



**CITY COUNCIL MEETING MINUTES ~ APPROVED  
SPECIAL SESSION - WEDNESDAY, FEBRUARY 7, 2024 AT 6:00 P.M.**

City Hall ~ 82877 Spruce St., Westlake, OR 97493

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

**1. CALL TO ORDER**

Mayor Ed McGuire called to order the City Council special session meeting at 6:00 p.m. on Wednesday, February 7, 2024.

**2. ROLL CALL**

City Administrator/Recorder Jamie Mills called the Roll for the benefit of the audience.

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

**Absent/Un-excused:** N/A

**Also Present:** City Administrator/Recorder Jamie Mills, Planning Secretary Lila Timmons, Chair of Planning Commission Rapunzel Oberholtzer, and various City residents.

**3. PLEDGE OF ALLEGIANCE**

All who wished to participate stood for the Pledge of Allegiance.

**4. CONSIDERATION OF THE AGENDA**

Mayor McGuire asked if there were any changes or corrections that needed to be discussed. There were none.

## 5. ANNOUNCEMENTS / CORRESPONDENCE

### A. Siltcoos Lake water level report

City Administrator Jamie Mills stated that Siltcoos Lake did reach 12 feet high during the last storm causing damage and concerns with flooding at many locations. The current Water Master was reached and opened the gates. The gates are still open. Mayor Ed McGuire confirmed with Councilor Rich Olson that the current water level is 9.9. The water level is checked daily. City Administrator Jamie Mills reassured a concerned citizen that the gates will be shut once an appropriate level has been reached.

### B. Reminder that all short-term rental permits expire on July 1<sup>st</sup> of this year.

City Administrator Jamie Mills stated that all short-term rental permits will expire in July of this year.

## 6. NEW BUSINESS

### 1. Develop a plan for how to clean up the existing charter to ensure it is up to date in time to refer the matter(s) (if any) to the voters at the May, 2024 General Election.

#### A. Review existing language

City Administrator Jamie Mills stated that Dunes City has a Resolution drafted, a Ballot Title and all necessary forms filled out to make this change.

#### B. Develop a time line for actions to be completed.

Mayor Ed McGuire confirmed that if language is approved at the next City Council meeting that this update to the Charter could be a part of the May 2024 General Election. City Administrator Jamie Mills stated that the language needed to be approved by City Council and sent to the County by March 1<sup>st</sup>.

Mayor McGuire asked if there were any changes or corrections that needed to be discussed. There were none.

#### C. Assign tasks to individuals to perform.

Mayor Ed McGuire explained that the language this Ordinance is changing has to do with the threshold in which the City itself can accept a bid without having to go out to the public. It is meant to save time and money. This will have to be approved at the next City Council meeting to make the next ballot. This is the time for comments. Mayor Ed McGuire asked the audience for comment. There were none.

### 2. Ordinances needing minor changes

#### A. Ordinance 172 changing language to comply with current State law.

Mayor Ed McGuire commented that the Council was provided with 2 good examples.

## B. Review All Ordinances

Councilor Susan Snow commented that the difference between the Veneta and Cresell examples were that the Veneta example had language regarding a procedural error that the Cresell example did not. She approved of that language and how it reads. Mayor Ed McGuire agreed. Mayor Ed McGuire asked for any other comment. Councilor Chris Clemons asked if the City had any claims against this Ordinance. Mayor Ed McGuire did not think so. Mayor Ed McGuire asked for any other comments. There were none.

Mayor Ed McGuire instructed staff to draft an Ordinance using the Veneta example.

## C. Develop a time line for actions to be completed. No action taken.

## D. Assign tasks to individuals to perform

City Administrator Jamie Mills explained that in the Councilor's packet was a list of Ordinances. The ones marked in red are still in effect. Councilor Melissa Stinson confirmed that the Councilors are to review the Ordinances in red before the next City Council meeting. Mayor Ed McGuire confirmed.

## 7. NEW BUSINESS

### 1. Sergeant Ware and County Commissioner Ryan Ceniga

City Administrator Jamie Mills introduced Sergeant Ware and County Commissioner Ryan Ceniga who had some information to share.

Mayor Ed McGuire explained that the main complaint from Dunes City citizens is the response time from law enforcement can be lengthy because of where Dunes City is located and that the types of issues may not be as high of a threat as elsewhere.

City Administrator Jamie Mills asked County Commissioner Ryan Ceniga about the lawsuit regarding Timber money and whether or not Dunes City would see some of that money again to fund a police department. County Commissioner Ryan Ceniga explained the lawsuit with the Federal Government.

A concerned citizen asked Ryan Ceniga what the citizens of Dunes City could do to help the Sheriff's Department since they are so busy. County Commissioner Ryan Ceniga stated that Lane County has put a Public Safety Task Force into effect. He further explained that there is local representation on the task force from Florence. Many of the citizens felt that the Florence individual would not be able to represent their concerns. County Commissioner Ryan Ceniga stated that he too was on the

task force and any concerns from Dunes City residents can be communicated to him and he would bring them forward to the Task Force.

