



**CITY COUNCIL MEETING MINUTES ~ APPROVED  
SPECIAL SESSION JUNE 29, 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](http://www.DunesCity.com)

**1. CALL TO ORDER**

Mayor Meyer called the Thursday, June 29, 2023 Special Session of the Dunes City City Council meeting to order at 6:05 p.m.

**2. ROLL CALL**

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

**Also Present:** Tina Johnson, Kellie Daugherty, Misty Wadzeck, Patrick McAleney, Tom Bassett, Jeanne Jackson, and John Barnett.

**Absent:** N/A

**Absent and Excused:** Council President Susan Snow, Councilor Tom Mallen, and Planning Secretary Lani Noroña.

**3. PLEDGE OF ALLEGIANCE**

All who were present stood for the Pledge of Allegiance.

**4. APPROVAL OF THE AGENDA**

Councilor Orr made a motion to approve the agenda.

Councilor Stinson seconded the motion. The motion passed unanimously.

**5. APPROVAL OF THE CONSENT AGENDA**

Councilor Stinson made a motion to approve the Consent Agenda.

Councilor Orr seconded the motion.

Councilor Hammond stated he liked the Profit and Loss Statement, noting that he does not want to see columns of unclassified funds and that he would also like to see Profit and Loss for the year.

The motion passed unanimously.

**6. ANNOUNCEMENTS / CORRESPONDENCE**

None scheduled.

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

Mayor Meyer recognized Tina Johnson.

Ms. Johnson stated her name and address of 83923 Cloud Nine Rd. She reported that renters of a neighboring vacation rental must use her driveway to get to the vacation rental property. She stated that she previously attended City meetings beginning in the Spring of 2020, that there have been many problems with renters leaving trash, parties, etc. She stated that the advertisements do not correctly list the number of bathrooms and that there is an additional dwelling on the property that also has a bathroom. She reported that a terrible smell was coming from the property and that she observed an open sewer pit in that yard, right at the edge of the lake. She said there is always more than ten (10) people staying there and said the septic system was pumped on 4-17, 5-01, 5-15, 5-30, 6-13, and 6-27 and that every time the system is pumped it smells badly for days. She asked why the City allows vacation rental of this property, and that she has filed complaints with Dunes City. She asked if any Councilors have any Short-Term Rentals (STRs), and if so, any Councilor who does should excuse themselves from voting, as that constitutes a conflict of interest.

Mayor Meyer stated he does not own any Short-Term Rentals.

Councilor Orr stated he does not own any Short-Term Rentals.

Councilor Hammond stated he does not own any Short-Term Rentals but he knows the Councilor who does have Short-Term Rentals was not involved in “the voting or creation of that”.

Councilor Olson stated his whole business is Short-Term Rentals but his property is commercial.

Councilor Stinson stated that she does not have any properties that would fall under that category and that she is advocating for these Short-Term Rental properties to become commercial properties.

Councilor Olson asked City Administrator/Recorder Mills if the permit for the vacation rental property on Cloud Nine was revoked.

City Administrator/Recorder Mills answered yes.

Councilor Olson asked if Lane County is aware of the septic issues on that property.

City Administrator/Recorder Mills said Lane County is well aware of the situation and that Lane County is monitoring the pumping to determine if the use is commercial. She explained that the Department of Environmental Quality (DEQ) distinguishes between commercial or residential use, separate from zoning of commercial or residential property. She stated that Ordinance No. 259 Code revisions can address this.

Mayor Meyer recognized Kellie Daugherty.

Ms. Daugherty stated her name and address at 4669 Pacific Ave. She said she planned to speak about Agenda item 8. B. regarding a road.

Mayor Meyer recognized Misty Wadzeck.

City Administrator/Recorder Mills asked Ms. Wadzeck if she was at the meeting to speak about the road issue.

Ms. Wadzeck answered yes.

Mayor Meyer asked Ms. Wadzeck if she wished to speak.

Ms. Wadzeck said she wished to speak later, about the road.

Mayor Meyer recognized Patrick McAleney.

Mr. McAleney spoke about the vacation rental property on Cloud Nine Rd. He said he knows Lane County is involved but urged the City Council to also be involved. He asked how the City gets from discussing this on a monthly meeting basis to a document, that he doesn't know if anyone at this meeting has seen that document, asked about the voting process, and offered to edit the document.

Councilor Olson stated that he thinks that document has been available to the public all along.

City Administrator/Recorder Mills confirmed this, adding that it is on the City website and clarifying that it is the Short-Term Rental Ordinance.

Councilor Hammond noted that Councilors voted on the STR Ordinance in January, 2023 and that this Ordinance is separate from Ordinance No. 259.

