

Dunes City Council ~ Regular Session Meeting Minutes Approved



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

August 21, 2024 ~ 6:00 p.m.

1. Call to Order

Mayor Ed McGuire called the Wednesday, August 21st meeting to order at 6:02 pm

2. Roll Call

Present: Mayor Ed McGuire, Council President Susan Snow, Councilor Tom Mallen, Councilor Joe Giammona, Councilor Chris Clemons, Councilor Richard Olson, and Councilor Melissa Stinson via telephone.

3. Pledge of Allegiance

4. Consideration of the Agenda

City Administrator, Lila Timmons, asked to continue New Business, Item B, Ordinance 270 Correcting Scrivener's Error Contained in Ordinance 231-A to a future meeting. Council President Susan Snow made a motion to approve the amended agenda. Councilor Tom Mallen seconded the motion. The motion passed unanimously.

5. Consideration of the Consent Agenda

Council President Susan Snow made a motion to approve the consent agenda. Councilor Chris Clemons seconded the motion. The motion passed unanimously.

6. Announcements / Correspondence

A. Next City Council Public Event

After much discussion, the topic was tabled for a future discussion.

B. Oregon Planning Procedures in Planning in Oregon classes

City Administrator, Lila Timmons, stated that the classes will be in Woodburn in November. Mayor Ed McGuire stated that there is a fee to take the classes but sponsorships are available.

C. Hyak Franchise

City Administrator, Lila Timmons, stated that the Hyak agreement has been signed but there was a minor change. She further stated that the person we were working with has changed their position from CEO to Manager.

7. Citizen Input

Mayor Ed McGuire asked if there were any citizens that wanted to talk about any issues not on the agenda.

Citizen Geneva Jackson stated she would wait to read her letter until the agenda item was discussed.

Citizen Jeanne Jackson asked why citizens were so limited on what they could discuss.

8. Reports

A. Mayor's Report

There was no report.

B. Water Quality Report

Council President Susan Snow stated that some algae had been reported about 10 days prior, it had been watched and has since disappeared.

C. Permit Report

Mayor Ed McGuire stated that the permit report was in the packet and asked if there was anything to discuss.

9. New Business

A. Resolution Series 2024, No. 8 Establishing Fees and Charges for Collection Services Added to Unpaid Invoices

City Administrator, Lila Timmons, stated that the staff process was to send out past due notices every 30 days and at 90 days, any unpaid invoices would be sent to the Collection Agency. Mayor Ed McGuire stated that those invoices sent to collections would have a 20% fee added and if any legal proceedings took place, the invoice would have a 25% fee added.

Councilor Joe Giammona asked how the 90 days was determined. City Administrator, Lila Timmons, stated that this was a new process that the staff has currently been using.

Councilor Melissa Stinson asked what the current due date is being invoiced. Staff member, Becky Rozier, stated that invoices have a net 20 due date.

Councilor Tom Mallen made a motion to adopt Resolution Series 2024, No.8.

Council President Susan Snow seconded the motion.

The motion passed unanimously.

Mayor Ed McGuire asked if there were any questions or comments by the audience.

B. Ordinance 270 Correcting Scrivener's Error Contained in Ordinance 231-A Continued until another meeting.

C. Ordinance No. 256-B Short-Term Rentals

Mayor Ed McGuire read from the script.

Mayor Ed McGuire asked if there were any questions from the Councilors.

Mayor Ed McGuire asked if there were any comments from the audience.

Citizen Jeanne Jackson stated that she still had concerns regarding Short-Term Rentals.

Mayor Ed McGuire asked if there any questions regarding the language in the Ordinance.

Councilor Tom Mallen made a motion to read the Ordinance by Title Only.

Councilor Chris Clemons seconded the motion.

Councilor Melissa Stinson abstained. The rest of the City Council voted Aye.

Mayor Ed McGuire asked the Councilors if any of them had a conflict of interest.

Each Councilor stated they did not have a conflict of interest.

Councilor Chris Clemons made a motion to adopt Ordinance No. 256-B Short-Term Rentals as presented.

Councilor Tom Mallen seconded the motion.

Councilor Melissa Stinson abstained. The rest of the City Council voted Aye.

Mayor Ed McGuire stated that the Ordinance has been adopted and will take effect immediately.

D. Resolution Series 2024, No.9 Purchasing Policy

Mayor Ed McGuire stated that this is a model ordinance by the League of Oregon Cities.

Mayor Ed McGuire stated that on page 11 under Authority of City Administrator, the City Council needs to decide the threshold in which the City Administrator can make purchases for goods and services, etc. He further stated that the model ordinance has \$100,000. The City Council decided on \$25,000.

Mayor Ed McGuire talked about the number on 3e which is currently \$7500. The City Council decided that any purchases with City employees are to be approved by the City Council.

Mayor Ed McGuire moved on to the Small Procurements section and discussed the allowance of verbal quotes. The City Council decided to delete the verbal quotes verbiage on all sections. They further discussed the dollar amount and changed it to \$2,500.

