



CITY COUNCIL MEETING MINUTES ~ APPROVED SPECIAL SESSION AUGUST 9, 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. CALL TO ORDER

Mayor Meyer called the Thursday, August 9, 2023 Special Session of the Dunes City City Council meeting to order at 6:01 p.m.

2. ROLL CALL

Present: Mayor Sheldon Meyer, Council President Susan Snow, Councilor Robert Orr, Councilor Richard Olson, Councilor Tom Mallen, Councilor Melissa Stinson, and Councilor Rory Hammond.

Also Present: City Administrator/Recorder Jamie Mills, Planning Secretary Lani Noroña, Videographer Alan Campbell, and several citizens also attended.

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

Mayor Meyer called for a motion to approve the agenda.

Councilor Hammond questioned the urgency of this meeting.

Councilors discussed the agenda and this Special Session City Council meeting.

City Administrator/Recorder Mills explained that if the Council wants to put the advisory question on the November 2023 ballot, a Council decision must be made before August 18, 2023.

Councilor Hammond made a motion to accept the agenda, with the condition that the Council have a staff report prior to discussing agenda item A. Proposed Ballot Question.

Councilors and staff discussed procedures and deadlines for a proposed ballot question.

Councilor Hammond referred to previous City Council meeting agendas and deadlines and expressed frustration about meeting procedures.

Mayor Meyer addressed the audience.

Wally Schulz asked the Council how Dunes City came to be and why.

Councilors and unidentified members of the audience called out comments.

Councilor Hammond encouraged members of the public to contact Councilors with concerns, and asked that they be prepared to speak, briefly, at meetings.

Councilor Hammond asked if there was a motion to approve the agenda and then stated he did not know if he wanted to approve it.

Councilor Orr stated “so moved”.

Members of the audience began talking (unintelligible).

Councilor Olson stated he did not know if there was a clear motion on the table.

Councilors began talking amongst themselves (unintelligible).

Members of the audience continued talking (unintelligible).

Councilor Olson stated the agenda was questioned and it was proposed that the agenda be amended, but there needs to be clarification before Councilors vote.

Councilor Hammond made a motion “to accept the agenda with again a proviso that the Mayor gives a State of the City and that it’s understood this is just a discussion and not a thing for the ballot”.

Councilor Olson seconded the motion.

Councilor Orr, Councilor Olson, Councilor Mallen, and Councilor Hammond voted “aye”.

Council President Snow and Councilor Stinson abstained.

The motion passed.

5. NEW BUSINESS

A. Proposed Ballot Question:

Should Dunes City discontinue being a city?

Mayor Meyer stated that he understands staff and Councilors do not think it is reasonable to get this on a November, 2023 ballot. He suggested the Council get the necessary information from the staff and City attorneys, and set a goal of putting this on a May, 2024 ballot.

Councilor Hammond made a motion to ask staff for a thorough report concerning discontinuing the City of Dunes City and make it a public hearing.

Councilor Olson added that the City attorney’s input on the tax ballot portion also be included in the staff report.

Councilor Hammond stated he would amend the motion.

Councilor Orr asked if the staff report would include pros and cons of disincorporating the City.

Councilor Hammond said that part of it should also include what happens to utility franchise fees, road taxes, hotel taxes, and that these discussions should also include water rights, adding “we probably should have somebody do a water district”.

City Administrator/Recorder Mills said it sounds like what Councilors want is an actual referendum and not an advisory question. She explained an advisory question is to get citizen input and that it could take years to produce a staff report that includes what might happen if the City disincorporates and that it would probably go to court.

Councilor Hammond stated “that should be part of the report”.

An unidentified speaker called out, asking “why is it you’re not Westlake? Why is it you want to throw us over to Florence?”.

Councilor Mallen stated it could be as simple as doing a name change.

Unidentified audience members began calling out comments.

City Administrator/Recorder Mills again explained what an advisory question is, and if less than a majority do not want the City to disincorporate there is nothing further for the City Council,

City staff, or City attorney to do. She then explained that a full ballot referendum would require substantial time and expense, some possible effects would have to be estimated, as there is no way to determine exact outcomes.