City Administrator/Recorder Mills confirmed that Ordinance No. 259 does not address STRs.

Mr. McAleney stated he is confused and referred to a video of the most recent City Council meeting.

Councilors and City Administrator/Recorder Mills explained the process and briefly reviewed the discussion of Ordinance No. 259 and Short-Term Rentals at the previous City Council meeting.

Mr. McAleney again asked about the process.

Councilor Orr explained that at the previous City Council meeting there was lots of citizen input about STRs and Councilors agreed to make this topic a top priority at their next meeting, to review citizen comments and suggestions towards revising the Short-Term Rental Ordinance. He explained that this is an interim meeting, that reviewing the STR Ordinance is not on the agenda, but the plan is to address this at the next regularly scheduled City Council meeting. He added that all Councilors recognize STRs are a serious issue and are committed to finding solutions.

City Administrator/Recorder Mills stated that the City fined the owners of the Cloud Nine STR \$5,000.00 and the owners are paying that fine. She added that this fine was the full extent of what could be done as Dunes City Code Enforcement Officer.

Mayor Meyer recognized Tom Bassett.

Councilor Stinson stated that Mr. Bassett would speak later.

Councilor Hammond stated that there are letters with requests that they be read into the record.

Ms. Jeanne Jackson stated she would like to speak. She said, “the reason why 259 is such a mess it is from right from the beginning it was done during Covid, when we had to risk our lives to come to meetings where three (3) of the members of the Council wouldn’t even put on a mask. Now I will say the Planning Commission was very good, they all masked up, they tried to proceed in an orderly fashion, but they allowed very little to no time for anyone to refute what they were doing, and when they had all expressed to Jamie and Lani that they needed more time, this was massive and it was a mess, they wanted to fix it before passing it on . . .”.

Councilor Olson said, “excuse me, excuse me just a minute”. He said “I don’t believe we’re here to discuss 259”.

Ms. Jackson replied, “it says anything not on the agenda. Anyway, I was trying to finish my story when I told you that Jamie said she didn’t care if they had to stay here ‘till midnight they were going to pass this, they needed to pass it on . . .”.

City Administrator/Recorder Mills stated, “I didn’t say that, Jeanne, don’t you dare lie about it”.

Mayor Meyer called for order.

Ms. Jackson continued speaking.

Mayor Meyer again called for order.

Heated discussion ensued between Ms. Jackson, an unidentified speaker, and Councilors.

Mayor Meyer again called for order.

An unidentified speaker continued to call out and cursed at Mayor Meyer.

Mayor Meyer stated he might call the Sheriff to have the speaker removed.

An unidentified speaker continued shouting and cursing.

Mayor Meyer asked the speaker to leave the meeting.

The unidentified speaker and other attendees began calling out.

Mayor Meyer again called for order.

Ms. Jackson continued speaking, referring to alleged comments from a previous meeting.

Mayor Meyer addressed Ms. Jackson, stated that the Council heard what she said, and informed her that the meeting must proceed.

Ms. Jackson stated she appreciates the opportunity to speak and said “thank you”.

Mayor Meyer asked if anyone else wished to speak.

There was no response.

City Administrator/Recorder Mills said there are two (2) letters to be read into the record.

She said the first is an email received from Holly Collins and read this email aloud.

City Administrator/Recorder Mills said the second letter is from Geneva Jackson and read it aloud.

She stated that she provided Ms. Jackson with fiscal year-to-date expenses, last June to current, and gave her budget-to-actuals for the last three years. She said this information was sent to Ms. Jackson via email.

## **8. NEW BUSINESS**

### **A. IGA for Special Use permits for roadways in Dunes City for County Roads**

City Administrator/Recorder Mills informed Councilors that Lane County contacted Dunes City regarding the Darlings fireworks display and asked if the City would be willing to sign an IGA to issue Special Use Permits. She said the IGA is in Councilors’ meeting packets and that no permit is required because Darlings is not closing any roads.

Councilor Orr asked City Administrator/Recorder Mills if the IGA is not needed.

City Administrator/Recorder Mills confirmed it is not needed for the Darlings fireworks event.

Councilor Hammond asked about the Triathlon.

City Administrator/Recorder Mills said the IGA does apply to the Triathlon and that there is an upcoming wedding in Dunes City, so the IGA would apply to any event proposing the use of County roads.

Councilor Orr asked City Administrator/Recorder Mills to explain the IGA.

Councilor Hammond asked if there is a fee.

City Administrator/Recorder Mills said Lane County charges a \$250.00 fee, which the City would collect and give to Lane County.

Councilor Orr stated he understands this might result in more work for staff, but that the City would be providing people a more convenient process.

City Administrator/Recorder Mills said these events occur only once or twice a year.

