



**CITY COUNCIL MEETING MINUTES ~ APPROVED
DECEMBER 8, 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 7:01 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, Councilor Richard Koehler, Councilor Dick Anderson and Councilor Ed Scarberry.

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 Anderson made a motion to approve the Agenda as presented. Council President Mills seconded the motion. The motion passed by unanimous vote.

5. CONSENT AGENDA

Councilor Koehler requested that the November 10, 2011 meeting minutes and Bills of the Session be pulled from the Consent Agenda. City Recorder Fred Hilden commented that since Receipts of the Session are for information only and do not require approval, therefore the request is essentially for the entire Consent Agenda. Mayor Ruede asked Councilor Koehler about his questions. Councilor Koehler said he would like to review page 20 and also page 18 and 19. He expressed concerns about a great deal of information being missing from the minutes and wondered about how to get that into the minutes.

Council President Mills made a motion to remand the minutes from November 10, 2011 back to Staff for corrections. Councilor Koehler seconded the motion. The motion passed by unanimous vote.

A. Bills of the Session through December 2, 2011 (Amended)

Councilor Koehler asked about the brushing expenses on Bills of the Session and how the contractor was retained by the City. City Recorder Fred Hilden responded that since this amount was not subject to public contracting law and Lane County, who we originally planned to use to do the brushing could not meet the timelines that the Road Commission felt were important, we sought three bids informally. We received a no bid from Ray Wells, Inc. and from Coast Road Construction and the only bidder was Leisure Excavating. Councilor Sathe added that Leisure's bid was actually less than we had been quoted by Lane County. Councilor Koehler asked why this bid was done on a per day basis and the City Recorder responded that it was done as a total of \$15,000 with the PO having been signed by the Mayor for that amount. Councilor Mills asked about sweeping and Councilor Sathe replied that we had gotten a quote for that also to be done at a later date.

Councilor Wells made a motion to approve the Bills of the Session as amended. Councilor Sathe seconded the motion. The motion passed by unanimous vote.

6. ANNOUNCEMENTS / CORRESPONDENCE

- A. Mayor Ruede announced that the artist of the month is photographer April McCalmont.
- B. December birthday wishes to Councilor Duke Wells on December 30th.
- C. Mayor Ruede announced that there will be a Home Safety & Fire Prevention Class scheduled for December 10, 2011 and an "Are You Ready? And Map Your Neighborhood Class are scheduled for January 14, 2012. All classes will be held at Siuslaw Valley Fire and Rescue, 2625 Highway 101, Florence. The classes will start at 9:30 am and end at 12:30 pm. Call 541-997-3212 to sign-up.
- D. Mayor Ruede also announced that there will be a Special Session for Goal Setting on January 25, 2012 from 9:00 – 4:00 pm in the Council Chambers. The meeting is open to the public. She also stated that if citizens would like to make input please contact one of your City Councilors before the meeting because there will be no citizen input during the meeting.

7. CITIZEN INPUT

Mayor Ruede explained that we allow each citizen 3 minutes for their comments.

John Stead, Dunes City Resident:

"Good evening Councilors and Mayor Ruede. I am going to comment first about the revised Ordinance section of the Agenda. I think it is important for the Committees that are involved with the Ordinances to have an opportunity to participate in reviewing the proposed Ordinances. For example, I serve on the Water Quality Committee and the Revenue Committee, and the first thing that I noticed is the comment about the quality of the City's water, is what we are looking at. Well the City doesn't have any water so why is there a reference to the City's water in that Ordinance. All water belongs to the public in Oregon. The City doesn't have any water. Another thing I looked at quickly was the shall and will have different meanings. However, the Water Quality Committee Ordinance changes shall to will consist of 5

members and the Revenue Committee draft Ordinance reads the Committee shall consist of 5 members. There's a little bit of an inconsistency there that probably some more eyes looking at this would help. The Water Quality Committee is reduced to 5 members with one water tester for each lake instead of two. Suppose the Siltcoos water tester is out of town when an algal bloom is reported, who tests and who reports to whom. Our water related matters are to be examined as directed by the Council. What if there is no time to ask the Council about this algal bloom that needs to be worked on and information about water monitoring. Can this only be disseminated as directed by the Council? Now if somebody finds out about an algal bloom they need to report that to the state without asking the Council if it's ok. So, I am just pointing out these few things. Under New Business I commend the Planning Commission for pushing forward the notion about the CCI Involvement, I am pleased to see that on the Agenda. Regarding the letter to Representative Roblan about the Weir, it's the last item under New Business, a Weir is a low dam or wall built across a stream to raise the upstream water level, which this does. I guess there is an assumption here that Dunes City is anxious to have ownership of the Weir. The State Engineer does not allow manipulation of the Weir so what are we proposing to do. I would suggest that you look at advantages of ownership, disadvantages of ownership, what responsibilities the City might become involved in, how this relates to the water rights that the City has that are associated with the Weir. We have a storage permit, we have a storage use permit that allows those using the 1968 water right permit to use stored water but nobody else, what is all this about. We have a study session coming up where we are going to set goals and hopefully the idea about involving Representative Roblan in this thing could be held off until the City decides do we really want to push this thing forward in this tight economy. We are talking about some very, very serious issues and long term implications and thank you very much for allowing me to run over my three minutes."

