vacation of the Samuel Haig Jameson Gateway Road passed by unanimous vote.**

## 12. Public Hearing

- Budget Hearing for 2010-2011 Budget

Mayor Hauptman opened the agenda item for public comment at 9:46 p.m. and after having no response for comment, the Mayor closed the public comment period at 9:47 p.m.

Councilor Navetta asked about the allocation of the Lane County Motel Tax listed on page 16 of 17, line item #4 of the budget.

Fred Hilden said there is no specific allocation; it becomes part of the total resources into the fund.

Councilor Navetta asked how the money is spent.

Fred Hilden said it is spent as indicated.

Councilor Mills read the various expenditures as spread out on line items 14 through 30.

- Resolution Series 2010, NO. 1, Adopting 2010-2011 Budget

**Councilor Ruede made the motion that they approve and adopt the budget as presented. Councilor Sathe seconded the motion. The motion passed by unanimous vote.**

## 13. Adjournment

**There being no further business to come before the City Council, Councilor Howison made the motion to adjourn the meeting and Councilor Sathe seconded. The motion passed by**

**unanimous vote.**

The meeting of the Dunes City Council adjourned at 9:58 p.m.

The proceedings of the Dunes City Council meeting were recorded on tape, and are on file at Dunes City Hall. Upon approval by the City Council, these minutes will be available at Dunes City Hall and online at [www.dunescity.com](http://www.dunescity.com)

**APPROVED BY THE DUNES CITY COUNCIL ON THE 8TH DAY OF JULY, 2010.**

[ Signed copy available at City Hall ]  
Eric Hauptman, Mayor

ATTEST:

[ Signed copy available at City Hall ]  
Fred Hilden, City Recorder

===== Committe / Commission Reports =====

**Conservation Committee Report – June 10, 2010**

The Conservation Committee had no formal meeting last month. We did have a site review where a tree had fallen in the shoreland zone and the owner asked for appropriate procedures for removal. The Committee also completed a postcard follow up to the original one to shoreland property owners which should be mailed out by the end of the month.

Peter Howison

**Parks and Recreation Report**

**City Council Meeting**

**June 10, 2010**

The Parks and Recreation Commission met on May 18<sup>th</sup>. The minutes of the meeting have not been transcribed yet and will be included for publication next month.

The commission discussed the new sign and how good it looks. The colors are vibrant and the focus is clearly on the namesake of our City..... The Dunes. Many thanks to Bill Roberts Signs for their hard work.

There was discussion on the lighting of the sign. It was a consensus of opinion of those present that this topic would be tabled for later due to the cost. The Commission does not think it is cost effective

at this time to expend the \$1,500 necessary to install a pole and meter to light the sign.

Our next meeting is scheduled for Wednesday June 16, 2010.

Respectfully submitted`      Rebecca Ruede, Commission Chair      June 1, 2010

### **Road Chairman's Report to City Council**

May 17, 2010 ~ Prepared by Troy Sathe, Road Chairman

The Road Commission met on its regularly scheduled meeting date of May 17, 2010 at 6:30 P.M.

After the pledge of allegiance, the Road Commission swore in new Road Commissioner, Duke Wells. The appointment of Mr. Wells completes the membership requirements of the Road Commission.

The Road Commission reviewed two driveway permits for residents, John & Beatrice Angeli, 5353 Pluto's Promenade and Kenneth and Charmaine Pesnell on Meadow Lake Drive. An on-site inspection of each driveway permit was set up with the Road Commission.

Mr. & Mrs. Skeelee were invited to attend the Road Commission meeting in order for them to provide documentation as to the ownership of lot #700 (the playground lot) which they insist is not owned by the City. They did not appear at the meeting.

Commissioner Curran made a presentation and reviewed a Resolution from 1973 which listed several streets within Dunes City Limits that were owned by the City. A review of the streets in question and discussion by the Road Commission took place.

Commissioner Smith reviewed his search efforts to locate a suitable trailer for use by the Road Commission. He stated he is still looking.

Commissioner Leach presented a report completed by he and Commissioner Owen that they were instructed to complete by the City Council regarding the properties located on Woodland Lane and Clear Lake Road and the use of Francis Bay Lane, a City owned easement, to connect water to individual properties. They concluded that a sign should be posted that reads "No Digging, electrical utilities" in order to give the city protection for liability should anyone choose to locate additional lines in this easement. The report and map of the properties involved are attached to this report.

