



**CITY COUNCIL MEETING MINUTES ~ APPROVED
AUGUST 11, 2011 AT 7:00 PM**

City Hall ~ 82877 Spruce St., Westlake, OR

These proceedings of the Dunes City Council were recorded on tape and are on file at Dunes City Hall. Upon approval by the City Council, these minutes will be available online at www.DunesCity.com

1. CALL TO ORDER

Mayor Rebecca Ruede called the meeting of the Dunes City Council to order at 7:00 pm.

2. ROLL CALL

Roll Call was taken by City Recorder Fred Hilden.

Present: Mayor Rebecca Ruede, Council President Jamie Mills, Councilor Duke Wells, Councilor Troy Sathe and Councilor Ed Scarberry.

Absent: Councilor Dick Anderson and Councilor Richard Koehler were absent & excused.

Also Present: City Recorder Fred Hilden and several citizens.

3. PLEDGE OF ALLEGIANCE

All who were present stood for the Pledge of Allegiance.

4. APPROVAL OF THE AGENDA

Councilor Sathe made a motion to approve the revised Agenda as presented. The motion was seconded by Councilor Mills. The motion passed by unanimous vote.

5. CONSENT AGENDA

Councilor Scarberry made a motion to approve the Consent Agenda as presented. Councilor Mills seconded the motion. The motion passed by unanimous vote.

6. ANNOUNCEMENTS / CORRESPONDENCE

Mayor Ruede announced that the artist of the month is photographer Jim Buch and encouraged everyone to look at his photographs in the Community Center.

Mayor Ruede reminded everyone that volunteers are still needed for the Communication & Education Committee along with the Revenue Committee. She also noted that there are two positions open for the Communication Committee and one position open for the Revenue Committee.

Mayor Ruede announced that at tonight's meeting the public hearings for Ordinance #210 and #211 have been removed from the agenda as they were not written and presented as Land Use Ordinances. Ordinance #203 was adopted as a Land Use Ordinance and repealing or replacing Ordinance #203 must be done in the same procedure so we will carry this item to an agenda at a later date.

In addition, Mayor Ruede discussed decorum at City Council meetings. She reminded everyone that she will not allow foul language of any kind. She will also not allow personal attacks on any Council member or members of the community. Mayor Ruede advised the audience to address the Council as a body and not as individuals. She also reminded the audience to keep their comments to the subject matter at hand and keep the decorum according to the topics at hand.

7. CITIZEN INPUT

Mayor Ruede explained that we allow 20 minutes for these comments, giving each citizen 3 minutes. Mayor Ruede also advised that comments concerning the Septic Ordinance could be read at this meeting or can be saved to a further date.

Renee McGuire, Dunes City Resident:

Ms. Maguire commented that the additional septic tank oversight ordinance is unnecessary and burdensome. She commented that septic tank failures have had nothing to do with the problem of periodic algae blooms and she feels that the real reason is soil and vegetation erosion, which causes leaching into our lakes. She feels that decomposition feeds to the algae. She feels the septic ordinance does not serve a purpose and is intrusive government over regulation.

Dick Booth, Dunes City Resident:

Mr. Booth commented that there are already adequate County & State septic regulations and we do not need any more government regulations that will cost our small town and our residents unnecessary expenditures. He advised that the Citizens are more than capable of taking care of the septic systems and that we do not need more rules.

Gene Cocheram, Dunes City Resident:

Mr. Cocheram stated the average time of residency is 7½ years in Dunes City and it is required by the bank that your septic tank be pumped at the time that property is sold. He noted he has lived in his house since 1955 with 4 children and his tank didn't need to be pumped until he had lived there 40 years and even then it was still working. He replaced his tank 3 years ago. The average household has only has 2 people and he noted that it should work fine for years and years with only 2 people. He also noted that he was unsure how they would be able to determine if a septic system was working properly by looking in the tank.