Mary Jo Leach, Dunes City Resident:

"I have several comments I wanted to make; one was because you're going to look at Committees tonight and there was a remark from the audience last month about Revenue Committee; we don't need one. And I'm interested in the Revenue Committee because when I sat in the previous Council meeting one of the things you're charged with is attempting to file and obtain grants and I've still never heard of anything and that to me is a very important job and the one charged with the Revenue Committee, and I don't think it is being addressed. I think it should be addressed; it's a no brainer that it's going to take a Committee to do something like that. The next thing was, in the last meeting I went to the Planning Commission meeting for 211A and 210 and they spent the better part of three hours wrestling with that. I fully expected that at the last meeting while it was a public hearing for 210A that 210A would have come for a vote and it did not and it has nothing to do with what 211A provides. One, they are two separate things, the Planning Commission who we want to respect Committees and it's valuable what they do recommended both. And yet the Council never addressed it and it perplexes me because I had objections to make when that decision was in upon and it never came. So, it's kind of like jumping the gun again where everyone knows whatever is going on but people like here don't know what is going on. So, I think that you need to address that I don't know how you draft an Ordinance, how you debate something so long and then you just shine it. I don't understand the procedure, I don't know what you were doing or why you did that but it needs to be addressed and I am surprised that it's not in this unfinished old

business. I know everyone was anxious up there to put it away but it's not away. It needs to be addressed. You all need to do that. Thank you."

Susie Navetta, Dunes City Resident:

Ms. Navetta passed.

8. REPORTS

A. Mayor's Report

Mayor Ruede reported on the many accomplishments the City has completed for the year. They are as follows: 1) the City mailed out its first ever, full-color newsletter to the citizens, 2) the City hired a new firm for permits and inspections services, 3) formalized an Ordinance Review Committee, 4) added a task force for the Woahink Weir, 5) approved a preliminary plat for Montgomery View Estates that will bring income to the City, 6) the City is well represented on local and regional Boards and Commissions, 7) conducted and recorded the City's first Emergency Preparedness Meeting in July in conjunction with local officials, 8) began work on the City's Master Road Plan, 9) received numerous grants, 10) lowered citizen water rights fees by 30%, 11) began to explore having a Dunes City Triathlon, 12) and lastly, the City for the Fiscal Year 2011-2012 finished under budget.

B. Communication & Education Report

Councilor Anderson reported that they are still short Committee members.

C. Community Center Report

Councilor Wells reported that the Juniper tree in front of Dunes City Hall was creating problems to the gutter and the drain and that the tree was removed and replaced with a rhododendron from the property.

D. Conservation Committee Report

Councilor Anderson reported that he has had no complaints in the last 90 days.

E. Ordinance Review Committee Report

Council President Mills reported that the Committee met on November 7th, 2011 and November 14th, 2011. At the November 7th meeting, discussion was had regarding the proposed language for all the Committees. The meeting was not properly noticed, so no official action was taken. At the November 14th meeting, a detailed discussion took place regarding Committees and Commissions and standardizing the language. It was a consensus of the Committee Members that a Committee would be advisory to the City Council and a Commission would have some sort of decision power, such as the Planning Commission and the Road Commission. Draft language for the Parks and Recreation Committee and the Water Quality Committee was partially finalized. The Committee will make a recommendation to the Council on how the Committee Ordinances should be codified when it submits its recommendation for the Committees. Council President Mills announced that the next meetings are scheduled for December 12th, 2011 and December 19th, 2011, at 9:00 a.m. at Dunes City Hall.

F. Parks and Recreation Commission Report

The Parks and Recreation Commission did not meet in November but had a report from the most recent December 5th meeting. Councilor Koehler reported that there was a motion during a Council meeting regarding the Parks and Recreation Commission taking on the responsibilities of the Communications and Education Committee by the way of the Festival of the Lakes, and other City events. Susie quoted the Mayor as saying, "Just because your Committee has certain assignments of duty does not mean that you have to do them," and went on to describe the dozens of people needed to cooperate in the three educational Festivals. Electricity, tables, presenters, speakers, in proximity to Dunes City need a quiet, dry enclosed area for speakers is also important for other events. Stewardship of the Lakes through awareness and education and not selling things was its purpose. With volunteer help these events created revenue. The Parks and Recreation Commission passed a unanimous motion to decline the invitation to take on the responsibilities for Festival events.

In old business, the signs and kiosk corrections were reviewed and final billing was unanimously approved. The Commission suggested a long lasting carved or sandblasted wood sign for future sign needs. The Marine Board was called in regards to boat washing. The Commission suggested that volunteers could do the reporting and a new sign can enable enforcement. Those in violation can be charged a fine. Tyee campground will be open for parking until January 1st, 2011 with a parking fee of \$5. In the summer, Byrd Park incurred maintenance and over-cuts by unknown persons. The Commission looks forward to helping inform citizens of local wild animal dangers and writing articles for the Newsletter. Councilor Koehler also stated that there was no word from the City Recorder in regards to the Council's direction to establish a Dunes City parks through a legal standing with Lane County.

