



**CITY COUNCIL MEETING MINUTES ~ APPROVED
FEBRUARY 15, 2023 AT 6:00 PM**

City Hall ~ 82877 Spruce St. Westlake OR

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.DunesCity.com

1. OATH OF OFFICE OF NEWLY ELECTED OFFICIAL

City Administrator/Recorder Jamie Mills administered the oath of office to newly elected City Council President Susan Snow.

2. ROLL CALL

City Administrator/Recorder Jamie Mills called the attendance roll.

Present: Mayor Sheldon Meyer, Councilor Melissa Stinson, Councilor Rich Olson, Councilor Tom Mallen, Councilor Robert Orr, and Councilor Rory Hammond.

Also Present: City Administrator/Recorder Mills, Planning Secretary Lani Noroña, videographer Alan Campbell, Mr. Jared Anderson of The Siuslaw News, Mr. Alan Montgomery, Ms. Janellen Montgomery, Mr. Robin Mills, Mr. Bob Smith, Mr. Michael McGlone, Mr. James Singletary, Ms. Rebecca Anderson, Mr. Ed McGuire, Ms. Jazilynn Kinyon, Ms. Melissa House, and Lane County Sheriff deputy Derek Bastinelli.

Absent: N/A

Absent and Excused: N/A

3. PLEDGE OF ALLEGIANCE

All who were present stood for the Pledge of Allegiance.

4. APPROVAL OF THE AGENDA

Councilor Stinson made a motion to approve the Agenda. Councilor Mallen seconded the motion. The motion passed by unanimous vote.

5. APPROVAL OF THE CONSENT AGENDA

Council President Snow made a motion to approve the Consent Agenda. Councilor Mallen seconded the motion. The motion passed by unanimous vote.

6. ANNOUNCEMENTS / CORRESPONDENCE

City Administrator/Recorder Mills announced the following:

A. The Lane Council of Governments is looking for people to help sponsor their Senior Meals Program, to combat food insecurity while promoting independence and the ability for seniors in Lane County to live in their own home. She provided details for the number of meals specific donation amounts provide, options for methods of making donations, and provided the contact information for the Senior Meals program.

B.

7. CITY COUNCIL DISCUSSION WITH LANE COUNTY COMMISSIONER RYAN CENIGA AND LCSO SERGEANT TIMOTHY WARE

Newly elected Lane County Commissioner Ryan Ceniga introduced himself. He stated he came to the meeting with LCSO (LCSO) Sergeant Tim Ware, to address Dunes City citizen concerns about public safety. He explained that County Commissioners take public safety very seriously, but budget deficits within County agencies impact the ability to prosecute arrested offenders. He then introduced Sergeant Tim Ware.

Sergeant Ware introduced himself. He said there are two (2) Lane County Sheriff's deputies assigned to the West Lane 4,400 square mile area, which includes Dunes City. He stated that deputies do respond to calls, but it appears there are misconceptions that deputies will not show up. He described the procedures for processing incident reports and mentioned deputies' other duties, referring to the West Lane calls for service records for September, 2022 through January 23, 2023. He emphasized that citizens should always call to report any issue. He addressed recent reports of an individual in the Dunes City area who appears to have some mental health issues. He stated the LCSO is familiar with this individual and has tried to provide assistance services. He explained that police officer hold is if an individual is unable to care for themselves or others. When community members leave food, clothing, and cars for the individual to sleep in, the individual is considered to be cared for. He mentioned that Mobile Crisis Response (MCR) staff have also been trying to set up services for this individual. He repeated that the LCSO staff do care about crimes in Dunes City and that they will respond and investigate. He cited the 1983 Sheriff staffing level of one (1) sergeant and five (5) deputies, and now there is a sergeant and just two (2) deputies. He recognized the situation is frustrating for the community and for the Sheriffs.

Lane County Commissioner Ceniga related a drive-along experience he had with a Lane County Sheriff's deputy and how impressed he was with how well the deputy handled everything he encountered. He added there were more calls than those to which the deputy was able to respond.

Sergeant Ware reported that funding provided for two (2) West Lane deputies covered a five-year period and this is year three (3) of that five-year period.

Councilor Mallen asked Sergeant Ware about calls referred to Oregon State Police in Florence. Sergeant Ware said State Police are a great partner. He explained that he coordinated schedules for the two (2) West Lane deputies to complement the schedules of the two (2) State Police officers stationed in Florence. He added there is also assistance from a Lane County deputy assigned to the dunes, and that the sergeant in charge is trying to get grant funding for a second dunes deputy.

Mayor Meyer thanked Sergeant Ware for services from Lane County Sheriffs. He stated that Dunes City does not have a police force or a budget for police and expressed gratitude for prompt response. Sergeant Ware expressed appreciation for dedication and skills of LCSO staff.