Councilor Olson asked “if people want to stay as a city are you going to pay the tax, because in order to operate as a city you’re going to have to pay a tax for this City to be a city”.

Unidentified audience members called out comments and some Councilors responded.

Councilors continued discussing the issue.

An audience member called out, suggesting the Council poll the audience.

Several audience members and some Councilors began talking at once (unintelligible).

Comments from the audience included a history of Dunes City, claims of not being allowed to talk, and voting.

Councilor Orr stated he did not think a “straw Poll” would be helpful at this point “because there is lots of information that we all don’t have”.

Councilor Hammond commented on previous meetings, meeting agendas, the conduct of meetings, and repeated his disapproval of this Special Session City Council meeting. He asked Councilors if they were prepared or surprised about this Special Session.

Councilor Stinson stated the agenda should be pushed aside so people could talk. She added that the Council can make changes to the agenda during a meeting.

Councilor Hammond stated he would be happy to make a move to adjourn the meeting and have people talk, but no motion was made at this time.

Councilor Orr stated Councilors had already agreed they would not make a decision at this time.

Mayor Meyer stated he would like to hear audience member comments.

Don Anderson stated his name and said he would not make a decision without knowing the pros and cons, that he was surprised to learn of this from the newspaper, and asked if residents would be involved in the process. He expressed concern about this being on the ballot without people knowing the facts, suggested having “a straw vote” of those at this meeting “that not everyone knows about”, and that he does not think all Dunes City residents are being represented.

Mayor Meyer thanked Mr. Anderson.

An unidentified speaker stated “I think that you should just let people talk. We’re all here, just let us talk and let us voice the concerns of different aspects of disincorporation would affect us”.

Councilor Stinson requested a refrain from negative comments.

Unidentified audience members called out various comments.

David Dalbeck stated he did not think seven (7) people should decide for the whole city. He said the City should send out letters, and that it should go to a vote of every citizen.

City Administrator/Recorder Mills explained that the City Council is discussing sending this issue to a vote of the people, and if so, how it should be worded on the ballot. She added that if the majority vote was to do away with the city, the City would, at that point, begin the work of determining how to proceed with disincorporation.

Judy Lee stated her concern is that she is a six (6) months per year resident, a Dunes City property owner and pays property taxes, but is not an Oregon voter. She said she is willing to increase property taxes to support Dunes City infrastructure and lifestyle, which is why she chose to move here, but she cannot vote.

Councilor Olson stated that only registered voters could vote, explained that property taxes are paid to Lane County, not Dunes City, and that Lane County gives a small percentage of road tax, gas tax, cigarette tax, and lodging tax to Dunes City.

City Administrator/Recorder Mills clarified that the State, not Lane County, provides a portion of those taxes to Dunes City.

Councilor Olson stated the problem is that Dunes City does not have enough money to operate the systems that residents want.

Unidentified audience members and Councilors discussed taxes, water, and sewer.

Councilor Hammond pointed out \$285 K of budget revenue, asking if this is annual revenue.

City Administrator/Recorder Mills answered that the revenue included ARPA funds of \$259 K which is for two (2) years.

An unidentified speaker called out, asking “How about if we’re a part of Westlake instead of throwing us to be Dunes City? Why can’t we be Westlake?”.

Councilor Olson answered that Westlake is part of Dunes City.

(unintelligible multiple comments).

Councilor Hammond stated “we are talking about labels” and explained that Dunes City neighborhoods are referred to as Westlake, North Shore, Woahink, etc. He said he doesn’t care which name people choose to use, that he cares about the community.

Jeanne Jackson stated “it was promised that Westlake could keep their name so thank you for confirming that”.

Councilor Hammond clarified that he had not confirmed anything, and repeated that he does not care which name is used.

Jerry Horn asked, if voters turn things over to the county, what services would residents receive and what would they lose?