Councilor Koehler requested a survey to be done for the Overlook. The Mayor asked the question as to why a survey is needed. Councilor Koehler stated he is not sure if it is even on City property. Councilor Sathé stated the City has a road right-of-way from Hemlock all the way to Dunes City Hall and more research should be done. He also asked the question as to why there was not an opening on his Commission because a couple of months ago Susie Navetta quit on live television in front of the Council. Councilor Koehler stated that his understanding is that it requires a written resignation and she has not done so. He further stated that he talked to Commission and they concurred that Susie was a valuable member. Mayor Ruede stated that her opinion is that she gave her resignation at the October meeting and that it was accepted and if Councilor Koehler allowed Susie to vote at that subsequent meeting that he is in violation of the City's procedure. She further stated that we are happy to have her on the Commission but that she would need to re-apply. Councilor Koehler requested the procedure and the history to be reviewed. **Councilor Sathé made a motion that Susie Navetta is no longer on the Parks and Recreation Commission until she re-applies. Councilor Wells seconded the motion. The motion passed with four ayes and two nays (Councilor Koehler and Council President Mills).** Councilor Koehler stated his disagreement because there was no discussion and that he felt the Mayor was out of order. City Recorder Fred Hilden read into the record Rules of Procedure 4.3, Points of Order. He further explained that if someone on the

Council would like make a motion to sustain the decision of the Mayor or not that they can do that at this time. Mayor Ruede told Ms. Navetta that she is welcome to re-apply.

G. Revenue Committee Report

Councilor Scarberry stated that there was no November meeting but that they did have a make-up meeting on December 1st, 2011. He further stated that he brought the group up to speed in regards to Cindy Cable's input but did not have his minutes from the Council meeting and encouraged a review. The question came up again about a certain local franchise and will have that discussion in the January meeting and City Recorder Hilden will also be there to help and answer questions. Councilor Scarberry stated that there will be no more meetings this month due to the Holidays.

H. Road Commission Report & November RC draft Minutes

Councilor Sathe stated that they have been working hard at getting all the road projects done. The Commission is under their budget and completed the projects for the month. There were two places that needed a Site Review. The first was Montgomery View Estates to see where the new proposed road alignment would be and stated that this placement has less impact than before. The second was a property on 5593 Woahink Drive and none of those issues were in the City's right-of-way and found no violation. Councilor Koehler asked the question if the contractor was going to be fixing the hole on Huckleberry. Councilor Sathe stated that the contractor has compacted it and is waiting for some better weather to be able to pave. Councilor Koehler asked if Councilor Sathe got any feedback on the brushing work. Councilor Sathe stated that they got a lot of feedback and the citizens had different opinions but overall the citizens were happy with the work that was done. He further stated that there were only two people that were unhappy with the work. Councilor Koehler asked why they were unhappy. Councilor Sathe stated that in both cases if the citizens came down and got a no brushing permit that it would have not been a problem. Council President Mills asked if there was a decision made on the trees on Parkway drive. Councilor Sathe stated there was. Council President Mills stated that those residents would like something in writing. Councilor Sathe stated he could get that handled. Councilor Anderson stated that one of the people that complained came to the Road Commission and apologized and was impressed with how quickly the brusher got the work done.

I. Site Review Committee Report

Councilor Wells stated that they received two complaints, both on November 1st, 2011. At the November 10th, 2011 City Council meeting the Council voted Councilor Sathe to chair the Site Review Committee, since one of the complaints was concerning his property. The Committee has set up a site visit for both complaints on December 1st, 2011 at 3:00 pm. The Site Review Committee will be looking at 5593 Woahink Drive and then move next door to 84277 Wright Road. The Committee will discuss the findings at the regular meeting on December 7th, 2011 at 3:00 pm. Councilor Wells will have a full written report for the January Council meeting.

Councilor Sathe stated that David Dumas, Ken Platt, and himself (acting chairman) were present for the review of 5593 Woahink Drive and read the complaint into the record.

The Site Review Committee observed that there was no temporary building but noted there was a fence. According to Dunes City Code a fence is not a structure. The Site Review Committee is unanimous in their decision in regards to the logs in the yard. The Committee decided that the logs are not an eye sore as they are stacked in a neat fashion. In conclusion, The Committee has decided that there is no violations on this property. Councilor Wells took back over his duties as the chairperson for the Site Review Committee and brought along David Dumas and Ken Platt to review the 84277 Wright Road property. Councilor Wells read the complaint into the record and further stated that this resident is a licensed business owner in Dunes City and found the complaint to be unfounded. While the Site Review Committee was at the property, they did find a nuisance violation and observed some broken down yard equipment and a pick-up that had not been licensed since 2002. The owner stated that he would take care of it right away and the Site Review Committee will follow up on these issues.

Councilor Wells stated that there were two more complaints filed on November 15th, 2011 on 5639 Alder Court and one on November 28th, 2011 on 5630 Canary Road. The Committee discussed these complaints at their December 7th, 2011 meeting and will be meeting to review the properties on December 14th, 2011 at 11:30 am and will make a full report at the January Council meeting. Councilor Koehler requested for these complaints if Councilor Wells could provide pictures. Councilor Wells stated that when he received the complaint on his property the City Recorder came out and took pictures. City Recorder Hilden stated those pictures will be part of the written record in January. Councilor Sathe stated that on the 84277 Wright Road property the 25 foot setback does not apply in this case because the owner actually owns property clear into the road. The pins were checked and the road was paved on his property and was clearly off. The owner was offered to have the road moved and the owner stated that he was not worried about it and that people can continue driving where it is.

