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The council then moved on to adopting their policy handbook, which updated policy regarding weapons on city hall property.

"As you will recall, there was some concern about the provision for immediate termination if an employee was to bring a weapon into city hall," Mills said. "I have done some research on it and you'll see in tonight's packet the proposed language, which brings it in compliance with what state law says. It provides an exception for those who are police officers or have concealed carry permits."

The council passed the handbook revisions, which included a host of updates including closing Dunes City Hall on President's Day, which was passed unanimously.

After establishing a timeframe for setting city goals, which will be discussed and adopted in the upcoming March council meeting, an update was given on the city's plan to purchase Rebecca's Trail.

"To let you know, everything is moving forward," Mills said. "There have been a couple of hiccups, but we've dealt with them. It is in escrow and it is anticipated to close [later this month]."

At that point, the council discussed revising flood damage prevention code.

"This amends language to reflect current federal and state laws, rules and regulations," Mills reported.

The changes have been in the works for some time, with FEMA approaching Dunes City back in 2016, requesting "participation by the city in revisions to the flood insurance rate map, regarding regulations flood plain management in an effort to meet court-ordered mandates and a lawsuit filed against FEMA," she explained.

The lawsuit was brought on by multiple organizations such as the Northwest Environmental Defense Center for failure to consult on certain species listed as endangered in the State of Oregon with the respect of implementation of a national flood insurance program, according to Mills.

To comply with the ruling, FEMA had to redraw the floodplains, which local municipalities have been doing for the past two years.

"Because flood prevention codes are land use codes, amendments of those codes must first go to the citizen advisory committee for review and comment, and then we heard public hearings before the planning commission and city council," Mills said.

The Dunes City Planning Commission and Citizens Advisory Committee finalized the map and were now presenting it to the city council for approval.

However, Councilor Tom Mallen objected, stating that the council had just received the information and that he still had questions regarding the insurance.

Through a long and sometimes tense discussion on the matter, Mallen's concerns were boiled down to an issue over government control over small municipalities like Dunes City.

"So FEMA is telling Dunes City that they will not issue flood insurance unless we pass this?" Mallen asked.

"That's correct, they will discontinue. We will not be qualified," Mills said.

The revisions to regulations were multiple, the majority of which were dictated by FEMA.

"We're not allowed to change any of it, and we tried to change some of the language," Mills said. "Trying to correct the grammar ended up coming back — 'No, you

gotta put it back the way it was."

However, the city was essentially being forced to adopt the measure.

"If we don't adopt it by (the) deadline, they will discontinue covering the residents of Dunes City for flood damage. They won't issue flood insurance anymore, at least for five years. We won't be able to apply again for five years. That's the problem with the deadline."

"FEMA is telling you that they will not issue flood insurance if we don't pass this," Mallen restated.

"That's correct, they will discontinue. We will not be qualified," Mills replied.

There was discussion on whether or not that was true, with particular confusion regarding an individual's rights for insurance.

Mallen, who felt the council had not received enough time to read the 30 pages of revisions that were handed to them, requested that the issue be tabled until the next meeting.

However, tabling the discussion could have put the city at risk of missing the deadline.

"We can try, but if there's any changes, it has to go back to the planning commission," Mills said. "Because it's a land use issue, it has to go back to square one."

And going back to square one would take time, perhaps missing the June deadline.

"Where I'm coming from, it seems to me that FEMA has the upper hand in this and is saying if the citizens of Dunes City want to be able to get insurance through them, we have to abide by their rules and regulations," Councilor Sheldon Meyer said. "I'm not wild about that, but there's a lot of other rules and regulations we have to abide by. And putting the citizens in jeopardy of not being able to be in-

sured, I don't want to face that lawsuit."

Councilor Duke Wells agreed that FEMA was exerting control over Dunes City.

"The issue I'm hearing from Tom, which I agree with, is that FEMA is telling us exactly what to do and how we're going to do it," he said. "We've had the state come down and tell us we have to have building inspectors. And then we had the Oregon Marine board tell us what to do. This isn't the first time the government has told a little place like us what to do."

"We have in the past said 'no,'" Mallen said.

Wells replied, "And that affects us, this affects the citizens here. That's the difference."

But Wells still wasn't sure if the changes would indeed affect insurance holders, and asked for the discussion to be tabled so the council could have more time to review.

Considering the dangers of missing the deadline, and that any revisions would most likely not be able to be approved in time, the rest of the council voted in favor of passing the floodplain code, with Mallen dissenting.

After the discussion, the council moved on to establishing a fleet safety program, an insurance requirement for the city's two vehicles. The program laid out safety protocol for the drivers of city-owned vehicles, though there were a few of the provisions that Councilor Susan Snow questioned. Listed under "minor violations" was speeding "up to 20 miles per hour."

"I really think that 20 miles over the speed limit might not be minor," Snow said. "I also believe texting violations are a major violation, not a minor one. It can lead to death."

The council voted to update the program to make speeding above 10 miles per hour a major violation, along with

texting while driving.

The council then moved onto an update of public works by Mills.

"Trees, trees and more trees," she said. "It got to where every time I would go home at night, I'd have to get another tree out of the road in order to get home. It's been pretty bad."

Mills did report that she had been working with some volunteers to remove trees off the right-of-way on Parkway Drive, where they fall freely due to the trees being "mostly dead."


Then, in her administrators report, Mills informed the council that if a deer dies in a yard in Dunes City, it is the owner's responsibility to dispose of the deer. The owners are allowed to bury the animals, but if it's a recent death, she suggested homeowners contact Dunes City Hall.

"We will notify an individual we know that can use that as a food source for animals that he is caring for," she said, stating that the individual will not take deer that had died from illness. "We don't want to feed sick deer to animals."

Finally, Mills closed the meeting with an update regarding the spread of trash in the neighborhood by bears, an issue that is exacerbated by local Airbnbs and other vacation rentals.

"You come, you stay, you put your garbage in the trash, and they tell you to take the trash out, which you do," Mills said. "Chances are pickup is on Thursday and you're putting it out on Monday. It's a good chance it will end up strewn over the place."

She suggested that owners of vacation rentals invest in locks for their garbage cans.



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