One citizen expressed her interest in the question previously raised by another about what Dunes City can do to help the Sheriff's Department. She felt that the best course of action was to create stricter ordinances and not give out short-term rental permits when there are already problems. She gave a specific example regarding a short-term rental and asked Sergeant Ware what she should have done. Sergeant Ware explained that all situations should be reported so that he can track them. There is a citizen report form online. Councilor Tom Mallen commented that he felt citizens of Dunes City have given up on calling for help. He also stated that we needed funds, without raising taxes, to create our own police department. Commissioner Ryan Ceniga gave an example of his own experience where his property is in the county but not the city and the local law enforcement will not cross the street to come to his property. The problem is everywhere he stated. Councilor Joe Giammona asked Sergeant Ware what was the definition of a "priority" call. Sergeant Ware explained that it is person to person crime. A shooting would be a priority call.

Councilor Melissa Stinson asked Sergeant Ware if there was a way to get the report provided broken down into just Dunes City numbers.

Councilor Joe Giammona stated that the case number rate is 11.5% against the number of calls. Sergeant Ware explained that percentage did not mean that the calls were not responded to but gave examples of situations where a case number is not created for cause. A citizen responded to this with an example where her sister was asked to press charges in front of the person who committed the crime and felt uncomfortable and scared for future retaliation.

Mayor McGuire asked if there were any other questions. City Administrator Jamie Mills asked County Commissioner Ryan Ceniga about a specific lot to be granted to Dunes City to use as access for one of Dunes City's parks. County Commissioner Ryan Ceniga stated that he would check on the status.

Sergeant Ware asked if there any other questions. A citizen expressed frustration with the amount of property taxes being paid and the citizens receiving little to nothing in return. Commissioner Ryan Ceniga explained that the budget is \$12 Million short for a two-year period and that only .11 for every dollar is actually allocated to law enforcement.

Mayor Ed McGuire thanked County Commissioner Ryan Ceniga, Sergeant Ware and Deputy Bastinelli for attending the meeting.

## 2. Short-term Rental Code

### A. Fine Detail review

Mayor Ed McGuire asked if any of the Councilors had any questions on the Definitions on the first page (3). There were none. Mayor Ed McGuire asked the audience if anyone had a comment. A citizen stated he didn't like the Ordinance as a whole and would like it repealed and a moratorium placed against short-term rentals. Mayor Ed McGuire asked if he had a specific change he would like to see.

Mayor Ed McGuire moved on to the next page (4). A citizen and Councilor Rich Olson proposed to cross out the wording that appeared to be related to commercial properties. Mayor Ed McGuire agreed to distinguish commercial versus residential properties. City Administrator Jamie Mills expressed that the commercial properties were excluded from the initial language. A citizen expressed approval of commercial properties being used as short-term rentals but does not approve of residential properties being used as short-term rentals. Another citizen expressed that she would like to see the wording eliminated after bed and breakfasts to motels in paragraph 4. Mayor Ed McGuire agreed as did Councilor Rich Olson. One citizen expressed concern and began talking about the top of the page and ownership stating that businesses should not own houses especially if they do not live there. Councilor Richard Olson, Councilor Chris Clemons, and Mayor McGuire attempted to explain that the first paragraph is a definition of an owner. Another citizen expressed the opinion to allow the Councilors to continue going through the Ordinance. Councilor Melissa Stinson raised the question about bed and breakfasts being commercial. Mayor Ed McGuire explained that bed and breakfasts are residentially zoned and owner occupied. Councilor Susan Snow expressed concern that maybe that definition should be included in the Ordinance. Mayor Ed McGuire explained that the definition was in a different area. A citizen then stated that it might be possible to change "a dwelling unit" to read "a dwelling unit on residential property". Councilor Joe Giammona explained that the definition of a dwelling unit is on a different page so that should not be done. Councilor Chris Clemons suggests that the last sentence should read "not be zoned for commercial use". Councilor Rich Olson suggests to add "not zoned for commercial use to the next paragraph". Mayor Ed McGuire suggested to strike out the last sentence of the paragraph. Mayor Ed McGuire asked if everyone agreed to adjust the middle of the paragraph, and eliminating the last sentence. Councilor Chris Clemons asked if the homes renting out a room should be included. Councilor Rich Olson concluded that the

goal was to strike out the last sentence and add “does not include commercial property” in the next paragraph. Mayor Ed McGuire and all Councilors agreed.

Mayor Ed McGuire asked is there were any proposed changes to Short-Term Rental Facilitators or Operating Permit.

Councilor Joe Giammona expressed concern about whether or not the list of facilitators represented commercial properties. Mayor Ed McGuire explained that this merely listed the types of entities that could own property and who would be responsible for things like noise and trash.