J. Water Quality Committee Report

Council President Jamie Mills reported that the Water Quality Committee met on November 16th, 2011. The Committee discussed the requirements of an intergovernmental agreement as established by state law, and identified actions to include in an IGA with Lane County. Council President Mills reported her findings with regard to permit requirements for installation of grass pavers at the divers parking area. The Committee discussed the City Council's decision regarding the Septic Ordinances and made a recommendation to the Planning Commission and to the City Council. The recommendation is that Ordinance 203 be reinstated to continue beyond the original compliance deadline, at which time the Committee urges that a comprehensive evaluation of the effectiveness of 203 be completed. Council President Mills stated that the next Water Quality Committee meeting will be Wednesday, December 21st, 2011 3:00 pm at City Hall. She further requested that the Septic Ordinance be put on the Agenda for future discussion and that she will be making this recommendation every month.

K. Weir Task Force Report

Council President Mills reported that the Weir Task Force Committee met for the first time on Tuesday, November 1st, 2011. A brief history and review of the issues relating to

the Woahink Weir were discussed. It was decided that Council President Mills should arrange to have the Committee members meet with the Watermaster and Oregon Department of Fish and Game to come up with a check list of actions that need to be taken. She further stated that she does not have another meeting scheduled at this time

L. Emergency Services Report

City Recorder Fred Hilden attended the West Lane Emergency Operations Group on Monday, November 21st, 2011. During the meeting it was the general consensus of the board that the best location for additional disaster supply caches for south of the Siuslaw Bridge would be one of the fenced areas at the administrative offices of Honeyman State Park. Mike Rivers, Honeyman Park Manager will seek approval from Oregon State Parks for this activity.

City Recorder Hilden stated that they have scheduled the first planning meeting to mitigate failure of the Siuslaw River Bridge during a catastrophic event. It is scheduled for Monday, December 5th, 2011 at the Siuslaw Fire station at 2625 Highway 101 from 1:00 – 2:30 pm. The agenda has been attached for the Council to review.

During December, the group will develop a project plan and schedule to revise and update the Dunes City Emergency Plan. This will be a joint effort between Staff, representatives from the West Lane Emergency Operation Group (WLEOG), City Council members that wish to participate and all other members of the community. City Recorder Hilden has attached the approved minutes of the WLEOG meeting from October for the Council's review. There has not been a meeting date set but he will report that at the next Council Meeting. Councilor Koehler asked if there was a punch list of things that are necessary during a bridge failure. Councilor Koehler went on to state that he did not believe there would be a need to access the other side aside from emergency services. City Recorder Hilden stated that helicopter services would be used to get the Emergency Management Team in place since at least one member of that team lives in Dunes City and would need to get to the Fire Station, where they plan on headquartering the Emergency Operations Center. He added that future meetings will be held to gather a punch list of items that will be necessary for emergencies and the daily activities for Dunes City residents. Councilor Sathe asked if City Recorder Fred Hilden updated everyone on the new [GMRS] radios. City Recorder Hilden stated that he had not for the reason that they are not all in place but that the radios were provided for no charge through the West Lane Emergency Operations Group.

M. November Planning Commission Minutes

City Recorder asked the Council if there were any questions or concerns with the minutes that were provided. There were no questions or concerns

N. City Recorder / Planning Staff Report

November was a slow month for building permit issuance with only one mechanical permit being issued for a stove installation. The extra time allowed our permit technician to get caught up on reporting requirements and filing.

During November the Planning Commission continued work on Chapter 155, Zoning and Development, in five special sessions. The Planning Commission and staff also participated in coordination of the street related sections of Chapter 155 with the Road Commission. These sections, namely, 155.3.1 – Access & Circulations, 155.3.3 – Vehicle & Bicycle Parking and 155.3.4 – Public Facilities Standards (Transportation) are an extremely important part of our land use code. The Road Commission plans to complete their recommendations for updates and changes to these sections before March of 2012.

Also during November, Staff prepared and mailed the DLCDC Notice of Adoption for Ordinance #211A and the required Notice of Adoption for all citizens that participated with oral and written testimony during the Public Hearings process before the Planning Commission and City Council. Satisfying these land use regulatory requirements is very important but, nonetheless very time consuming.

During November a new Administrative Assistant started at City Hall and has already been very effective with general staff work, meeting minutes and catching up our filing process.

City Recorder announced that the DLCDC grant and the reason for all the Planning Commission meetings was to try and closeout the grant to receive funding. He further stated the City has preliminary approval to receive the funding and closeout the grant.

9. UNFINISHED / OLD BUSINESS

A. Signage in the Council Chambers

City Recorder Hilden has attached the layout to his report for the sign behind the dais as approved by City Council during the August 11, 2011 City Council Meeting. The sign will be approximately four feet wide and three feet tall, printed in gloss with a non-glare glass cover and framed. Quotes from three local vendors will be available by the Council meeting on December 8, 2011.