Mayor Meyer answered that he is pushing for not having a November, 2023 vote as he thinks the City needs more information.

An unidentified speaker explained why he favors what is basically a feeler question on the ballot. He then asked if Dunes City is \$24 K in debt, as he read in The Siuslaw News.

City Administrator/Recorder Mills answered that she would clarify this.

Councilor Hammond stated “I have a list of my own personal things that are important to me”. He said there are twenty-six (26) things, one is water and one is persuading the U.S. Post Office to convert all Dunes City addresses to Dunes City instead of Florence or Westlake. He added that he is bothered by having his Dunes City residence listed as a Florence address.

City Administrator/Recorder Mills explained that when Dunes City became a city it initially included the Westlake area across Siltcoos Lake, but those residents did not want to become part of Dunes City. She added that Westlake has a Post Office that covers a specific area and that State requirements for cities to expand buildable lands inventories might mean the City could expand to that area if residents there agreed.

She said this might solve the State requirement that the City increase its buildable lands inventory, and possibly resolve the issue of addresses by changing the City’s name to Westlake. Unidentified speakers called out comments about disincorporation, voting, and addresses.

Councilor Olson asked City Administrator/Recorder Mills if the Council can pose the question of disincorporation or taxes on a ballot, and if so, how the Council should pose such questions. City Administrator/Recorder Mills answered that each ballot questions must be for just one (1) subject matter and the ballot question must be phrased as a yes or no vote.

Councilor Olson asked if the City could put two (2) questions on a ballot, one (1) asking if citizens want to disincorporate and another asking if citizens want a City tax.

City Administrator/Recorder Mills answered yes, but gave the example of a result where majority votes for disincorporation and majority votes for a City tax would create the problem of how could a non-existent City collect a tax.

Councilors and staff continued discussing ballot questions.

David Dalbeck called out a question about water, asking why Dunes City give permits for houses and why did banks loan money on houses if there was no water.

City Administrator/Recorder Mills attempted to explain Dunes City's Water Right Permit but was interrupted.

An unidentified audience member commented that City Administrator/Recorder Mills seems to have the most knowledge and information about these issues and Councilors should listen to her. City Administrator/Recorder Mills thanked the speaker, adding that she does "not know it all" and does not know the City Council's wishes.

Audience members called out comments regarding more information about the pros and cons is needed before a vote, Dunes City should include Westlake, etc.

Mayor Meyer called for order.

Councilor Olson stated he understood that Westlake is part of Dunes City and asked for clarification of the separation between Westlake and Dunes City.

City Administrator/Recorder Mills explained that the part of Westlake located on the West side of Siltcoos Lake is part of Dunes City, but the East part of Westlake, which is in the Westlake Post Office district, is not in the city limits.

Council President Snow stated that there are three-hundred ninety-four (394) people in the Westlake Post Office district.

Linda Tipton stated that some Oregon House bills and Senate bills passed "that will affect us all". She said residents need to decide if they want to pay more taxes, "stay separate, govern our own community, or do we want the State to come take us over and we're going to be mandated by what they want". She agreed that more information is needed before anyone can vote, stating "if the County takes over, we lose our voice" and "the biggest thing right now is do we want to keep it, we all want to work together, we love Dunes City, we want to keep it whether it's all Dunes City, Westlake, ...".

An unidentified audience member called out "basically do you want local control or do you want Eugene to control us?".

Christine Litke asked for clarification of the proposed ballot question, previous votes that did not approve Dunes City taxes, and asked Councilors if taxes are needed.

Councilor Olson said Dunes City needs to collect taxes so the City can operate as a city.

Councilor Hammond added that residents also pay a tax for Siuslaw Valley Fire and Rescue, a library tax, in some cases franchise fees, and some Homeowner Associations also collect a tax.

Ms. Litke advocated for clear verbiage on a ballot measure, so people know that if a tax is not passed that Lane County and the State would take over.

Councilor Olson stated he did not think this could be on a November, 2023 ballot.

Councilors, staff, and citizens discussed ballots and timelines.

