



## CITY COUNCIL MEETING MINUTES ~ APPROVED REGULAR SESSION MAY 17, 2023 AT 6:00 PM

City Hall ~ 82877 Spruce St. Westlake OR

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Upon approval by the City Council, these minutes will be available online at [www.DunesCity.com](http://www.DunesCity.com)

### 1. CALL TO ORDER

Mayor Meyer called the Wednesday, May 17, 2023 Regular Session of the Dunes City City Council meeting to order at 6:00 p.m.

### 2. ROLL CALL

City Administrator/Recorder Jamie Mills called the attendance roll.

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

**Also Present:** City Administrator/Recorder Mills, Planning Secretary Lani Noroña, Planning Commissioner Gail Nichols, Planning Commission Chair Rapunzel Oberholtzer, videographer Alan Campbell, and citizens Alan Snow, Melanie Moritz, Robert Daugherty, Jeff Petersen, Don Anderson, John Greaves, Chris Clemons, Jonathan Anderson, Tom Claycomb, John Devries, Tina Devries, Jeanne Jackson, Christine (no last name provided), and Lori Anderson.

**Absent:** N/A

**Absent and Excused:** Councilor Tom Mallen.

### 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 Hammond seconded the motion. The motion passed by unanimous vote.

### 5. APPROVAL OF THE CONSENT AGENDA

City Administrator/Recorder Mills informed the Council that the Consent Agenda listed item D. Account Reconciliations and Profit and Loss Statement by Fund, but this was not included in the meeting materials.

Council President Snow made a motion to approve the Consent Agenda as amended.

Councilor Orr seconded the motion. The motion passed by unanimous vote.

## **6. ANNOUNCEMENTS / CORRESPONDENCE**

City administrator/Recorder Mills announced the following:

- A. The Budget Committee meeting previously scheduled for tonight has been continued until 6:00 p.m., Wednesday, May 24, 2023.
  
- B. The Three Rivers Conference Center is hosting a Cascadia Coastal Coalition Speaker Forum on June 5, 2023, from 10:00 a.m. to 12:00 noon. Loren Flindt, Mountain Wave Search and Rescue (SAR), Digital Mobile Radio (DMR), and Search and Rescue in the Pacific Northwest (PNW): Introduction to Digital Mobile Radio. Della M. Graham, Senior Project Manager, Associate Geologist, Haley & Aldrich, Inc. Vancouver, WA. Statewide Emergency Response Islands Determination: Resilience Planning for Isolated Populations due to Widespread Transportation Failures Following a Catastrophic Earthquake. She pointed out that Dunes City would be isolated in the event of a catastrophic earthquake.

## **7. CITIZEN INPUT ON ITEMS NOT DISCUSSED IN PUBLIC HEARING**

Mr. Alan Snow of Westlake, Oregon, asked if septic inspections are required every five (5) years. City Administrator/Recorder Mills stated that criteria for septic system inspections are determined by the inspectors, based on usage, number of people in the residence, and inspection results. Mayor Meyer added that the City, in concert with Oregon State University, developed a method to determine size of septic system components, number of people the system serves, and usage. City Administrator/Recorder Mills stated that City Hall sends notices in advance of the septic inspection deadline, so property owners have time to schedule inspections.

Ms. Jeanne Jackson asked if this was the time to discuss Ordinance No. 259.

City Administrator Mills said Ordinance No. 259 is later, agenda item 10. Public Hearing.

Ms. Jackson then stated she was saddened to learn that Westlake resident Joe Lane had passed, mentioned some of his contributions to the community, and that he will be missed.

## **8. OLD BUSINESS**

There was none.

## **9. NEW BUSINESS**

- A. Discussion regarding DEQ requirements for Short-Term Vacation Rentals

City Administrator/Recorder Mills explained the City received DEQ requirements for determining design flows of septic systems for Short Term Rentals. She added that the DEQ considers vacation rentals as a commercial use, and requires review for a change of use from residential.

- B. Intergovernmental Agreement (IGA) for Road Maintenance Services by Lane County

City Administrator/Recorder requested that Councilors to review the IGA and inform her of any concerns.