Councilor Koehler expressed his concerns regarding this coming up suddenly, the extra words for the sign and whether or not the sign should be a mural. City Recorder Hilden stated this topic was discussed in a prior Council meeting and reiterated that the sign proposed is printed and removable. He further stated that the text included was based on a motion from Councilor Wells. Councilor Koehler would like to further discuss this and have a warmer type of sign. Councilor Anderson also agreed that the sign be warmer and that the current proposal looks a bit cartoonish. City Recorder Hilden gave the background on the reasons for layout and further stated that when the Council is live on television that the citizens should recognize the Dunes City logo for there have been problems in the past. He also stated that one option would be to put up the most inexpensive signage and then have an Ad Hoc meeting to have a mural put up with volunteers. Councilor Scarberry stated that if the signage were to be temporary he would not like to spend the money on it. Councilor Wells stated that if the Council wanted a mural that it should have been brought up at the last meeting and that his intention was not to have it be temporary and the wording “a nice place to live” is also in the kiosk. Councilor Sathe stated

that if Council had a problem with the signage that it should have been brought up in the last meeting instead of approving it. This is the approved signage. Council President Mills stated that even if you want to do something else the sign is removable and can be put somewhere else or taken to festivals. Councilor Koehler stated that there was only one meeting and wants a visual and to run it by the other Committees and does not see the rush on this. He would like to table it and have further discussion. Mayor Ruede stated this has gone back to September and is not the first discussion on this and a visual for the signage has been provided.

Councilor Sathe made a motion to approve the lowest bid for the new signage. Councilor Wells seconded the motion. The motion passed with four ayes and two nays (Councilor Koehler and Councilor Anderson).

B. Lane Council of Governments (LCOG)

City Recorder Fred Hilden stated there was nothing to be added to the packet but has received detailed billing from LCOG. He further stated that he received an email from Councilor Koehler with the background that he needs to schedule interviews and look at background in regards to the old billing. He hopes to have this wrapped up by the end of January.

C. Code Enforcement Ordinance

The revision for the Code Enforcement Ordinance is on the Amended Agenda for the Ordinance Review Committee on Monday December 12, 2011 at 9:00 am at Dunes City Hall. Councilor Sathe wanted to make sure that the fee for nuisance complaints was on the Agenda. Council President Mills stated that was the request of the Council and will be discussed.

D. Communication and Education Committee Ordinance

Council President Mills stated the reason that these are all before you was there was a request to come up with standardized language for each of the Committees. These are not in official Ordinance form because these are working documents and the Ordinance Review Committee would like some input from the Council. If there are comments from the Council then those comments will go back to Ordinance Review to be incorporated and then sent to each of the Committees for review and finally look at doing something with these in March. She further stated that she has heard a lot of concern in regards to numbers of members on the various Committees and if we want to standardize that or not. There was also a discussion on adding a paragraph in regards to meeting attendance and the requirements necessary so that the Chairman can decide whether that is an excused absence or not and then be able to document that in the minutes. The other item is in regards to the Committee for Citizen Involvement (CCI), that there might be some verbiage to be added if the Committee is to also serve as the Citizen Action Committee (CAC). The question is do we want that flexibility. Also, in regards to the will and shall words of the document, she is following what the Planning Commission is doing in regards to those words.

Councilor Sathe stated that he doesn't think that any Committee should serve on the CCI

and should be the Planning Commission only. Council President Mills stated that it would not be the CCI but the CAC, which is different. Councilor Koehler asked if there could be some sort of pre-paragraph for all Committees that have the same number of members, powers and limitations, for example so that it doesn't repeat itself. He further states that in creating a Purpose for a Committee that we look into the Comprehensive Plan. As for the Communications and Education Committee, he is uncomfortable in saying that the Committee is for meetings and events and that rather it is for stewardship and maintaining what we have here. Councilor Koehler further stated that at one time the Council was looking into morphing all of the Comprehensive Plan issues into each of the Committee Ordinances. On the Communications and Education Committee Resolution page 4 (C) and (D) the word Oversee Councilor Koehler would like that struck and replaced with Create. Also, on (E) mailings go to just property owners and he would like to see that change to include all citizens. Council President Mills stated that the intent was not to change a whole lot of the language for the Purposes of the Committees and that the Communications and Education Committee was the only one that was adopted by a Resolution instead of an Ordinance. She further stated that the purpose of the creation of the Committee at the time of adoption, in paragraph one was to "provide the citizens with information about all of the meetings and events of Dunes City," and that if there is a need to expand then that's fine. Councilor Anderson stated that he likes the idea of the word oversee as that gives the opportunity for more man power for the functions and can include more people in the community. He added that in the original Resolution that two people make a Committee and the suggestion was made to five and he thinks three would be good. There can be various Ad Hoc Committees and have the various Committees oversee that it gets done.

E. Ordinance Review Committee Ordinance

There were no questions or concerns for this Ordinance.