The Road Commission recommended that the end of Foothill Blvd. be surveyed to insure that the fence located there is on property within the Dunes City Limits. The Commission also approved the removal of the fence and gate if it is proven to be located on City property and the presence of the Lane County sheriff at the time of removal. Mr. & Mrs. Thomas Skeelee will be billed for the removal of the fence and any other costs involved with the exception of the survey costs. If the survey finds that the fence is located on Lane County property, the Road Commission recommends to the City Council that they request assistance from the County to have the fence/gate removed. The City would have to consider litigation to acquire access to Lot #700 (playground lot).

The Road Commission concluded from a record search, that So. Pioneer Road is not a City street and it was, therefore, removed from the list of road improvements to be completed this summer. The





Water testers are completing data for Siltcoos Lake and will discuss that with us next month. Posting understandable graphs with text for the website was a discussed goal to be accomplished.

Water testers are preparing an overview of the past year's work to present to the committee, then to council.

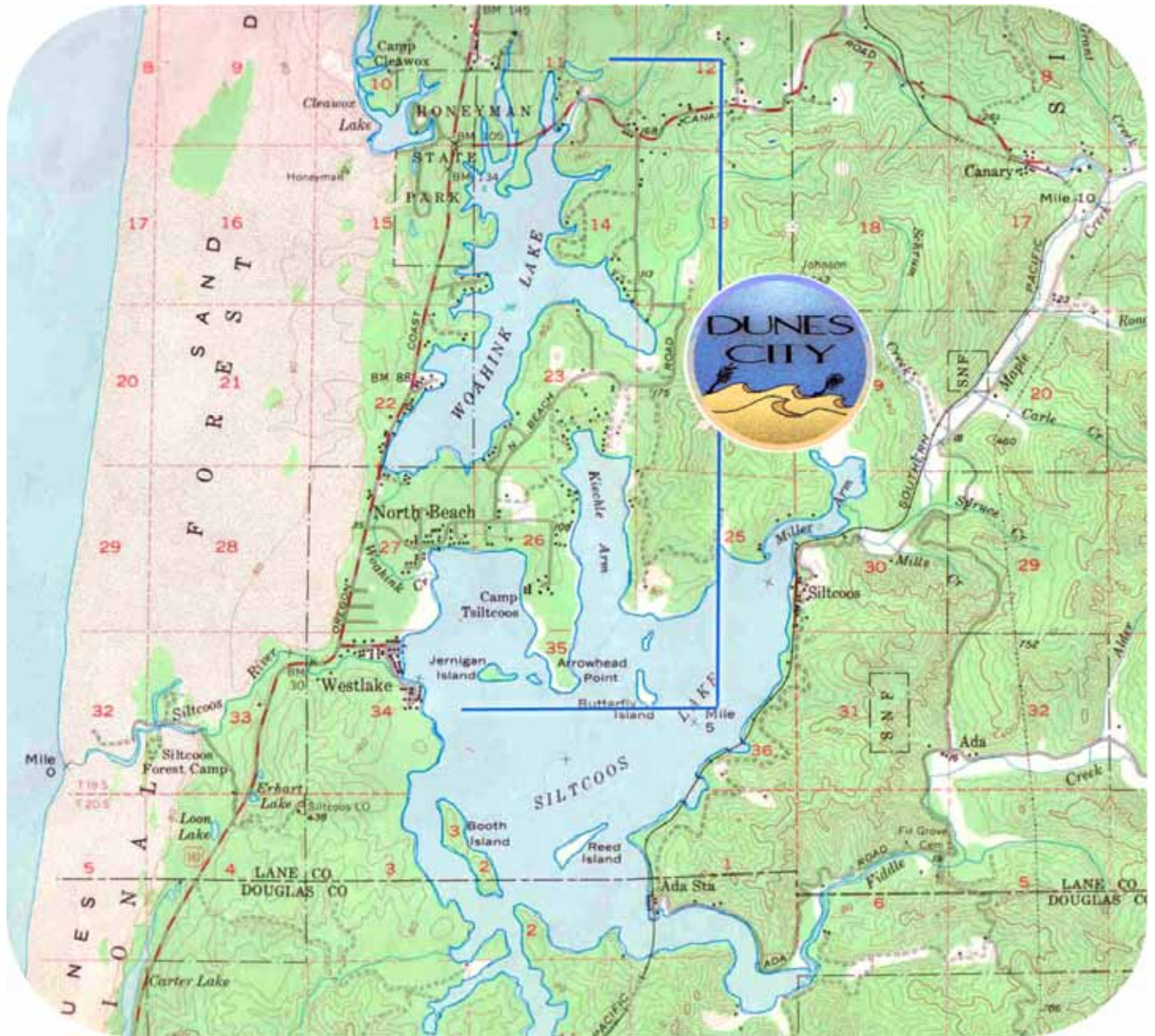
The April study session (4-7-10) with the water master went well. Minutes for that meeting will be posted. A DVD of this session is available through committee member, Farnsworth. The committee report was consistent with what was presented during that meeting.