April Dumas, Dunes City Resident:

Mrs. Dumas started by stating that August is National Water Quality Month and since Dunes City is a water dependent community, she would like to see the Council issue a proclamation to show its support for clean water and noted the Council could use this information to educate themselves as well as its citizens. She went on to advise that the EPA and the DEQ set standards and regulations regarding water and issues these reports yearly. She continued that the EPA and

DEQ check for a variety of different levels yearly and the effects they may have on homeowners in their areas. She feels it is each homeowner's responsibility to test their water quality each year to make sure it is safe. The DEQ and OSU Extension Services recommended testing well water yearly if you have a septic system or fertilized lawn and further testing if you feel you have any problems. She went on to explain that it is important to monitor the septic situation for health reasons and to have it maintained. Councilor Sathe had stated at an earlier date that seven septic systems failed after pumping. If ordinance #203 were active sooner it would have prevented problems for the residents and noted that we should not have to smell it before we know there is a problem. Mrs. Dumas thinks that the City should provide grants or low interest loans to help residents pay for these septic costs and make this information readily available to all residents if they need it.

Gene Stroud, Dunes City Resident:

Mr. Stroud commented that he was in attendance to support the agenda item on Ocean Blvd. He advised the Council that he was here for any questions if they came up regarding this agenda item.

Dale Middlestadt:

Mr. Middlestadt also addressed the City Council and advised he was present for any questions regarding Ocean Blvd.

Jared Hansen Dunes City Resident:

Mr. Hansen gave recognition to Allen Campbell for getting the City Council meetings on TV and all his hard work. He also wanted to give recognition to Fred Hilden for getting the trees cut. He went on to mention that as a tree trimmer he has been in a lot of homes in Dunes City and is concerned with feces falling into the water and pumps failing. He is in support of the rules being put forth and the guidelines the City is putting forth to protect the health and safety of the people.

Mary Jo Leach Dunes City Resident:

Mrs. Leach read a statement from Ralph Farnsworth: When the Clean Water Act was propagated in 1972, Woahink Lake was noted to be one of the lakes that needed special attention. In Mr. Farnsworth's comments, he was on a team with Mark Chandler in 2002 and at that time, the phosphorus levels averaged 9 micrograms per liter in Woahink Lake. The Federal Guidelines were no more than 7.3 micrograms per liter. Currently, we are below 5 micrograms per liter with recent tests as low as 2 micrograms per liter. This proves that our septic ordinance is working. He went on to mention that we should continue to monitor all septic.

Norman Martin, Dunes City Resident:

Mr. Martin advised we are talking about septic tank ordinances that will be considered soon. Mr. Martin went on to say when ordinances are written out they must contain facts that pertain to support for whatever ordinance to be considered. Over the years a company such as TGR from Eugene, which represented among other people, either a PUD or Subdivision on Woahink they were brought back month after month to testify that the work being done for septic systems to go with lots on that particular sub-division was the best type of method they could have for disposal of sewer type substances. Mr. Martin said that this is a fact and these facts have been quoted from various scientific papers. It is not opinion; opinion has no place in the facts that people put

forward when they are trying to sway Council one way or another. One of the arguments that has been brought up against doing away with the septic ordinance is that a municipal sewer system would have to be put in Dunes City sooner or later. It was then suggested that the sewer system would be located in on the South end of Woahink Lake. We know that occasionally, or more often, the fancy sewer system they have in Florence upsets and flows right into the river. Now if this is the case in Woahink Lake, they would then have an upset of all the sewer flowing right into the lake which is our drinking water.

8. COMMITTEE /COMMISSION REPORTS

Mayor Ruede reported on giving back to the community. She encouraged Council members and the community of Dunes City to participate with her at the Relay for Life happening at Miller Park on Saturday, August 13th at 10:30 am.

City Recorder Fred Hilden reported to the Council that Dick Anderson reported he had nothing to report from the Communication & Education or the Conservation Committee.

Councilor Duke Wells reported that Fred Hilden, Staff and himself replaced the United States flag rope, hardware and painted the flagpole. Councilor Wells also reported that he repaired the fascia board on the eaves on the south end of City Hall. He also noted that the cleaning contractor that came in on Saturday August 6th noticed water leaking from the kitchen and notified Councilor Mills who reported it to Councilor Wells. Councilor Wells contacted Councilor Sathe and found a water line leak in the crawl space above the furnace room. They made the decision that it was not an emergency at that time. They put fans up to dry the space. They advised Fred Hilden of the problem and it was fixed the following Monday.

Councilor Mills announced that the Ordinance Review Committee did not meet in July. Their next meetings are August 8th and August 22nd.