F. Parks and Recreation Committee Ordinance

Councilor Koehler stated his concern that there is an unknown as to whether or not there are City Parks in its jurisdiction. He added that the City has a hard time getting citizens to volunteer and that on page three (C) he would like to see that struck out for that is more of a duty for the C & E (Communications and Education Committee). Also, on page four (E), Clear Lake Road has a bicycle/jogging path and is not used frequently and is not in relation to the parks. Mayor Ruede stated that she would like to see (C) left in so that all the language is standardized and that if a Committee member is looking for direction on what to do it states it there. If you take it out then you won't be able to have correspondence. Councilor Anderson suggested adding the words "if any" to page one (A). Council President Mills suggested adding "to oversee the maintenance of." Mayor Ruede stated that when Amy Graham was the City Recorder that in the minutes it was stated that Overlook Park is within the City's jurisdiction. Councilor Sathe stated that in the cases of Overlook Park and Petersdorf Park that those are actually owned by the road right-of-way, therefore making that within the City's jurisdiction. Councilor Koehler stated there is a lot of opinion here and would like evidence in the form of a survey and get it recorded and finalized. Councilor Sathe stated that Councilor Koehler can come to the next Road Commission meeting and ask the Road Commission to survey the road right-of-

way for those parks. Councilor Anderson asked the question as to whether or not Overlook Park was in the Shoreland area. Vice Chairman George Burke of the Planning Commission stated that there are exemptions for Parks and would be an allowed use in Shoreland areas.

G. Revenue Committee Ordinance

Councilor Scarberry stated that the Ordinance looked pretty straight forward to him. Councilor Koehler stated that on page two (A) he would like to see “will meet every three months” struck. Also, on the same page letter (C) the word “voting” should not be struck and on page three (C) again is more of a C & E responsibility. Mayor Ruede asked how often the Committee is currently meeting. Councilor Scarberry stated they are trying to meet every month but that the “every three months” might be what they could do in the future. Council President Mills stated that across the board for all Committees she is suggesting the “every three months” and the thought process was to allow flexibility.

H. Water Quality Committee Ordinance

Councilor Koehler would like to have some reference to the Comprehensive Plan in the wording of its Ordinance or perhaps all of the Ordinances for all the Committees.

10. NEW BUSINESS

A. Committee for Citizen Involvement (CCI)

City Recorder Fred Hilden stated that Dunes City has implemented the Committee for Citizen Involvement (CCI) process as defined in our Comprehensive Plan. The Comprehensive Plan does not follow State requirements as described in the Statewide Planning Goal 1. This has created a great deal of confusion over the years about how the City should be conducting CCI meetings and related matters. Page 4 (Exhibit A) describes the following, “All interested parties, by their attendance at the meetings of the CCI, shall become voting members of the CCI for that meeting.” This process has resulted in any given CCI having an incredible amount of difficulty reaching consensus over a series of meetings. City Recorder Hilden included an excerpt (Exhibit B) to help the Council better understand CCIs and Citizen Advisory Committees (CACs). The Planning Commission is asking the City Council to initiate action that will culminate in a revision to the City’s Comprehensive Plan. Planning Commissioner Norman Martin has done research and prepared a draft revision to the Comprehensive Plan (Exhibit C). He has also prepared an Administrative Rule for Staff to use in administering Goal 1 in the day to day operation of the City (Exhibit D). He added that four of the Planning Commission members are present if the Council has any questions. Councilor Koehler stated his concern (Exhibit B page 12) about the CCI not having the requirement to go through the Planning Commission. That it is in fact a separate Committee. City Recorder Fred Hilden read into the record (Exhibit B page 10) on what the difference is between a CCI and a CAC. Council President Mills read into the record paragraph two on page 9. She further explained that the CCI can contain Planning Commission members. Councilor Sathe stated that in the past the CCI had a difficult time in providing good feedback because if one group brought all their members to that meeting they could change what happened in the previous meeting and then the opposing side would do the same for the next meeting. It cre-

ated a difficult problem and he would like to see the members for the CCI be elected. Councilor Koehler disagreed with Councilor Sathe's statement and stated that if he had evidence to that fact please bring it forward. He further stated that he would like to see the CCI be separate from the Planning Commission and all other Committees. Council President Mills stated that the job of the CCI is to get the word out. The CACs discuss all the hard items, for example, the phosphorous levels. She further stated that maybe the CCI can have a hybrid of Planning members and citizens and if we can get enough volunteers, she would love to see new members. Councilor Koehler stated that the CACs can be all the different Committees and that in the past issues would go through all the different Committees to balance it out, which is not happening now, and that the CCI maybe, was confusing because it was being interpreted differently. The issues are that we have all these different Committees and are they all talking to each other. Council President Mills stated that she hopes this goes to the Council's Goal Setting Session and that if an Ordinance comes before the Council that it goes back to various Committee. If this is not correct she would like to take time to clarify that. Mayor Ruede stated that Goal 1 requires Cities to have CCIs but not necessarily CACs. City Recorder Hilden clarified that there may be multiple CACs but that each city can have only one CCI.

Councilor Sathe made a motion to direct the Ordinance Review Committee to move forward on the preparation of an Ordinance that will result in a revision to the Comprehensive Plan to correct the problem. Councilor Wells seconded the motion. The motion passed by unanimous vote.

B. Commission and Committee Appointments

Planning Commission: 2 openings and 2 applicants

Road Commission: 2 openings and 2 applicants

Communications & Education Committee: 2 openings and 2 applicants

Councilor Koehler asked the question as to why these applications were not brought up in the previous Council meeting. City Recorder Hilden stated that openings were noticed in the paper and because the Planning Commission is meeting weekly it would leave openings until the January Council meeting, which is the primary reason why it is being brought up now. Councilor Sathe stated that one of his members resigned because he was too busy and the Vice Chairperson, which covers for him, if the Council waited would leave that Chair open for two weeks. Councilor Wells stated that the Council should be grateful that these citizens applied and would like to move to vote them in.