Councilor Hammond asked Sergeant Ware if holidays require extra staff and how he schedules this. Sergeant Ware answered that Oregon Department of Transportation (ODOT) provides the LCSO funding for traffic, and he staffs special events with traffic funding for issues like speeding, driving under the influence of intoxicants (DUII), etc.

Councilor Orr asked what might happen in two (2) years, when the five-year funding for two (2) deputies expires and if there were provisions for extending that funding. Commissioner Ceniga answered that County Commissioners are reviewing the budget, trying to pull funds from other programs to provide staffing for the Sheriff's department.

Councilor Hammond asked about land that Lane County deeded to Oregon Department of State Lands (DSL), and how Lane County would receive money from that.

Commissioner Ceniga answered that this is still in process through the courts.

Councilor Hammond asked how much would go to public safety, as opposed to things like parks.

Commissioner Ceniga answered that Lane County voters passed a levy for parks, so Commissioners are working with the current budget cycle to find solutions.

Council President Snow asked about illegal camping at Lane County's Westlake boat ramp and why there is a 24-hour wait before officers will respond.

Sergeant Ware answered that he has not heard of a 24-hour delay and promised to inform dispatchers to log all calls.

Lane County Sheriff's deputy Bastinelli answered that illegal camping is a citable offense.

City Administrator/Recorder Mills stated the City can tow illegally parked vehicles.

Sergeant Ware added that deputies are usually successful in asking illegal campers to leave an area and often move people out of areas where they should not be. He repeated that he will ensure dispatchers, as training staff is an ongoing process.

Councilor Olson asked about tax dollars to support the two (2) West Lane County Sheriff's deputies and the short-staffed Lane County Sheriff's department as a whole. He cited the increase of Lane County taxes in the past eight (8) years. He asked what would happen to the two (2) West Lane deputy positions, if there is no extension of the current five-year funding.

Commissioner Ceniga said that current tax funding is locked at approximately 1.9% per thousand (of assessed property value), which goes into Lane County's general budget. He repeated that Lane County Commissioners are trying to reallocate funds for public safety.

Sergeant Ware added that if there is no extension of the current five-year funding for two (2) West Lane deputies, those positions would terminate.

Councilor Mallen asked about dispatching and volunteers.

Sergeant Ware answered that Lane County Public Information Officer Sergeant Speldrich works with Neighborhood Watch programs. He added that Veneta has a strong Neighborhood Watch program, and although they have radios must call the Sheriff's office to respond to incidents.

Councilor Hammond asked if the number of calls has decreased since the assignment of the two (2) West Lane deputies.

Sergeant Ware answered that calls have increased, as the public is now aware of the deputies' presence in the area. He added that each call can require hours of a deputy's time, for reports, investigation, and support. He again referred to MCR's support role.

Commissioner Ceniga stated that Lane County Commissioners are aware of public safety concerns and the funding problems that impact all aspects of it. He added that public safety and funding public safety are the primary reasons he ran for election. He repeated that Commissioners are working hard to increase funding of public safety programs.

Mr. Jared Anderson, of The Siuslaw News, asked a clarifying question about the difference in the number of calls vs. the number of cases, listed on the West Lane calls for service log. Sergeant Ware explained the listed calls are individual calls and the case numbers indicate a written report. He further explained that sometimes a call does not result in a case, as there is not sufficient information for deputies to pursue an investigation. He cited examples of stolen property calls where there are no known serial numbers, or vague vehicle descriptions with no license plate numbers provided.

City Recorder/Administrator Mills requested Sergeant Ware inform the City of updates regarding the Dunes City's local trespasser.

Sergeant Ware said this situation is part of the reason he invited MCR to the meeting.

Ms. Melissa House, of MCR, gave a brief summary of MCR's contact with the family member and the steps for civil commitment.

Ms. Jazilynn Kinyon, of MCR, stated a letter detailing the necessary steps for civil commitment, but to date there has been no reply. She added that she verbally confirmed the family member received the letter and has no further update.

Ms. House stated that MCR recommends community members not provide food, supplies, or places to sleep, to discourage unhoused individuals from becoming comfortable in an area and encouraging them to seek assistance elsewhere.

Councilor Orr asked MCR staff which agency dispatches calls to MCR.

Ms. House answered that Florence Police Department dispatches all calls to MCR, but any branch of law enforcement agency, from Fire departments, Emergency Medical Service providers, or any community member can contact MCR. She added that Dunes City and Westlake are out of MCR's service area and MCR staff always responds with a member of law enforcement, when called to these areas.

Councilor Orr asked for the role of MCR staff and services MCR provides when dispatched.

Ms. House answered that response can include crisis de-escalation for people experiencing trauma or grief, that they frequently work with veterans, and they provide resources for people to get the help they need.

Councilor Orr asked if mental health resources are available in this area.

Ms. House answered that most of the resources are in the Eugene and Springfield areas.