The Mayor reported that since Councilor Koehler was ill and absent from the meeting there would no report from Parks & Recreation.

Councilor Scarberry reported that the Revenue Committee met in July and the minutes from the May 26th meeting were approved. Everyone was in attendance. Councilor Scarberry reported there would be no meeting in August and their next meeting will be on September 22nd at 3:30 pm at Dunes City Hall.

Councilor Wells reported there was no Site Review meeting in July.

Councilor Sathe read the Road Commission report into the record.

Council President Mills reported the Water Quality Committee did not meet in July. The next scheduled meeting will be August 17th at 3 pm at Dunes City Hall. Councilor Mills also noted that the agenda for the next meeting will include discussion regarding the DNA results from the testing that was done on Siltcoos Lake.

Emergency Services Coordinator Don Hayes submitted a written report which can viewed online.

City Recorder Fred Hilden read the City Recorder report into the record.

9. PUBLIC HEARING - Canceled

10. UNFINISHED / OLD BUSINESS

Mayor Ruede announced the agenda item on the memorandum regarding standing Commissions and Committees. Council President Mills explained that the Ordinance Review Committee has been reviewing our Commissions and Committees in attempt to standardize the language that governs them including term expiration dates. She went on to explain that as part of creating a Code Enforcement Ordinance she and the City Recorder had a telephone conference with the City Attorney. Councilor Mills read a portion of her notes from the conference call explaining the City Attorney's position on our Code Enforcement needs including potential liability of having volunteers performing site reviews, etc. Councilor Mills suggested a work session in September for the Council to discuss our Commissions & Committees and the Code Enforcement Ordinance. After some discussion, it was agreed that a special session would be held on September 22, 2011 at 5:00 pm.

Councilor Sathe commented that the importance of keeping as many committees as possible is that it gives citizens an opportunity to participate in City government. He also stated that if there is a Communication and Education Committee that it needs to actually be a committee that is approved by the Council.

11. New Business

A. Permit fees for addition at 83447 Spruce Lane

Mayor Ruede asked the Council if they had looked over the permit fees list compiled by City Recorder Fred Hilden in regards to 83447 Spuce Lane, the home of Trevor Denning.

Councilor President Mills made a motion to waive the construction permit fees at the home of Trevor Denning at 83447 Spruce Lane. The motion was seconded by Councilor Sathe. The motion passed by unanimous vote.

B. Request from Gene and Myrtle Stroud to remove berms on Ocean Blvd.

Councilor Sathe commented that the Road Commission did a site visit to Ocean Boulevard and the Road Commission highly recommends the removal of the berms at the properties of the Strouds and Middlestadts and noted that this time of year is a good time so we do not have run off.

Councilor Sathe made a motion to remove the berms this month (August), Councilor Wells seconded the motion. The motion passed unanimous vote.

12. UNSCHEDULED ITEMS NOT LISTED ON THE AGENDA

Councilor Mills commented that she would like the Codification Proposal put on the next City Council meeting agenda.

Councilor Wells stated that he would like to put a sign on the back wall behind the Council dais that would replicate the sign in the kiosk that reads "Dunes City, a nice place to live." All present concurred that would be a good idea. Staff will prepare quotes for the Council's review.

Mayor Ruede stated that there was one additional person that wanted to have citizen input, indicating that Dr. Gerald Wasserburg would be allowed to address the Council.

Gerald Wasserburg, Dunes City Resident:

Mr. Wasserburg commented that the normal request from State and other government officials is that septic inspections be done every three years but not be made mandatory. He does not think having an inspection every three or four years is a burden to the community since Dunes City residents do not have to pay any taxes. He stated that the current ordinance is very reasonable. He stated that one leaking septic tank is the equivalent to the run off from a square mile of other phosphorus load on the lake. He thinks it is perfectly clear that the prudent action would be to avoid difficulties in our drinking water and our environment.

13. EXECUTIVE SESSION - None

14. ADJOURNMENT

There being no further business to come before the City Council, Councilor Sathe made a motion to adjourn the meeting. The motion was not seconded and no vote was taken.

Mayor Ruede adjourned the meeting of the Dunes City Council at 8:05 pm.

APPROVED BY THE DUNES CITY COUNCIL ON THE 8th DAY OF SEPTEMBER 2011.

