



**City Council Special Session Minutes ~ Approved
July 12, 2010 at 6:00 pm
City Hall - 82877 Spruce St., Westlake, OR 97439**

1. Call to order

Mayor Eric Hauptman called the Special Session of the Dunes City Council to order at 6:10 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.

Absent: None

Also Present: Fred Hilden, City Recorder, Lisa Ekelund and 3 individuals.

3. Pledge of Allegiance

All who were present stood for the Pledge of Allegiance.

4. Approval of the agenda

Councilor Sathe made the motion to accept the agenda as proposed. Councilor Mills seconded the motion. The motion passed by unanimous vote.

5. Consent agenda - None

6. Announcements / Correspondence - None

7. Citizen Input

Alan Montgomery ~ 83615 / 83619 Clear Lake Road ~ Dunes City, Or.

Mr. Montgomery approached the Council and read the following document into the record.

"Summary of Montgomery Points for City Council:

1. We have made many offers to settle this matter through the city attorney, including paying for city processing costs; we have never had a nibble back; ball is in the city's court.
2. Every offer to settle has included complying with the new erosion control ordinance prior to any actual development of land. Offer stands.
3. My attorney told me the city's appeal of LUBA's decision would be a waste of money, due to the kinds of issues the city raised. He was right. The city and I are both much poorer as the result of the city appeal.
4. My attorney tells me that if the city seeks appeal at the Supreme Court it will cost the city another \$5000 in fees and in about three months the Supreme Court will deny the request to hear the appeal. It will cost me nothing because we will not file anything.
5. I filed the cross appeal on the Needed Housing issue at the Court of Appeals only because the city filed its appeal.
6. My attorney says that the city can still deny my subdivision when the matter comes back to the city. But when we appeal the next city denial we will be in a much, much better position at LUBA than we were in the first appeal.
7. This is a simple subdivision that is reviewed under simple standards, now even more simple after the Court of Appeals decision. It should be approvable by the city."

8. Executive Session

At 6:18 p.m., Mayor Hauptman called for a recess of the Special Session to have the Council enter into Executive Session per ORS 192.660(2) (h), to consult with legal counsel regarding Montgomery litigation.

Mayor Hauptman opened the Executive Session at 6:20 p.m. and all Councilors were present.

Mayor Hauptman adjourned the Executive Session at 8:18 p.m. to have the Council re-enter into Special Session.

Mayor Hauptman reconvened the Special Session at 8:24 p.m.

9. Unfinished / Old Business

- City Recorder Employment Contract
- Work Session ~ Council Rules of Procedure

Councilor Ruede made the motion to postpone the discussion of the City Recorder Employment Contract and the work session regarding Council Rules of Procedure to the next meeting of the City Council on 08/12/2010. Councilor Sathe seconded the motion. The motion passed by unanimous vote.

10. Adjournment

There being no further business to come before the City Council, Councilor Koehler made the motion to adjourn the meeting. Councilor Ruede seconded the motion. The motion passed by unanimous vote.

The Special Session of the Dunes City Council adjourned at 8:28 p.m.

The next scheduled meeting of the Dunes City Council is to be held on August 12, 2010 at 7:00 p.m.

The proceedings of the Dunes City Council Special Session 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

APPROVED BY THE DUNES CITY COUNCIL ON THE 12th DAY OF AUGUST, 2010.

[Signed copy available at City Hall]

Eric Hauptman, Mayor

ATTEST:

[Signed copy available at City Hall]

Fred Hilden, City Recorder