Councilors, Commissioner Ceniga, and Sergeant Ware continued discussing public safety funding and staffing issues.

Councilor Olson stated that Dunes City property owners do not pay City taxes, so the City is unable to fund public safety. He added that paying Lane County taxes provides Lane County services.

City Administrator/Recorder Mills asked Commissioner Ceniga to please bring the return of Lot 700 to Dunes City before the Lane County Commission for consideration. She gave a brief history of Lot 700 and Commissioner Ceniga said he would look into it.

Mayor Meyer thanked Commissioner Ceniga and Sergeant Ware for attending the meeting and answering questions.

8. CITIZEN INPUT ON ITEMS NOT DISCUSSED IN PUBLIC HEARING

Mayor Meyer recognized Mr. Alan Montgomery.

Mr. Montgomery stated he would speak later.

City Administrator/Recorder Mills pointed out this would be under agenda item 11. New Business.

Mayor Meyer recognized Mr. Robin Mills.

Mr. Mills declined to speak.

Mayor Meyer recognized Mr. Bob Smith.

Mr. Smith had left the meeting.

Mayor Meyer recognized Mr. Michael McGlone.

Mr. McGlone had left the meeting.

Mayor Meyer recognized James Singletary.

Mr. Singletary had left the meeting.

Mayor Meyer recognized Rebecca Anderson.

Ms. Anderson had left the meeting.

Planning Secretary Noroña informed Mayor Meyer that she had requested attendees to write their name(s) on the sign-in sheet, for the record, even if they did not want to speak.

Mayor Meyer recognized Ms. Jazilynn Kinyon.

Ms. Kinyon had left the meeting.

Mayor Meyer recognized Ms. Melissa House.

Ms. House had left the meeting.

Mayor Meyer recognized LCSO deputy Derek Bastinelli.

Deputy Bastinelli had left the meeting.

9. OLD BUSINESS

A: Appointment of Edward McGuire to the Planning Commission

City Administrator/Recorder Mills introduced Mr. Edward McGuire.

Mr. McGuire stated his desire to serve on the Planning Commission and summarized his experience, as Councilors reviewed his application and resume.

Councilors welcomed Mr. McGuire and thanked him for volunteering.

Councilor Hammond made a motion to appoint Edward McGuire to the Planning Commission.

Councilor Olson seconded the motion. The motion passed unanimously.

City Administrator/Recorder Mills informed the Council of a missing agenda item for the appointment of Mr. Richard Snow to the Budget Committee.

Councilor Hammond made a motion to appoint Richard Snow to the Budget Committee.

B. Ad Hoc Committee report on Ordinance No. 268

re: Traffic Code

Councilor Hammond reported that each member had individually reviewed the document several times, but were able to meet as a group only once. They have discussed and reviewed the first half of the draft and expect to complete their work in time for the next City Council meeting.

C: Newspapers in Education

Councilor Orr deferred to comment until the next City Council meeting.

Councilor Stinson asked Mr. Anderson of The Siuslaw News if he had any information.

Mr. Anderson stated it would be best if he discussed this with Councilor Orr after the meeting.

D: Liquor License review update

City Administrator/Recorder Mills reported that she contacted the Oregon Liquor Control Commission (OLCC) to inquire about a form that cities need to use. To date there has not been a response.

E: Consideration of Contract for new copier lease

Calvin Pollard, Account Manager with Pacific Automation

Mr. Pollard virtually joined the meeting and solicited questions.

Councilor Hammond asked if the proposed replacement copier can handle envelopes and if the lease agreement includes staff training.

Mr. Pollard explained two methods the proposed replacement copier processes envelopes and that the lease agreement includes training staff. He added that he is in the Florence and Dunes City areas once per week.

Councilor Mallen asked for details about the lease.

Mr. Pollard answered that Pacific Automation is a third-party leasing agent and Wells Fargo is the lease company.

Councilor Mallen asked if this lease contract includes a purchase clause.

Mr. Pollard answered that the contract is strictly a lease agreement, but offered to submit an agreement that includes a purchase option if that's what the City wants.

Councilor Mallen clarified that he asked about a purchase because he wanted to ensure that the City is not billed at the end of the lease term.

Mr. Pollard explained that this lease agreement is financially advantageous over purchasing the copier, as the \$593/month lease payment is constant for the entire lease term and includes service, parts, labor, maintenance, toner, the allotment of print copies, and the telephone service.

Councilor Orr asked if the lease agreement includes upgrades, or if upgrades happen at the end of the lease term.

Mr. Pollard answered that, as account manager, he negotiates any upgrade costs during the current lease period with the leasing company, depending on how much time remains on the lease and costs of proposed upgrades.

City Administrator/Recorder Mills inquired about taxes.