C. Ordinance No. 259, amending land use Codes for lands located in Dunes City.  
First Reading

Mayor Meyer read the prepared script.

He asked if any Councilor desired the Ordinance to be read in full.

Councilor Hammond made a motion for Mayor Meyer to read the Ordinance by Title only.  
Council President Snow seconded the motion. The motion passed unanimously.

Mayor Meyer read Ordinance No. 259 by Title.

Mayor Meyer asked City staff if all Notice requirements were met.  
City Administrator/Recorder Mills stated all Notice requirements were met.

Mayor Meyer asked Councilors if they had read the Staff Report.  
All Councilors affirmed they had read the Staff Report.

Mayor Meyer asked if any Councilor had questions for staff.

Councilor Hammond asked if staff recommends approval.  
City Administrator/Recorder Mills stated that her staff report to the City Council presents recommended changes and questions for Councilors to consider. She informed Councilors that the Planning Commission Staff Report includes all the relevant criteria.

## **10. PUBLIC HEARING**

Mayor Meyer read the prepared script.

He asked if any member of the public wished to challenge any Councilor's impartiality.

Ms. Jackson stated she does not question "your impartiality" but that she does question "that some of you have thoroughly read this".

City Administrator/Recorder Mills declared a Point of Order.

She informed Ms. Jackson that this is the first time this Ordinance has come before the City Council.

Mayor Meyer again asked if any member of the public wished to challenge any Councilor's impartiality.

There was none.

Mayor Meyer asked if any Councilor wished to declare a conflict of interest, bias, or ex-parte contact.

No Councilor declared a conflict of interest, bias, or ex-parte contact.

Mayor Meyer opened the Public Hearing at 6:20 p.m.

Mayor Meyer asked if there was any written testimony submitted, and requested the testimony be read into the record.

City Administrator/Recorder Mills read the following written testimony into the record:

A May 10, 2023 letter from Ken Pesnell, received at City Hall May 16, 2023

A May 15, 2023 letter from Hansford and LeAnn Boatman, received at City Hall May 15, 2023

A May 17, 2023 letter from Geneva Jackson, received at City Hall May 17, 2023

A May 17, 2023 letter from Holly Collins, received at City Hall May 17, 2023

A May 17, 2023 letter from Jonathan Anderson, received at City Hall May 17, 2023

A May 16, 2023 letter from Jeanne Jackson, received at City Hall May 17, 2023

City Administrator/Recorder Mills read aloud the applicable criteria Councilors are required to apply to this Ordinance:

Dunes City Code of Ordinances, Chapter 155 Zoning and Development, Section 155.4 Applications and Review Procedures, Subsection 155.4.1.7, Type IV Procedure, Legislative;

Dunes City Comprehensive Plan elements:

Citizen Involvement, Land Use, and Air, Land, and Water Quality;

Oregon Revised Statutes:

ORS 197.610, local government notice of Comprehensive Plan Amendments or new regulations, exceptions, and report submissions;

ORS 227.186

Notice to property owners of hearing on certain zone change, form of notice, exceptions, and reimbursement of costs; and Oregon Statewide Planning Goals.

City Administrator/Recorder Mills informed Councilors that the Planning Commission Staff Report contains detailed findings that address each of the applicable criteria listed above.

Councilor Hammond made a motion to listen to testimony and review the Staff Report later. Councilor Orr seconded the motion. The motion passed unanimously.

City Administrator/Recorder noted that the Staff Report is in the Councilors' meeting packets and stated that testimony must be directed towards the criteria that applies to the Ordinance.

Councilor Hammond asked if the public had the applicable criteria.

City Administrator/Recorder Mills and Planning Secretary Noroña stated that the applicable criteria is part of the 2021 Planning Commission Staff Report, which has been available to the public on the Dunes City website since September, 2021 and the Public Notice mailed September 16, 2021 to every Dunes City property owner of record and published in The Siuslaw News October 2, 2021 and October 6, 2021 includes a paragraph that Ordinance No. 259 and the Staff Report are available at City Hall and that copies are available upon request.