[Signed copy available at City Hall]

Rebecca Ruede, Mayor

ATTEST:

[Signed copy available at City Hall]

Fred Hilden, City Recorder

ORDINANCE REVIEW COMMITTEE REPORT
AUGUST 11, 2011

The Ordinance Review Committee did not meet during the month of July. The next regularly scheduled meetings are August 8th and August 22nd. The meetings begin at 9:00 a.m. here at City Hall. At this time, the agendas will include discussion of code enforcement, fees, and Title 1 amendments.

Revenue Committee Meeting Report
July 28, 2011
Dunes City Hall

1. Meeting was called to order at 3:33 pm. All members and chair were present.
2. The May 26, 2011 meeting minutes were approved. There were no June meeting minutes to approve.
3. Under old business, Member April Dumas asked how the Council was progressing in discussions of appointing a Judge to see over fine collections. Chair Scarberry stated he has no knowledge of this topic being a new member on the Council. He stated he would bring up the topic in the August Council meeting.
4. New Business: A short discussion relating to perhaps obtaining a grant for the Oct. 2012 Certification for Perfecting the City's water rights.
5. Adjournment: Next Revenue Committee meeting is Sept. 22, Dunes City Hall at 3:30 pm

Road Chairman's Report to City Council
August 11, 2011 ~ Prepared by Troy Sathe, Road Chairman

The Road Commission met on July 18th at 6:30 pm at Dunes City Hall. All members were present.

Commissioner Curran and Commissioner Tucker gave their final report on street ownership.

The Road Commissioners gave a report on their assigned streets.

Gary Baker will discuss the rewriting of the Master Road Plan. The planning commissioners and City Council have been sent an invitation to attend and give their input.

The 2011-2012 road projects were laid out that will include brushing and ditching projects.

The Road Commission went on two site inspections. One was possible parking site on the road right of way on Levitt Loop and more information will be provided at the August meeting. The second was the berms on Ocean Blvd and the Road Commissioners that were present decided it was a great travesty that the two berms were still up since the citizens went by all the proper channels and got all the proper permits. There is no need for the berms.

The next Road Commission meeting will be at 6:30 pm August 15 at Dunes City Hall.

Thank you,
Troy Sathe, Road Commission Chair

WATER QUALITY COMMITTEE REPORT
AUGUST 11, 2011

The Water Quality Committee did not meet during the month of July. The next regularly scheduled meeting will be August 17th, at 3:00 p.m. in City Hall. Among many other topics, the agenda will include a discussion of the DNA results from testing on Siltcoos Lake.

DUNES CITY
EMERGENCY SERVICES COORDINATOR REPORT
AUGUST 11, 2011

I attended WLEOG meetings with Councilor Jamie Mills and City Recorder Fred Hilden on 20 June and 27 June. 20 June WLEOG min. attached, 27 June are waiting to be approved.

Following from 27 June Peace Harbor Hospital has requested to become a member of WLEOG in full membership status. And this is still pending as dues structure is still to be defined a special meeting on the 27 of July will determine this amount.

Oregon State Healthcare preparedness program (HPP) has requested to become full member of WLEOG and is willing to sponsor a grant funding to us if accepted. This will be put to the question in August.

Satellite internet (digital information not voice) was discussed and approved and the WLEOG budget was voted on and approved. There was a consensus of vote that the current Officers ,Chair Henry Hanf, Secretary & Treasurer Chief Sanders, and Chief Buchanan respectively be reinstated. New business Don Hayes stated that the Shelter Box was completed and would be displayed @ Dunes City meeting 21 July 6:00 pm .

21 July 2011 Dunes City town meeting with WLEOG. This event was attended by persons who were interested in the WLEOG concept. A distortion by the WLEOG board of directors, and Lane County Emergency Services Linda Cook. Commitments were made to continue to work together and understand the areas problems. Some miss understanding were raised and need to be readdressed but that is why we meet this way.

Not all who attended were delighted with statements made. Clarification still needs to be made ? Shown as to Inundation Zone and what it means, CENS notification! What an distant vs local event is what can be expected in either event. What disasters are most pressing, what we as a city need to prepare for, what are the best methodology for shelter or evacuation is what is MAP your Neighborhood is what shelter in place means. Chief Buchanan is pleased with the GMRS net, but it is lost on those who cannot Receive or Transmit on it in the Dunes City area, there are holes even for the higher powered MT 1000 radios that can not communicate with the base station. This is trying to be addressed. And will be resolved!