Mr. Pollard stated that Lane County charges the leasing company a personal property tax on equipment, and the leasing company then bills the City each year, as the property is in Dunes City. Since the City is tax exempt, there is a process and a form the City submits for reimbursement and the final lease agreement between Pacific Automation and Dunes City can include specific language about the reimbursement.

Council President Snow made a motion to accept the new copier lease contract agreement.

Councilor Orr seconded the motion.

The motion passed unanimously.

Mayor Meyer thanked Mr. Pollard for the information.

Mr. Pollard he would send City Administrator/Recorder Mills an email with next steps and thanked the Council for their time.

10. PUBLIC HEARING

There was none.

10. EXECUTIVE SESSION

There was none.

11. NEW BUSINESS

- A. Montgomery View Estates – request for change of roadways from public to private

City Administrator/Recorder Mills referred to the copy of her January 3, 2023 letter to the attorney currently representing Mr. and Mrs. Montgomery. She explained that approval for this proposal requires a replat, adding that Dunes City has no roads department and very little funding for maintaining existing roads.

Councilor Olson asked Mr. Montgomery why they request a change to private roads.

Mr. Montgomery answered that investors and real estate professionals recommend private roads for the type of homes planned in the subdivision.

Councilor Hammond referred to a prior meeting where questions arose about the condition of this subdivision's roads and asked if conditions are the same.

City Administrator/Recorder Mills answered that Dunes City Code specifies road construction conditions and that the City engineer approved the roads. She repeated that with no City taxes, the City is unable to afford road building and funds from Oregon Department of Transportation (ODOT) are based on the number of Dunes City residents, not by the length of roads.

Councilor Mallen made a motion to approve private roadways for Montgomery View Estates. Council President Snow seconded the motion.

Councilors asked if the Montgomery View Estates subdivision is to be a gated community.

Mr. Montgomery answered that they are leaning towards making it a gated community.

Councilor Olson asked how police and fire crews could access a gated community.

City Administrator/Recorder Mills answered that law enforcement requires Homeowners' Associations of gated communities to provide access codes.

Councilors, staff, and Mr. Montgomery discussed other aspects of private roads vs. City road, lake access, and general questions about the Montgomery View Estates subdivision.

Councilor Hammond abstained from voting, stating that he views gated communities as isolating. The motion passed with 5 ayes and one abstention.

Mr. Montgomery asked if he can use his excavator to clear brush from Kiechle Arm Road.

City Administrator/Recorder Mills answered no, as the excavator has steel tracks, but she said the City will add this brush clearing to the road maintenance schedule.

13. REPORTS

A. Mayor's Report:

Mayor Meyer mentioned Oregon's birthday and thanked everyone for their time and effort to help Dunes City.

B. Community Center Report:

City Administrator/Recorder reported that Brent Chipps repaired restroom water leaks, power washed the City Hall building and treated moss on the building's roof.

C. Water Quality Report:

Council President Snow reported sending all the water quality testing equipment to the State for recalibration. She expects the equipment back by the end of February, 2023. She added the next step is to recruit water testing volunteers.

D. Road Reports:

Councilor Hammond reported that Byrd Park Loop has a big pothole.

Councilor Orr reported that Jensen Lane appears to be fine and he understands that Kiechle Arm road is in good shape.

City Administrator/Recorder Mills noted that the drainage on Kiechle Arm is still an issue.

Council President Snow reported that Westlake roads need brush clearing and that the potholes on Maple Street are larger.

Councilor Stinson reported that Ford Way, Lake Drive and Lake Shore Drive all need brush and tree trimming. She noted many tree branches hang over some of the power lines.

Councilor Mallen reported that the road surface of View Terrace Drive is fine, but there is so much overgrowth it was difficult for him to navigate. He said the only place to turn around is on private driveways and residents do not want others using their driveways to turn around.

Councilor Mallen then read a letter regarding Meadow Lake Way, questioning the lack of space for turning around at the end of the road and if the Fire Department can access residences.

City Administrator/Recorder Mills stated that Meadow Lake Way is a private road, that the H.O.A. is responsible for maintenance, it is possible that the Fire Department might not be able to turn around, and Dunes City has no jurisdiction on private roads.

Councilor Mallen reported that Cloud Nine still has a big pothole.

Mayor Meyer reported that lots of overgrowth along the roads in his assigned area, but he is waiting for trimming.

14. FOR THE GOOD OF THE ORDER

Mayor Meyer thanked Councilors for their attention to meeting procedures.

15. ADJOURNMENT

Councilor Hammond made a motion to adjourn.
Councilor Orr seconded the motion. The motion passed unanimously.
Mayor Meyer adjourned the meeting at 7:55 pm.

APPROVED BY THE DUNES CITY COUNCIL ON THE 15th DAY OF MARCH, 2023.

Sheldon Meyer, Mayor

ATTEST:

Jamie Mills, City Administrator/Recorder