City Administrator/Recorder Mills stated that the wording for ballot measures regarding taxes is set by law and the City cannot change that.

An unidentified audience member asked if this issue was due to the City being in debt. City Administrator/Recorder Mills said that the City is not in debt and explained the City's five (5) main funds. She explained that the City borrowed money from the Street Fund to meet State mandated Fish Screen requirements, which now needs to be repaid, that repayment can be spread out over time, which is a Budget Committee task, and announced there still are openings for the Budget Committee.

Mr. Dalbeck called out, asking why Parkway Drive was repaired. City Administrator/Recorder answered that the road was caving in... (she was interrupted). Mr. Dalbeck stated "I think that road could have been closed off" and mentioned other roads where he thought the repair money should have been used. Mayor Meyer called for order.

An unidentified speaker called out, asking if there are any other proposals for sustaining the City until there is a vote.

Councilor Hammond reported that the Budget Committee made some recommendations for the City Council, but the City Council has not yet considered those recommendations. City Administrator/Recorder Mills repeated her earlier statement that the City is not in debt, and the funds to repay the \$24 K borrowed from the Street Fund will not be available until the annual water bills owed to the City are posted next June.

Unidentified audience members continued calling out comments and suggestions for ballot measures, taxes, estimating City expenses, law enforcement, Code enforcement, Short-Term Rentals, license fees, how to inform citizens of City issues, etc.

General discussion of these subjects, by Councilors, staff, and audience members continued. Some audience members left the meeting.

B. Consultation with City attorney re:

1. Putting property taxes on the ballot;
2. How public testimony and input should be handled for "items not on the agenda".

City attorney unavailable, continued to the next City Council meeting.

C. Discussion regarding staff employment and turnover issues.

This agenda item was not discussed.

D. Discussion of difficulties faced by staff regarding Code Enforcement

This agenda item was not discussed.

6. EXECUTIVE SESSION

Not discussed.

7. OLD BUSINESS

Not discussed.

8. ADJOURNMENT

Mayor Meyer called for a motion to adjourn.

Councilor Orr made a motion to adjourn.

Councilor Mallen seconded the motion. The motion passed unanimously.

Mayor Meyer adjourned the meeting at 7:26 p.m.

9. FOR THE GOOD OF THE ORDER

The meeting was reconvened at 7:32 p.m., August 9, 2023.

Mayor Meyer announced that he is retiring and immediately resigned.

Councilor Orr recognized Mayor Meyer's service to the Council and the community.

Council President Snow thanked former Mayor Meyer for his service.

Councilor Olson asked City Administrator/Recorder Mills for the procedure to fill the vacancy.

City Administrator/Recorder Mills said it can be a motion, that a Councilor can put forward the name of a known interested candidate, but first the Council would ask if there is any Councilor willing to step forward.

Councilor Olson nominated Councilor Hammond for Mayor.

Councilor Hammond stated he is willing to serve as Mayor.

Council President Snow stated she also is willing, but no decision needs to be made at this time.

Councilors discussed how to proceed with selecting the best candidate for the position of Mayor.

Councilor Hammond made a motion that Councilors Mallen, Olson, and Stinson form an ad hoc selection committee. Councilor Orr seconded the motion. The motion passed unanimously.

Councilor Hammond asked Council President Snow to put his list of concerns on the next agenda.

Councilor Stinson thanked former Mayor Sheldon Meyer for his dedication and service.

Council President Snow expressed appreciation to former Mayor Sheldon Meyer.

Councilor Stinson made a motion to adjourn. Councilors Mallen and Olson seconded the motion.

The motion to adjourn passed unanimously.

Council President Snow adjourned the meeting at 7:48 p.m.

APPROVED BY THE DUNES CITY COUNCIL ON THE 18th DAY OF OCTOBER, 2023.

[Signed Copy Available at City Hall]

Susan Snow, Council President

ATTEST:

[Signed Copy Available at City Hall]

Jamie Mills, City Administrator/Recorder