

# WESTFIR CITY COUNCIL SPECIAL MEETING MINUTES

Friday, May 13, 2022

In-person meeting and via audio/video teleconference

3:30 p.m.

## MINUTES

### **CALL SPECIAL MEETING TO ORDER:**

Mayor Cornelius called the Special Meeting to order at 3:30 p.m. Councilors D'Lynn Williams, Katherine Bishop, Edward Johnstone, and Kelly Packard were present.

### **TRANS CASCADIA CONDITIONAL USE PERMIT REVIEW:**

Present were Trans Cascadia Excursions' (TCE) representatives, Blair Banker and Nick Gibson, and Gary Darnielle and Henry Hearley of Lane Council of Governments (LCOG). Mayor Cornelius explained that the City needed clarification from LCOG on what conditions of TCE's Conditional Use Permit (CUP) had to be met in order to operate which parts of their business, since there were multiple activities on the site, including a café and shuttle service. Mr. Darnielle stated that for camping, all of the terms of the CUP had to be met before camping was allowed, including berms, landscaping, septic system, and building construction approved by Lane County. Addressing the shuttle service, Mr. Darnielle said that because the use was not addressed by the Planning Commission during the CUP process, it was most appropriately handled under the City's Temporary Use Permit (TUP) process. He stated that all shuttle services operating in Westfir would have to apply for a TUP, which could be from 1–5 years in duration. Mayor Cornelius expressed concern about the cost of the TUP application fee, which would be totally unexpected to the shuttle companies. Mr. Darnielle noted that the City Council had the ability to waive a fee or any portion of a fee. However, he pointed out that because a TUP was a Type III development application requiring a public hearing, there would be LCOG staff time billed to the City. The Mayor asked Mr. Darnielle the best way to handle the permit process. He replied that the City could notify the shuttle companies that the permit is required, but that the City won't take any enforcement action once the companies have applied for the permit. Thus, the companies could continue to operate during the TUP process.

The Mayor asked whether TCE was currently allowed to run the Log Scale Café. Mr. Darnielle said that he believed the two concerns about the café under the CUP were traffic and the septic system, which had been pumped recently. Mayor Cornelius stated that the café seemed to have the necessary permits to operate, including a Westfir business license, OLCC license, and food handler certificates. Councilor Bishop diverged from the Mayor's interpretation, noting that there were elements on the site such as porta potties and a sauna, as well as changes to the existing building that did not show permits in the County's online system. Mr. Banker stated that no significant changes had been made to the inside of the building to convert it to the café, and Mr. Gibson pointed out that a restaurant was an outright permitted use in the mixed-use zone. Mr. Darnielle suggested that the Council make a list of changes to the site they were concerned about and run the list by the Lane County building inspector. The inspector could then inform the Council whether the Log Scale Café had all required County permits. Mr. Gibson said that he would be glad to meet with the building inspector. The Mayor said the Council would work on the list of concerns in the next few days and send a copy to Mr. Banker and Mr. Gibson, in addition to the building inspector.

Mr. Banker informed the Council that David Marchi had dropped out of the Crow's Feet project and that TCE acquired the store property. Councilor Packard asked if TCE would pursue the same plan as Crow's Feet. Mr. Gibson replied that he wasn't sure because the acquisition of the store by TCE was last minute, and they were still evaluating options. Mr. Gibson assured the Council that any changes to the project would go before the Planning Commission.