Mayor Ed McGuire discussed Requests for Qualifications, and Direct Negotiations and no changes were made.

Mayor Ed McGuire discussed the Surplus Property section. Councilor Joe Giammona stated that a policy should be written on how the staff should make a record of value and disposal.

Councilor Joe Giammona made a motion to approve the purchasing policy as amended. Council President Susan Snow seconded the motion. The motion passed unanimously.

E. Claycomb

Mayor Ed McGuire stated that in the Councilor's packet is the Code Enforcement Ordinance for reference. He further stated that on page 5 discusses Abatement and Correction. Mayor Ed McGuire asked if the City Council wanted to move forward with the Soil and Erosion Control Plan. Mayor Ed McGuire stated that the Council will be adopting FEMA Floodplain Management Plan that will impact this property in the future. Councilor Joe Giammona stated that he felt that the City should move forward with the Soil and Erosion Control Plan.

Mayor Ed McGuire stated that the staff needed to inform Mr. Claycomb that his appeal period has expired regarding the new Code Enforcement order. The Council decided that the fine is to be \$500/day from August 15th until this is rectified since each day is a separate offense and the previous order will be sent to collections as of August 31, 2024. The City Council wanted Staff to ask Ross if there is a maximum amount or a certain number of days allowed for the second offense at \$500/day. Mayor Ed McGuire asked the citizens if they had any comments or questions.

F. Audit Proposal

Mayor Ed McGuire stated in the Councilor's packet, there is a proposal for a new auditor. He further stated that the current auditor is no longer able to help us. Councilor Joe Giammona stated that the amount seems larger than expected and would reach out to some other options.

Mayor Ed McGuire stated that this will be continued until another meeting.

Mayor Ed McGuire asked the citizens if they had any comments or questions.

Citizen Geneva Jackson stated that the Budget Committee has not met for a while.

Mayor Ed McGuire stated that the Budget Committee starts again in the spring for the new budget 2025-2026.

G. Chet's Trail and/or Rebekah's Trail

Mayor Ed McGuire stated that the Council should decide if the trail is something that should be continued.

Councilor Joe Giammona asked if the purpose of the trail was for an evacuation route, or for another reason.

Mayor Ed McGuire stated that there was a trail established in the 1900's. He further stated that the reason for the trail is to be determined.

Councilor Rich Olson stated that we should sell the property if Dunes City will not continue with the trail.

Citizen Geneva Jackson stated she had written a letter in regards to the trail for the record.

Citizen Jeanne Jackson stated that she had written a letter months ago. She further stated that the trail has been blocked off and asked who had blocked it off. Mayor Ed McGuire stated that the fences are on private property.

Councilor Melissa Stinson asked if a site visit is prudent or add it to a work session.

Council President stated that this issue has been brought before the public in the past. The Council decided that they will not take any further action at this point and the trail should no longer be on the budget.

H. Review of Ordinance 228 Regarding Septic System

Mayor Ed McGuire stated it is a valid Ordinance and that citizens must inspect their septic system on a schedule determined by the inspector and not automatically every 5 years. He further instructed staff to amend any correspondence to citizens regarding septic inspections.

Mayor Ed McGuire stated that there were citizens that have never had their septic inspected and that the City Council will have to take action on those properties. The list of those will be evaluated at the next meeting.

Councilor Tom Mallen stated that the inspection every five years is a guideline and was the average time for a three bedroom, two bath home that is being lived in full-time.

Mayor Ed McGuire asked the citizens if they had any comments or questions.

10. Old Business

A. Sign Contest

Mayor Ed McGuire stated that the sign contest ends 8/29/2024 and that a few entries have been received.

B. Survey

Mayor Ed McGuire stated that the question about unincorporating Dunes City was added to the survey. He further stated that he did not have an argument against but listed pros and cons.

Mayor Ed McGuire stated that the survey will be distributed via a post card to all residents and posted on the new website.

Councilor Joe Giammona asked if the results will be discussed at a City Council meeting. Mayor Ed McGuire confirmed that all results will be discussed at a City Council meeting.

Councilor Tom Mallen asked when this will take place.

City Administrator Lila Timmons stated that the postcards will be sent out through the mail routes the first week of September. She further stated that the website should be live that week as well.

Citizen Geneva Jackson stated that she was not informed about writing an argument against. Mayor Ed McGuire stated that she still had time to write up an argument.

11. Executive Session

There were none.

12. For the Good of the Order

Councilor Rich Olson stated that there was only one working motor on the dam as we get ready for winter. Mayor Ed McGuire stated that the state has sent violations to the dam operators. Mayor Ed McGuire stated that staff will follow up with the State Water Master.

13. Adjournment

Council President Susan Snow made a motion to adjourn the meeting.

Councilor Chris Clemons seconded the motion.
The motion passed unanimously.

Mayor Ed McGuire adjourned the meeting at 8:28 pm.

APPROVED BY THE DUNES CITY COUNCIL ON THE 18th OF SEPTEMBER, 2024.

[Signature on File]

Ed McGuire, Mayor

ATTEST:

[Signature on File]

Lila Timmons, City Administrator