Councilor Sathe made a motion to approve the appointment of Lee Riechel and Paul Gargis to the Planning Commission for the terms ending date 2014. Councilor Wells seconded the motion. The motion passed by unanimous vote.

Councilor Sathe made a motion to approve the appointment of Jerry Curran (2014 term) and Richard Palmer (2013 term) to the Road Commission. Councilor Wells seconded the motion. The motion passed by unanimous vote.

Councilor Anderson made a motion to approve the appointment of Darlene Beckman (2012 term) and Steve Burton (2013 term) to the Communication and Education Committee. Council President Mills seconded the motion. Councilor Koehler stated that he felt that this was out of order since there was not proper notification and could not support these nominations. Council President Mills stated that these vacancies have been around for a long time and have been noticed and does not understand what the problem is. **The motion passed with five ayes and one nay (Councilor Koehler).**

C. Oregon Parks Recreational Trails Program Grant Application

In October, City Recorder Hilden was made aware of a grant opportunity from Oregon State Parks. This grant could be used for reconstruction of the dam portage on the Siltcoos River Canoe Trail. The City has had some mixed support on the maintenance responsibilities. He further stated that he created a letter of intent on his own time to the Oregon Parks and Recreation Department (OPRD) with the knowledge of the Mayor and the Council President. This grant application requires City Council approval and is due on January 13, 2012. The Council should keep in mind that the grant requires 20% matching funds that can come from almost any source, including volunteer labor, donated materials and labor, City funds, Dunes City Rural Tourism and Marketing Funds, or possibly the reserve bicycle funds.

Councilor Sathe stated that he had no problem with using the reserve bicycle funds but that he wants out of the liability to have to fix it again. Councilor Koehler stated that in past meetings that the City Recorder would ask the Parks or the US Forest Department to take this project on and does not understand, since it is not in the City's jurisdiction, as to why the City should take on the responsibility and spend money on this project. Council President Mills stated that since it is a mode of transportation via navigable waters, that if money was used to correct the issue that the City would have ownership of it. She further stated that she feels that because this problem can cause a danger to people that the City should step in and correct it. City Recorder Hilden pointed out that the City has a lease signed with DSL until 2015 stating that Dunes City is in charge of installation and maintenance. Councilor Sathe stated he would like to identify some organization to take over responsibility by 2015 or not do anything at all. Councilor Wells stated that it is our responsibility now, it is a liability, and someone could get hurt. Several Councilors made the suggestion to remove the dam portage. Vice Chairman George Burke of the Planning Commission stated that the City is required to maintain the dam portage until 2015. Councilor Anderson would like to explore the option of what happens if the dam portage is removed. Council further discussed the options of either repairing it as cheaply as possible, whether to pursue the grant, investigate whether DSL will let the City out of the agreement or the possibility of pulling the dam portage out. After much deliberation Council asked Staff to withdraw from the grant application process and Councilor Anderson will help the City Recorder draft a letter to DSL to rescind the lease agreement. This will be on the next Agenda for a status report.

D. Letter from Council President Mills to Arnie Roblen re: Weir

Council President Mills stated that the purpose of the letter was to get clarification on who owns the Weir whether it be the State, the City, or by the private landowner. She fur-

ther asked the Council if the letter was satisfactory. Councilor Sathe stated that he thought it was ready to be sent. Councilor Koehler stated his issues referring to an email dated November 13, 2011 from himself. Council President Mills stated that the original Woahink Creek was in a different place and was moved because of the installation of 101. The original Creek was under ownership of State lands and was not clear if the new Creek is. At the time the City received its water rights there was a quitclaim deed signed. She is just trying to finalize the issues and does not understand Councilor Koehler's issues. Councilor Sathe stated that we have already voted to have Council President Mills write this letter and we are here to decide if we like it or not, that is it. Mayor Ruede would like to have Council President Mills add verbiage stating that she is "acting on behalf of the Council." Council decided to let Council President Mills to move forward with her letter.

11. For the Good of the Order

Councilor Sathe announced that the Road Commission has a Certificate of Appreciation for Mike Smith.

Councilor Wells made a motion to create an Ad Hoc Committee for the educational program for 211A. Councilor Sathe seconded the motion. Councilor Koehler expressed his concern that he felt this was redundant since this is the job of Communications and Education Committee. Councilor Sathe would like to see Councilor Wells involved. Councilor Scarberry stated that he doesn't see a problem with redundancy since this is what education is all about. Education is a series of redundancies. **The motion passed with five ayes and one nay (Councilor Koehler).** Councilor Wells will chair this Committee and Roy Donaghey will be a citizen member. Councilor Wells will try to find more members and report back to Council.

Councilor Koehler made a motion for the Road Commission to survey Overlook Park and Petersdorf Park. Councilor Sathe seconded the motion. The motion passed by unanimous vote.

Council President Mills made a motion to give each staff member a \$50 Holiday gift card. Councilor Sathe seconded the motion. The motion passed by unanimous vote.

City Recorder Fred Hilden advised the Council to have Special Session for the LUBA appeal regarding Ordinance 211A on Tuesday, December 13, 2011 at 5:00 pm. Council decided that this date was acceptable.

12. 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 10:04 pm.