Mayor Meyer asked for testimony in favor of Ordinance No. 259.

Mayor Meyer recognized Rapunzel Oberholtzer.

Ms. Oberholtzer stated she is a Dunes City property owner and current Planning Commissioner.

She stated she submitted written testimony, on behalf of the Planning Commission, recommending approval of Ordinance No. 259.

She noted that the testimony notes two (2) specific changes the Planning Commission recommended after the Commission's 2021 Public Hearings.

She stated that one of the Planning Commission's recommendations was to reinsert protections for Booth Island properties, with modifications for the Hideaway subdivision on Booth Island. She stated the other Planning Commission recommendation was to change language that gives the Planning Commission sixty (60) days, instead of thirty (30) days, to make their recommendations to City Council on Type IV decisions, so there is plenty of time for Public input. She repeated that the current Planning Commission recommended approval of the Chapter 155 changes, based on all the review by previous eighteen (18) or so Commissioners, twelve (12) or so Citizen Advisory Committee members, three (3) or four (4) City attorneys, three (3) or four (4) City planners.

Mayor Meyer asked if there was anyone else who wished to submit testimony in favor. Planning Secretary Noroña explained that some attendees were unsure of whether they are in favor, or opposed, to Ordinance No. 259.

Tom Claycomb stated "point of order" and introduced himself. He stated he is a recent Dunes City property owner and thought this meeting was for Planning Commission. City Administrator/Recorder Mills answered that this is a City Council meeting and Public Hearing.

Mayor Meyer recognized Melanie Moritz.  
Ms. Moritz stated she signed in just for attendance.

Mayor Meyer recognized Robert Daugherty.  
There was no response.

Mayor Meyer recognized Jeff Petersen.

Mr. Petersen stated he has been a full-time resident of Booth Island since 2013. He thanked the members of the Planning Commission for their work on this Ordinance and thanked the City Council for their time this evening. He stated he had some points of confusion and therefore was unsure of whether he was in favor of, or opposed, to Ordinance No. 259. He explained that he recently had revisions that show deletion of Booth Island protections and the revisions now show those protections as reinstated. He asked for clarification of whether, or not, Booth Island protections are included in the Ordinance and stated he absolutely wants Booth Island protections to be reinstated. He stated he agrees that properties in the Hideaway subdivision not be included, as they were established in the 1970s and so are preexisting to current or proposed Code. He further asked about a section of Code regarding "low intensity uses such as hiking, walking, observation and other similar uses are allowed" and stated there is no public access as all of Booth Island is private property, referring to page 79 of the 268 proposed revisions, 155.2.4 Fragile Lands Overlay Zone. He stated he did not think that language belongs there at all. He expressed confusion about a fifty (50) foot no-touch zone, and the fifty (50) to one-hundred (100) foot setbacks from the shore, and read aloud language from page 80 of 268. He stated it appears that Code allows building within the one-hundred (100) foot setback, but in another section does not allow building within the one-hundred (100) foot setback from the shore. He added that Mr. Boatman's letter to the Council also references this discrepancy but noted that there are no homes on Booth Island within one-hundred (100) feet of the water line, with the possible exception of homes in the Hideaway subdivision.

City Administrator/Recorder Mills agreed there is a discrepant error and thanked Mr. Petersen for pointing it out.

Councilors thanked Mr. Petersen and Mayor Meyer stated the Council will take this testimony under consideration.

Mayor Meyer recognized Don Anderson.  
Mr. Anderson stated “pass”.

Mayor Meyer recognized John Greaves.  
Mr. Greaves stated “pass”.

Mayor Meyer recognized Chris Clemons.

Mr. Clemons stated he is new to the city and asked about the language in 155.1.1. “what is the definition of the visual character of the city”? He stated that if this language drives how things are built in Dunes City it should be defined. He then asked about language that states “Accessory buildings shall be constructed from the same materials, style and design of the primary residence” and asked if he has a stick-built residence does this language prevent him from having a metal accessory building, for example a metal garage or shop.

He cited section 155.2.1.210. and asked if a house has Hardie Board siding, would the shop or garage also have to have Hardie Board siding, and what if the same product is not available?