The committee reviewed the statement and suggestions (final attached) for the DEQ – DHS meeting coming up in three days.

Review of Woahink Lake protection at Myrtlewood continued with discussions about the barrier design, riparian area and ODOT right of way.

A historic plaque was suggested at the scenic spot on 101 to describe Woahink Lake as a drinking water source overseen by Dunes City's Water Quality Committee.

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**Position Paper  
from  
Dunes City's Water Quality Committee  
for  
The DEQ / DHS Harmful Algae  
Workgroup 5-21-10**

# DUNES CITY

P.O. Box 97 • Westlake, Oregon 97493 • (541) 997-3338 • Fax: (541) 997-5751

[www.dunescity.com](http://www.dunescity.com)

Dunes City is a small coastal municipality without a water system that borders on three connected lakes; Little Woahink, Woahink, and Siltcoos. These three lakes are sources of water for most of Dunes City. The City's Comprehensive Plan policies mandate water quality protection. Volunteers supported by City staff are involved in water testing, training, and keeping the public updated on the status of their drinking water sources.

In October of 2007 Siltcoos Lake suffered a significant blue-green algal (BGA) bloom lasting 52 days. With a lack of guidance from county and state governments, unfortunate side effects occurred. The City contracted for a sanitary 18-wheeler tanker truck of potable water to be delivered to City Hall for residents use. Nervous water testers gathered samples for cell counts which ended up costing the City several thousand dollars. These samples were sent to a laboratory in Washington State because labs in Oregon were incapable of doing the tests. For toxicity analysis, several samples were sent to the University of California at significant cost to the City.

A lack of preparedness was evident in that the bloom was first reported as a paint spill. Dunes City and its water quality monitoring team expended thousands of dollars on daily monitoring in the naïve hope that the bloom would be gone in a few days. The City's lack of a scientific BGA sampling protocol made the severity of the bloom difficult to quantify. DHS issued a Health Advisory warning. Signs prominently saying the word "toxic" were posted. Local businesses suffered economic losses. Recreation providers, property owners and others who obtain water from the lake had to change their daily activities. In 2008, Siltcoos suffered another BGA bloom lasting longer, 93 days, during which staff and volunteers again allocated a great deal of time and resources.

Dr. Allen Milligan of Oregon State University has shown that such blooms are increasing in frequency. BGA needs four basic ingredients to flourish: nutrients, lack of movement, weeds and heat. Dunes City's coastal lake conditions of heat and low winds occur in early autumn. Preventing nutrient loading has been our primary concern. Public education has lessened negative reaction and enabled greater participation in prevention measures.

Woahink and Siltcoos lakes are the primary drinking water sources for Dunes City residents and Woahink Lake is the only permitted source of water for Honeyman State Park's estimated 1.7 million annual visitors. While water testing for quality control purposes is seen as the State's ultimate responsibility the City has taken a proactive stance, in adherence with its Comprehensive Plan policies in an effort to mitigate water quality problems.

In spite of several requests, county and state governments did not contribute significantly to local efforts to regularly assess the bloom and keep residents notified of the current status.

Recommendations Based on the City's experience are as follows:

1. Statewide protocols must be created and put in place.

2. Direct communication with each public user is required when shutting down a water source. The three lakes in or around Dunes City include two counties and a federal agency. A means of communicating with everyone requires a cooperative phone, email or direct mail system.

3. DHS must be given funding in order to support local testing and providing alternative emergency water sources. A state laboratory for analyzing samples is suggested.

4. DEQ must be given greater responsibility and authority to reduce the nutrient loading that supports BGA.

5. The public and enterprise groups must be educated to the long-term benefits of sustainable planning using best management practices.