APPROVED BY THE DUNES CITY COUNCIL ON THE 12th DAY OF JANUARY 2012.

[Signed copy available at City Hall]
Rebecca Ruede, Mayor

ATTEST:

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

DUNES CITY ORDINANCE REVIEW COMMITTEE
REPORT TO CITY COUNCIL
DECEMBER, 2011

The Ordinance Review Committee met on November 7th and 14th, 2011.

At the November 7th meeting, discussion was had regarding proposed language for all committees. The meeting had not been properly noticed, so no official action was taken.

At the November 14th meeting, a more detailed discussion took place regarding committees and commissions and the standardized language for committees. It was the consensus of the committee members that a committee would be advisory to the City Council and a commission would have some sort of decision making power, such as the Planning Commission and Road Commission. Draft language for the Parks and Recreation and Water Quality Committees was partially finalized. The committee determined a recommendation on how the committee formation ordinances should be codified within Chapter 32 of the City Code and will submit that recommendation to the Council when it submits its recommendations for the committees.

The next meetings of the committee were scheduled for December 12th and 19th, 2011, at 9:00 a.m. at Dunes City hall.

Site Review Committee
Report to Council
Duke Wells, Chair
December 8, 2011

We received 2 complaints, both on November 1, 2011. At the November 10, 2011 Council meeting we voted on councilor Troy Sathe to head-up the Site Review Committee, since one of the complaints was concerning my property. We have set up a site visit for both complaints on December 1, 2011 at 3:00 pm.

The Site Review Committee will be looking at the 5593 Woahink Drive property [my residence] first, then move next door to the 84277 Wright Road property .We will discuss the findings of the Site Review Committee at the regular meeting on December 7, 2011 at 3:00 pm. I will have a written report for the January City Council meeting.

Thank you,
Duke Wells, Site Review Committee Chairman

DUNES CITY WATER QUALITY COMMITTEE
REPORT TO CITY COUNCIL
DECEMBER, 2011

The Water Quality Committee met on November 16, 2011. The committee discussed the requirements of an intergovernmental agreement as established by state law, and identified actions to include in an IGA with Lane County. Jamie reported on her findings with regard to permit requirements for installation of grass pavers at the divers parking area. The Committee discussed the City Council's decision regarding the septic ordinances and makes the following recommendation to the Planning Commission and City Council:

The Water Quality Committee recommends that Ordinance 203 be reinstated to continue beyond the original compliance deadline, at which time the committee urges that a comprehensive evaluation of the effectiveness of 203 be completed.

The next meeting of the Water Quality Committee will be Wednesday, December 21st, at 3:00 p.m. at City Hall.

**DUNES CITY
WEIR TASK FORCE REPORT
DECEMBER, 2011**

The Weir Task Force Committee met the first time on Tuesday, November 1, 2011. A brief history and review of the issues relating to the Woahink Weir were discussed. It was decided Jamie should arrange to have the committee members meet with the watermaster and Oregon Department of Fish and Game to come up with a check list of actions that need to be taken.

Emergency Services Report to City Council
December 8, 2011 ~ Prepared by Fred Hilden

I attended the West Lane Emergency Operations Group meeting on Monday, November 21, 2011. During the meeting it was the general consensus of the board that the best location for additional disaster supply caches for south of the Siuslaw Bridge would be one of the fenced areas at the administrative offices of Honeyman State Park. Mike Rivers, Honeyman Park Manager will seek approval from Oregon State Parks for this activity.

We have scheduled the first planning meeting to mitigate failure of the Siuslaw River Bridge during a catastrophic event. It is scheduled for Monday, December 5, 2011 at the Siuslaw Fire station at 2625 Highway 101 from 1:00 – 2:30 pm. I have attached the agenda for your review.

During December we will develop a project plan and schedule to revise and update the Dunes City Emergency Plan. This will be a joint effort between Staff, representatives from the West Lane Emergency Operations Group (WLEOG), City Council members that wish to participate and other members of the community.

I have also attached the approved minutes of the WLEOG meeting from October for your review.

Respectfully submitted,

Fred Hilden
City Recorder

City Recorder / Planning Report to City Council
December 8, 2011 ~ Prepared by Fred Hilden

November was a very slow month for building permit issuance with only one mechanical permit being issued for a stove installation. The extra time allowed our permit technician to get caught up on reporting requirements and filing.

During November the Planning Commission continued work on Chapter 155, Zoning and Development, in five special sessions. The Planning Commission and Staff also participated in coordination of the street related sections of Chapter 155 with the Road Commission. These sections, namely, 155.3.1 – Access & Circulation, 155.3.3 – Vehicle & Bicycle Parking and 155.3.4 – Public Facilities Standards (Transportation) are an extremely important part of our land use code. The Road Commission plans to complete their recommendations for updates and changes to these sections before March of 2012.

Also during November, Staff prepared and mailed the DLCDC Notice of Adoption for Ordinance #211A and the required Notice of Adoption for all citizens that participated with oral or written testimony during the Public Hearings process before the Planning Commission and City Council. Satisfying these land use regulatory requirements is obviously very important but, nonetheless very time consuming.

During November a new Administrative Assistant started at City Hall and has already been very effective with general staff work, meeting minutes and catching up our filing processes.

Respectfully submitted,

Fred Hilden
City Recorder