Mayor Meyer commented that these are good questions.

Mr. Clemmons asked what is the appeal process in the event of extenuating circumstances.

City Administrator/Recorder Mills answered that the appeals process is defined in Chapter 36. She further explained that a Permit would be appealed to Northwest Code Professionals or City Council. She added that revisions to Code have attempted to remove language which regulates cosmetics.

Council President Snow asked Mr. Clemons to provide the section number, as it was not on page 52 of the copy she had.

Mr. Clemons repeated section number 155.2.1.210.

Mayor Meyer recognized Jonathan Anderson.

Mr. Anderson mentioned that he sent the City an email and spoke about Code regarding docks. He referred to State agency regulations and Dunes City Code section 155.2.3, Open Space Overlay Zone, subsection B. Standards, 1. Placement, 2. Size. He suggested that for shared docks, the size limit be increased, as long as it meets State regulations. He then referred to Access and Circulation, 155.3.1, subsection J. 4. “Existing non-conforming accesses and parking lots shall be brought into conformance, when expanded or redeveloped more than seventy-five percent (75%)” and section 155.3.1 subsection K. 1. b., stating it would be ideal to also have a process for easements that are non-conforming.

Mayor Meyer recognized Tom Claycomb.

Mr. Claycomb stated he did not know what questions to ask. He said he had been in Dunes City about a year and his goal was to get to know as many people as he could. He extended a general invitation to a July 22nd party at his home and stated he hopes to have at least one-hundred (100) people attend.

City Administrator/Recorder Mills pointed out that such a large event requires a Permit.

Mayor Meyer recognized John DeVries.  
Mr. DeVries stated “no comment”.

Mayor Meyer recognized Tina DeVries.

Ms. DeVries stated she was unable to access “the whole thing” but that what she did read was lots of legal jargon and that she would have appreciated the City mailing something about the major changes, three (3) or four (4) pages that Dunes City residents need to know, and that all she cares about are the major changes. She stated it is difficult for lay people to “wade all the way through it” and that people just want to know what the changes are that affect them.

Mayor Meyer asked Councilors if any had questions for a person who provided testimony.

Councilor Olson asked Mr. Petersen if the current Booth Island setback is fifty (50) feet.

Mr. Petersen said this is not clear to him, that he understands the fifty (50) foot no-touch zone, but he his question is whether or not building is allowed within one-hundred (100) feet of the shore. City Administrator/Recorder Mills clarified that existing Code states fifty (50) feet no-touch and construction setback is one-hundred (100) feet, and there is a discrepancy in proposed new language, which is an error that needs correction.

Councilor Orr asked for clarification, stating he understood the proposed language was changing the fifty (50) foot setback to one-hundred (100) feet.

City Administrator/Recorder Mills said initial Planning Commission recommendations were to have all Dunes City shoreland setbacks the same, including Booth Island. Current Code is a twenty-five (25) foot no-touch zone and an additional twenty-five (25) feet, for a total setback of fifty (50) feet. The final Planning Commission recommendation, based on public testimony, is to retain specific Booth Island Code, including shoreland setbacks and that she will review this language for accuracy.

Councilor Orr asked about the Boatman’s written testimony, which he understood stated that a one-hundred (100) foot setback would be too restrictive and is more restrictive than current Code. City Administrator/Recorder Mills stated that a vital point in these discussions about Booth Island Code is that the Hideaway subdivision was the first subdivision created in Dunes City, designed for camping use, and the lots in Hideaway are tiny. She added that the Hideaway Island subdivision must comply with Dunes City Code, but is specifically exempted in Code for Booth Island.

Councilor Hammond asked if there was testimony from virtual attendees.

Planning Secretary Noroña contacted the virtual attendees.

One unidentified attendee spoke briefly but the sound was garbled and the attendee left the meeting.

Attendee Christine, of the Frank J. Litkei Estate, stated she was unable to hear, that she did not have testimony to submit but raised her virtual hand because of the inability to hear.

Attendee “JB” stated he did not have any testimony, he was just listening, and the sound was fine.