6. Public and private stakeholders who benefit from public resources must be encouraged, if not required, to participate; to share in the efforts of watershed conservation.

7. A state triage-type system must be implemented with the public's participation for BGA and other events, owing to the fact that state, county and city agencies are relatively independent of one another.

In Summary Dunes City has demonstrated that county and state efforts can be supported through voluntary effort. The costs of toxicity analysis are far beyond this City's financial responsibility. It is hoped that DHS / DEQ will set up handling the analysis part of the protocol. We applaud such efforts and look forward to hearing of these agencies collaborative progress of water protection.

Attached to this report are Dunes City protocols and other documents established following the 2007 BGA bloom.

Richard Koehler, Chair  
Dunes City Water Quality Committee

PS - Our committee would be pleased to meet with representatives from this group in order to discuss common solutions to shared problems.

Attached: Algal Bloom Monitoring and Reporting Protocol  
CityStaff\_Protocol  
CityStaff\_Protocol\_call\_list  
Observance\_List

#### **PLANNING DEPARTMENT REPORT**

**Report Date:**

June 3, 2010

**Staff:**

Lisa Ekelund

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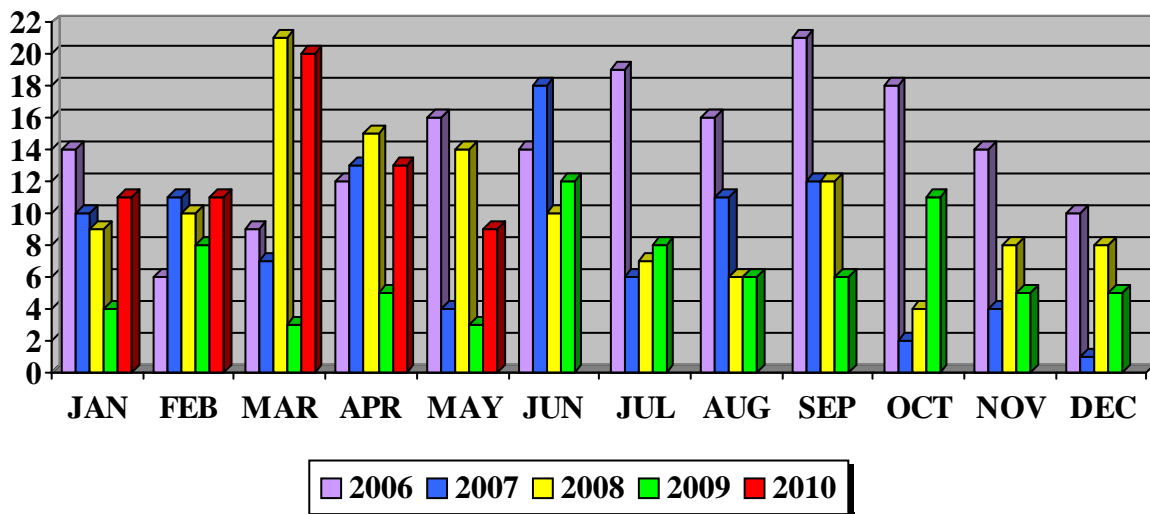
In the Month of May, Dunes City issued 9 permits. Although this is a decrease from last month, it is a 200% increase from May of last year. The average monthly permit issuance for the year is 12.8%.

The May meeting of the Planning Commission was cancelled and the next scheduled meeting will be held on June 24, 2010. At this meeting, the Planning Commission will consider the final plat for the Woahink Ridge development and compile a recommendation that will be sent to the City Council.

The Planning Department has received an application for a variance for property located at 5666 Peninsula Road, to construct a multi-story addition that will encompass additional garage and storage/work/living space, which will encroach into the property line setback. As required by our current code, a pre-application conference will be scheduled.

Regarding the gazebo placed on property owned by Mr. Greg Atkeson, as directed by the City Council during their last meeting, a demolition permit was issued. The permit is posted on the property and it is understood that the process of demolition began on June 2, 2010. Additionally, the Planning Department received notification from Jevra Brown, Wetland Specialist with the Department of State Lands on June 3, 2010 that a delineation approval is soon to arrive.

The Stormwater Workgroup has continued their meetings and continues to update the webmaster so that their progress is posted on the Dunes City website.



**Total Monthly Permit Issuance**

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