**MULTIPLE DOGS COMPLAINT:**

The Council considered a second complaint filed by Melody Cornelius and her husband, Tony Schlauch, about a household with 4–5 dogs and the nuisance of constant barking. Mayor Cornelius recused herself from the discussion except to answer questions from the Council. Councilor Packard asked Ms. Cornelius for an update of the situation since she submitted the complaint. She replied that the dogs continued to bark for hours at a time and were often in the neighbor's front yard without leashes. Mr. Schlauch testified that he had seen five dogs in the neighbor's yard and, at times, outside of the yard. He expressed concern about the ability of the owner to control that number of dogs if a pack mentality developed. He noted that the dogs are large, and he didn't feel he could let his children outside unsupervised, even waiting for the school bus. In addition, he said that he had witnessed at least four dog fights over several months. He stated that the owner of three of the dogs does not live in Westfir permanently, and the dogs bark and get loose when he's not present. Councilor Williams recognized Matthew Boyd. Mr. Boyd said that he backed up the complaint by Mr. Schlauch. Mr. Boyd stated that he has a three-year-old daughter and is concerned for her safety when the dogs are loose. Councilor Williams asked whether the dogs were licensed or a variance had been applied for. City Recorder Nicole Tritten replied that except for one, the dogs were not licensed, and no variance had been applied for. She noted that three of the dogs were vaccinated at the City's rabies clinic. The Council decided that the dog owner should be cited for noise, unlicensed dogs, and two excess dogs.

**POLICE AND FIRE IGAs:**

Mayor Cornelius made a motion to approve the Fire IGA with Oakridge for FY2022–2023 with the removal of section 4d, and to approve the Police IGA with Oakridge for FY2022–2023 as written. Councilor Williams seconded, and the motion carried, 5–0.

**AYES:** Cornelius, Williams, Bishop, Johnstone, Packard   **NAYS:** 0   **ABSTENTIONS:** 0

**SOLAR SPEED SIGN PURCHASE:**

Mayor Cornelius stated that the cost of the sign was \$3,549. Nicole Tritten reported that the sign could be delivered and invoiced by the end of the fiscal year. She stated that she confirmed with the manufacturer that it was the same model that the City purchased in 2020.

Councilor Williams made a motion to approve the expenditure of \$3,549 for a solar speed sign. Councilor Packard seconded, and the motion carried, 5–0.

**AYES:** Cornelius, Williams, Bishop, Johnstone, Packard   **NAYS:** 0   **ABSTENTIONS:** 0

**RESOLUTION 510: UNATTENDED PERSONAL PROPERTY:**

Mayor Cornelius stated that the resolution addressed Ordinance No. 141, the City's camping, parking, and littering ordinance. The resolution requires that when the City removes unattended personal property, the City must report the removal to an agency that provides services to the homeless population. Councilor Packard asked what agency Westfir would report to if it removed unattended personal property. Mayor Cornelius replied that the City would contact St. Vincent De Paul in Springfield

because the Oakridge branch does not offer services to the homeless, and there was currently no agency that offered homeless services in Oakridge. The Mayor noted that the resolution did not have to specify which agency to contact, just that the City would report the removal of property to an agency that provides services to the unhoused.

Mayor Cornelius made a motion to adopt Resolution 510. Councilor Bishop seconded, and the motion carried 5–0.

**AYES:** Cornelius, Williams, Bishop, Johnstone, Packard **NAYS:** 0 **ABSTENTIONS:** 0

**TEMPORARY USE PERMITS FOR SHUTTLE COMPANIES (cont. from first agenda item):**

The Council reviewed the short-form City of Westfir Development Application and made corrections consistent with the Westfir Land Development Code (WLDC).

Mayor Cornelius made a motion to update the short-form Westfir Development Application to correctly reflect the WLDC. Councilor Johnstone seconded, and the motion carried, 5–0.

**AYES:** Cornelius, Williams, Bishop, Johnstone, Packard **NAYS:** 0 **ABSTENTIONS:** 0

The Council decided to start with a one-year TUP for shuttle companies. The Council discussed fees to charge shuttle companies for the TUP, considering that they had no advance notice of the permit requirement. The Council decided on a \$300 fee, with \$100 to be submitted with the application and the balance of \$200 due by September 30.

**ADJOURN MEETING:**

Mayor Cornelius moved to adjourn the Special Meeting. Councilor Williams seconded, and the meeting was adjourned at 6:00 p.m.

**AYES:** Cornelius, Williams, Bishop, Johnstone, Packard **NAYS:** 0 **ABSTENTIONS:** 0

Respectfully submitted,

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Melody Cornelius, Mayor

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ATTEST:  
Nicole Tritten, City Recorder

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DATE