Attendee LA stated she was just listening.

Attendee EL had a virtual hand raised but did not respond.

City Administrator/Recorder Mills directed Councilors’ attention to the pages which had comments, and asked Councilors to respond or answer those comments.

Ms. Jeanne Jackson asked if names were called for everyone who wanted to speak.

City Administrator/Recorder Mills stated she preferred Councilors address the comments first, as it might answer some of the questions which those who wanted to submit verbal testimony in opposition to the Ordinance.

Councilors and City staff began reviewing the Chapter 155 revisions and comments.

City Administrator/Recorder Mills stated that the definitions from page 29 of 268 were moved to the section that has all the definitions, so that all the definitions are together, making it easier for people to understand Code language.

City Administrator/Recorder Mills pointed out that Planning Commission recommendations included striking out a definition for Driveway Apron, which is important for reducing road maintenance.

Council President Snow pointed out there is a definition for “Access”, but not a definition for “Access Way”.

City Administrator/Recorder Mills noted the discrepancy.

City Administrator/Recorder Mills stated that Violations is a separate Chapter of Dunes City Code, so she thought it is redundant for Chapter 155 to include Violations. She stated that the City attorney informed her that Violations do not need to be in Chapter 155, and noted that there should be a Chapter 155 reference that states something about “in accordance with the provisions of Chapter 36. . .”.

Councilor Hammond asked about the word “ephemeral”, page 27 of 268.

Councilors and staff discussed whether or not to include the word “ephemeral”.

City Administrator/Recorder Mills stated that ephemeral drainage is not regulated by Dept. of Environmental Quality (DEQ).

Council President Snow asked if Code language for “Riparian Area” and “Riparian Overlay Zone” mean the same thing, or if there should be a definition for “Riparian Overlay Zone”.

City Administrator/Recorder Mills explained that the “Riparian Overlay Zone” includes State requirements for cities to identify “Riparian Corridors”, which is the same as “Riparian Area”.

Councilor Hammond stated that the Planning Commission reviews of Chapter 155 “did all this work” and that he feels Councilors are re-doing what Planning Commissioners already did and that he understood the City Council was to make a decision, based on the Planning Commission recommendations and the City Administrator/Recorders Staff Report. He stated he had hoped the Staff Report would be in agreement with the Planning Commission recommendation(s).

City Administrator/Recorder Mills stated that some sections, such as Urban Growth Boundary (UGB) are required by State law, and that State laws have changed over the course of the several years of Planning Commission reviews, so the Staff Report addresses those.

City Administrator/Recorder Mills raised the issue of “Accessory Buildings”, which consumes lots of staff time for Code Enforcement. She pointed out the distinction between the definition of “Accessory Building” and the definition of “Accessory Dwelling”. She stated the City receives daily inquiries about why Dunes City does not allow Accessory Dwellings.

Attendees began calling out comments from the audience.

City Administrator/Recorder responded by stating that Dunes City Code has never allowed Accessory Dwellings, due to the lakes providing City drinking water sources and the fact that all sewage is handled by septic systems.

Mayor Meyer called for order.

Councilor Olson stated that currently Dunes City does not allow any Accessory Building to be on a property that does not have a dwelling first.

City staff confirmed this is correct.

Councilor Olson asked why a person could not use a piece of property to store such items as lawnmowers, boats, etc.

Councilors and City staff discussed the difficulty of distinguishing between how an Accessory Building is used, as the City regularly receives complaints of people living in garages, sheds, etc. Councilor Hammond referred to written testimony from Ken Pesnell, a Planning Commissioner since 2016, that included statements about many different people reviewing this Code, that every word was read, and that the City Council is re-doing that at this meeting. He stated that this Code is a huge document, that so much time has passed since the last Planning Commission meeting, laws change over time resulting in a constantly “moving target”, and that he thinks it needs to be codified now and future changes handled with Ordinances.

Mayor Meyer agreed, adding that he understands many experts have reviewed this Code and it is time for a Council decision instead of taking weeks to review the Code page by page.

City Administrator/Recorder Mills continued pointing out the comments and/or updates.