Councilors and staff continued discussing details of the IGA and events in Dunes City.

Councilor Orr stated this does not seem to be urgent, that he wants more time to review the agreement, but if other Councilors want the City to sign the IGA he is happy to proceed.

The matter was continued to the next City Council meeting.

### **B. Resolution Series 2023, No. 4 re: usage of a Siltcoos Lake Club Plat unimproved roadway as access road to land proposed for a parcel split**

City Administrator/Recorder Mills introduced John Barnett and asked him to explain the proposal to the Council.

Mr. Barnett stated he represents Mr. Bassett and Mr. Bailey, owners of two tax lots known as 2600 and 2700.

City Administrator/Recorder Mills referred to materials in Councilors’ meeting packets and pointed out Clear Lake Road.

Mr. Barnett explained that the owners want to move the property line that divides the two parcels and create access to lot 2700 from an unimproved roadway, so that lot 2700 is not landlocked. He further explained that current access to lot 2700 is through the existing driveway to the owners' residence on lot 2600, and the owners do not want to share their private, gated driveway.

Councilor Hammond asked why this proposal was not in a public hearing.

City Administrator/Recorder Mills explained that the City owns this unimproved roadway, that this is a Type II Administrative decision, and there is no requirement for a public hearing.

Councilors, staff, and Mr. Barnett discussed details of the proposal.

Mr. Bassett explained further details of the existing property lines, where his residence is located, and why a different access point is needed for lot 2700.

There were comments and questions from unidentified speakers.

Councilor Hammond made a motion to adopt Resolution Series 2023, No. 4.

Councilors Olson and Orr seconded the motion. The motion passed unanimously.

- C. Resolution Series 2023, No. 5 re: City services provided and election to receive a portion of cigarette taxes, liquor taxes, and gas taxes

Councilor Hammond made a motion to adopt Resolution Series 2023, No. 5.

Councilor Olson seconded the motion.

Councilor Hammond asked if these funds are restricted or unrestricted.

City Administrator/Recorder Mills said motel funds and gas funds are restricted.

The motion passed unanimously.

## **10. PUBLIC HEARING**

None scheduled.

## **11. REPORTS**

Mayor Meyer reported that a City road in his neighborhood was repaired and he is unsure of who paid for the repairs.

City Administrator/Recorder Mills stated that the City does reimburse road repair costs.

Councilor Hammond reported that Byrd Park and Buckskin Bob each have a pothole, and stated this is the same road report he provided at the previous meeting.

City Administrator/Recorder Mills requested the specific location of these potholes.

Councilor Hammond provided a more specific explanation of where the potholes are located.

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

Councilor Hammond said if the Council follows procedures, such as the twenty (20) minute total time allowed for speakers to address the Council and three (3) minutes for each speaker, with Councilors listening but not responding. He said this might eliminate arguments and name calling. He requested the Mayor set citizen concerns on future agendas and stated he thinks Councilors have done a poor job of conducting City Council meetings.

City Administrator/Recorder Mills stated she contacted the City attorney and that office offered to come to City Hall to conduct classes for proper procedure, especially concerning land use issues and the consequences when proper procedure is not followed.

Councilor Hammond referred to the most recent City Council meeting and said there was too much “back and forth” and that Councilors should just listen to citizen concerns and not respond. He added that the 259-page Ordinance should go back to the Planning Commission, as reviewing such a large document takes so much time that Councilors cannot conduct other business, and that he wants the Planning Commission and staff to agree before he votes.

Councilor Olson said that once it comes from the Planning Commission the City Council should not see further changes.

City Administrator/Recorder Mills asked if Councilors were asking her to also attend the Planning Commission meetings.

Councilor Hammond and City Administrator/Recorder Mills continued discussing the process of Planning Commission recommendations and staff review before presenting it to the City Council.

Councilor Orr referred to Ordinance No. 259 and asked if the City Council could review such a large Ordinance section by section, instead of all at once.

Mayor Meyer said the Council should vote on the final recommendations from everyone who has reviewed the entire thing and developed the Ordinance over several years.

Councilors and staff continued discussing proper procedure and what the Planning Commission would review.

Planning Commission Chair Rapunzel Oberholzer stated if the Planning Commission agrees to review Ordinance No. 259 again, her suggestion is a review of the document with staff comments that was presented at the May 17, 2023 City Council meeting and public hearing.

Councilor Stinson made a motion for the City Council to send Ordinance No. 259 back to the Planning Commission for review based on public comments and staff comments.

Councilor Hammond seconded the motion. The motion passed unanimously.

### **13. ADJOURNMENT**

Councilor Hammond made a motion to adjourn.

Councilor Orr seconded the motion. The motion passed unanimously.

Mayor Meyer adjourned the meeting at 7:20 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