Mayor Ed McGuire moved on to the Transfer paragraph. He stated that this paragraph talks about how the current permitted property can be transferred. Councilor Melissa Stinson expressed concern about giving transfer rights.

Mayor Ed McGuire moved on to Permit Required: Hold Harmless. There were no concerns.

Mayor Ed McGuire moved on to Permit: Fees.

Council Chris Clemons explained that in the Local Representative Information paragraph, the 30-minute time frame is the zone to Dunes City that the representative must be within. Councilor Melissa Stinson asked for a check of the representative’s qualifications. City Administrator Jamie Mills explained that the check is done at application. Councilor Melissa Stinson asked that the representative sign accepting the role as representative. City Administrator Jamie Mills stated that they do sign accepting the role as representative. Councilor Melissa Stinson then asked if there was a backup representative indicated. City Administrator Jamie Mills asked Councilor Joe Giammona if it would be a hardship to have an alternative representative. Councilor Joe Giammona stated that he provides alternatives for his short-term rentals. It was decided that two representatives will be required. Councilor Susan Snow asked to make an amendment to the statement that says “at least one person to be available at all times (day or night) when the property is occupied for rent.”

Mayor Ed McGuire moved on to the top of page 6.

A citizen restated the section that states the City may maintain a list of active Short-Term Rentals and that this list can be available upon request. City Administrator Jamie Mills explained that if a resident did request this in the middle of the night, she would have to come down to City Hall for that answer.

Mayor Ed McGuire moved on to section 4.

Councilor Susan Snow explained that by DEQ standards a 1000-gallon septic tank should be for 8 people and not 10 as is written. Mayor Ed McGuire agreed. Mayor Ed McGuire says that the septic system should comply with the Lane County Sanitarian regulations. Mayor Ed McGuire stated that he would like to add that water rights need to comply with state water law and conditions of the city's permits.

Mayor Ed McGuire moved on to section 5.

Mayor Ed McGuire moved on to section 6.

Councilor Melissa Stinson suggested that we change the renewal to be one year and renewals will be as they come up. Council Rich Olson states that due to the water right issue, a moratorium has been activated for short-term rentals and any commercial business. City Administrator Jamie Mills explains that a consumptive use water right is still available from Woahink Lake. Ed McGuire states that any state issued water right is still allowed to be a short-term rental. Councilor Rich Olson asked if we would end up being able to pay a Code Enforcement Officer if we state that the short-term rentals have to comply with state water law. City Administrator Jamie Mills pointed out that the City is required to obey state water law with regard to its permits.

Mayor Ed McGuire moved on to New Short-Term Rentals.

Mayor Ed McGuire spoke about permit fees in other cities and states.

Mayor Ed McGuire moved on to Permit Duration.

Councilor Melissa Stinson, Susan Snow, and Rich Olson expressed that the period of two years was too long for a short-term rental permit. As you renew, a new application is started. Mayor Ed McGuire asked that any outstanding issues need to be resolved before reissuance.

Mayor Ed McGuire asked if all agreed. Councilor Joe Giammona asked if a site inspection would be done. Councilor Rich Olson felt that the code enforcement officer would conduct that site inspection. City Administrator Jamie Mills was instructed to add a site inspection requirement.

Mayor Ed McGuire moved on to Termination.

Councilor Melissa Stinson questioned the 30-day time limit. Mayor Ed McGuire suggested that if a property changes ownership, the new owner has 30 days to reapply.

Mayor Ed McGuire moved on to Renewal.

Councilor Chris Clemons asked if this would include a Complaint Review.

A citizen asked about the process if a complaint is received. City Administrator Jamie Mills explained the process. Mayor Ed McGuire asked if Complaint Review should be changed to Violation Review.

Mayor Ed McGuire moved on to Actions Required by City Staff

Councilor Joe Giammona asked if letters were actually sent within a 300 ft radius once a short-term rental permit has been approved. City Administrator Jamie Mills stated that yes, the City tries to send those out. A citizen asked if the 300 ft radius starts at the property line. City Administrator Jamie Mills stated that yes, the property line is the start of the 300 ft radius. Councilor Melissa Stinson asked if a time limit needed to be added to the last line. Mayor Ed McGuire suggested that the expense of mailings be collected up front. City Administrator Jamie Mills suggests an Application Fee and a Permit Fee. Mayor Ed McGuire agreed.

#### **15.ADJOURNMENT**

Upon motion duly made, seconded, and passed, Mayor Ed McGuire adjourned the meeting at 8:37 pm.

### **APPROVED BY THE CITY COUNCIL FEBRUARY 21, 2024.**

\_\_\_\_\_(Signed copy on file at City Hall)\_\_\_\_\_  
Ed McGuire, Mayor

ATTEST:

\_\_\_\_\_(Signed copy on file at City Hall)\_\_\_\_\_  
Jamie Mills, City Administrator/Recorder