Mr. Claycomb asked if this was the time for questions.  
City Administrator/Recorder Mills indicated it was not.

Councilors and staff continued discussing Accessory Buildings are not allowed until Dunes City issues a building permit.

Councilor Olson stated that he thinks the Code about Accessory Buildings prevents people from using their property as they need it.

Mr. Anderson called out from the audience, asking if a boat dock is an Accessory Building.  
City staff and some of the Councilors answered no.  
Planning Secretary Noroña answered no and clarified that a boathouse is an Accessory Building but a boat dock is not.

City Administrator/Recorder informed Councilors that some proposed language updates regarding Bed and Breakfast, Guest House, and Short-Term Rentals are required, as DEQ considers those uses as commercial use.

Councilors and staff discussed the DEQ requirements.

Planning Secretary Noroña clarified that the DEQ requirement is for commercial use of a property, not commercial zoning of a property.

Councilor Hammond asked about dock regulations.

City staff answered that dock regulations are State regulations, not under Dunes City jurisdiction. Mr. Anderson called out from the audience, stating that his understanding is that the Oregon Dept. of State Lands (DSL) does not enforce Fish and Wildlife restrictions for current docks, just for new docks, or any repair of an existing dock that is 75% or more of the total area.

Councilors and City staff discussed part of Booth Island Code, regarding setbacks from the shore. City Administrator/Recorder Mills informed Councilors that the Federal Emergency Management Agency (FEMA) determines the Ordinary Low Water and Ordinary High Water (OHW) marks. Councilor Olson stated that this needs revision as the dam operator does not allow this.

City staff and Councilors discussed Excessive Slopes, different requirements for slopes of 12%, 15%, and 16% in different sections of Code, the City engineer's recommendation, the costs associated with a City Engineer site visit, and that current Code requires a Soil and Erosion Control Plan for development in slopes greater than 15%.

City Administrator/Recorder Mills informed Councilors that per DEQ and DSL, City installations of park facilities, including bicycle, hiking, and interpretive trails are allowable in the Wetlands area.

City Administrator/Recorder Mills pointed out that shared driveways are allowed, limited to four (4) lots sharing one (1) driveway.

Councilor Hammond asked about existing driveways.

City Administrator/Recorder Mills stated that new Code cannot be enforced on preexisting cases.

Mr. Anderson asked if the number of shared driveways was decided by Dunes City or if there are other laws that regulate that number.

City Administrator/Recorder Mills said that numbers beyond four (4) shared driveways might be considered a subdivision, but she was unsure if that is State law.

City Administrator/Recorder Mills stated the State no longer requires grading and excavation permits, except under certain circumstances, and asked Councilors if they thought Dunes City Code should keep the requirement for grading and excavation permits, or follow the State regulations.

Councilor Orr stated that all drainage in Dunes City goes into the lakes and advocated that Dunes City continue to require grading and excavation permits, to protect water quality of the lakes.

Councilor Stinson asked a specific driveway question regarding the twelve (12) foot running surface to prevent drainage into the waterways.

City Administrator/Recorder Mills stated in some instances the City's driveway permit requires a site visit by the Public Works contractor to determine the best plan for drainage.

City Administrator/Recorder Mills pointed out a section regarding a City requirement for a developer to obtain a performance guarantee, but the details of such an agreement might not need to be included in Code, as the agreement itself contains the details. She stated she will review this with the City attorney.

City Administrator/Recorder Mills referred to section 155.3.4 – Public Facilities Standards. She added that currently there is not enough room for emergency vehicles or others to get through, especially when people park vehicles in the right of way, and if Councilors want future roads to be wider, or allow room for sidewalks, this is the place in Code to add such language.

Councilor Hammond asked about section 155.3.4.5150 language that states “. . . such underground facilities shall provide enough surplus line so as to protect against breakage by a 20-foot shift of the ground . . .” stating this would be difficult to do and recommended this language be stricken.

Councilor Olson commented that such a requirement does not state at what distance(s) the surplus should be placed and creates astronomical costs.

Councilors discussed the language in this section.