I presented the WLEOG funded and authorized Shelter Box which is meant to augment shelter for 10 souls. I will get with the WEB and make available a list of it's contents. And prices paid for items. It is hoped that this can be purchased by a group of neighbors, modified as they wish and stored in a mutual agreed place. Under security for there use in the time of disaster Dunes City nor WLEOG or any one else can provide in this way, before an event and the likely hood of getting this type of assistance after due to our isolation is remote.

Dunes City belongs to Oregon Emergency Management, also and I have included the Hood River meeting Minutes for your information I do strongly recommend your reading them.

Thank you, Don Hayes

City Recorder Report to City Council
August 11, 2011 ~ Prepared by Fred Hilden

I have chosen to combine the Planning Staff Report and City Recorder's Report to Council until further notice.

July found the City Recorder's office busy beginning the preparation of finance data for our Auditor's review, scheduled to begin on August 23, 2011. Our plan for the review of the 2010-2011 Fiscal Year is to complete the work during August and September, finalizing the audit well before the end of the calendar year.

I attended the Lane Area Commission on Transportation (LaneACT) meeting in Springfield on Mayor Ruede's behalf on July 13, 2011. This organization is made up primarily of Lane County Mayors and Special Interest Groups. ODOT made a presentation on the State's highway improvement plans for the next three years and beyond. There was plenty of spirited discussion about the specific needs of Lane County. At the end of the meeting everyone was given an opportunity to remark. I commented that Dunes City was very pleased to be included in the LaneACT. I also explained the development of our Pavement Management System and that after substantial work completed during the last two years, our average Pavement Condition Index (PCI) is 82 on a scale of 1 to 100. The group was very impressed with the fact that a small community like ours had a Pavement Management System with such a high PCI.

While not reflected in the July financial reports, I am very pleased to announce that after a considerable amount of negotiating with ODOT Region 2 Headquarters during May, June and July, we received a \$25,000 check for the 2011 Special Cities Allotment Grant on August 1st. This was for the Fishmill Way / Lake Blvd project.

The City Recorder's office has been asked by the Planning Commission to participate in their meetings to update Chapter 155, Zoning and Development. This effort is largely aimed at making our code more "clear and objective." As the City Recorder is largely responsible for administering this code, it seems to make perfect sense. Subsequently, I have attended all Planning Commission Work Sessions and Regular Sessions.

On July 21st at 6:00 pm, members of the Board of the West Lane Emergency Operations Group made a presentation to the City Council and residents of Dunes City, explaining the functions of the organization and the benefits to our community. Presenters included Henry Hanf, District Manager of Western Lane Ambulance, John Buchanan, Chief of Siuslaw Valley Fire and Rescue, Maurice Sanders, Chief of Police for the City of Florence, and Don Hayes, our Emergency Services Coordinator. The event was well attended and according to feedback, the presentation was a success. Linda Cook, Lane County's Emergency Program Manager, presented an updated Tsunami inundation zone map and fielded several questions from the audience.

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During July, Staff worked on restructuring the workload at City Hall. I prepared a help wanted ad for an Administrative Assistant to work 20 hours per week. Three very good applicants were interviewed and Amanda Clinton was selected to start work on Monday, August 1st. I am also pleased to announce that Haley Nelson has decided that relocation to another state is not the right thing for her to do at this time, and she will continue working at City Hall. During August, we will be updating all job descriptions and developing an updated pay scale for the Council's review and approval.

Finally, on July 27, 2011, I prepared a report to the City Council on the septic database, including the history of its development and the maintenance process. During the last week of July and the first week of August, I deputized Council President Mills and Robin Mills as Staff, making them subject to all non-disclosure requirements of records not subject to public disclosure so they could complete a 100% audit of the City's property files and the septic database. As this report is written, Councilor Mills is completing updates to the septic database and a report of the septic maintenance process will be prepared and distributed to the City Council and interested parties before the Council meeting on August 11, 2011.

Respectfully submitted,

Fred Hilden
City Recorder