Councilor Hammond referred to section 155.3.4.5150 B. 5. and stated that this language assumes water meters, pumps, and treatment systems are uniform, which is not the case.

Council President Snow asked about language proposed to be stricken from section 155.4.3.110 General Requirements E. and the staff comment to the side.

City Administrator/Recorder Mills stated the comment refers to keeping 155.4.3 E., F., G., and H language, as it required for the City to get FEMA assistance in an emergency and for residents to get FEMA flood insurance. She stated that these four paragraphs cannot be removed.

City Administrator/Recorder asked Councilors if they had a consensus about the difference between different sections of current Code for slopes, as one section states 12% - 15% and another section states 16%.

Councilor Olson asked if 16% is the State standard.

City Administrator/Recorder Mills said that a slope of 16% or more triggers a DEQ investigation.

City Administrator/Recorder Mills informed Councilors that since the Planning Commission reviewed Chapter 155, State law changed that does not allow different land use requirements for manufactured housing than land use requirements for site built-housing.

City Administrator/Recorder asked Mayor Meyer if he wanted to close the public hearing or ask for public comments.

Mayor Meyer recognized Mr. Tom Claycomb.

Mr. Claycomb referred to setback requirements, stated where his property is located, and began to describe a situation specific to development on that property.

City Administrator/Recorder Mills spoke up, advising Mr. Claycomb not to continue, as the issue which he raised is the subject of a hearing regarding violations.

Mayor Meyer asked if there were any other comments.

There was no response.

Mayor Meyer closed the Public Hearing at 8:42 p.m.

Councilor Stinson made a motion for the Council to continue discussing Ordinance No. 259 at the next regularly scheduled City Council meeting.

Councilor Olson seconded the motion.

Councilor Hammond requested a synopsis and/or Staff Report of suggested changes be available at the next City Council meeting and possibly post such a synopsis to the City's website.

Councilor Orr asked City Administrator/Recorder Mills if this is a reasonable request, noting that such a synopsis would require lots of staff time to prepare it.

Councilor Stinson stated she favors a synopsis, adding that it might provide clarity and understanding, as mentioned during the public hearing.

Councilors voted on the motion to continue discussion of Ordinance No. 259 at the next meeting. The motion passed unanimously.

## **11. EXECUTIVE SESSION**

There was none.

## **12. NEW BUSINESS**

- A. Ordinance Number 259, an Ordinance amending land use Codes for land located in Dunes City  
Second Reading and deliberation

Councilors had already voted to continue discussion of Ordinance No. 259 at the June 21, 2023 City Council meeting.

- B. Resolution Series 2023, No. 3 re: Deposits and Fees Schedule for Land Usage Applications

Councilor Hammond asked if Councilors wanted to table the discussion regarding DEQ requirements for Short-Term Vacation Rentals and the Intergovernmental Agreement (IGA) for Road Maintenance Services by Lane County until the June 21, 2023 City Council meeting.

City Administrator/Recorder Mills stated the Council must vote whether or not to approve the IGA for Road Maintenance Services by Lane County.

Councilors decided to table the IGA vote until the June 21, 2023 City Council meeting.

## **13. REPORTS**

- A. Mayor's Report:

There was none.

- B. Community Center Report:

There is no Community Center volunteer.

- C. Water Quality Report:

Council President Snow said that due to the late hour she would not give a Water Quality report.

- D. Road Reports:

There were none.

#### **14. FOR THE GOOD OF THE ORDER**

Councilor Orr stated he will not attend the May 24, 2023 Budget Committee meeting.

#### **15. ADJOURNMENT**

Councilor Hammond made a motion to adjourn the May 17, 2023 City Council meeting. Councilor Orr seconded the motion. The motion passed unanimously. Mayor Meyer adjourned the meeting at 8:50 p.m.

**APPROVED BY THE DUNES CITY COUNCIL ON THE 16th DAY OF AUGUST, 2023.**

[Signed Copy Available at City Hall]  
Susan Snow, Council President

ATTEST:

[Signed Copy Available at City Hall]  
Jamie Mills, City Administrator/Recorder