

CITY OF YACHATS
CITY COUNCIL WORK SESSION
August 8, 2016
Minutes

The work session of the City Council was called to order by Greg Scott at 9:30 a.m. in the Civic Meeting Room. Council members present: Greg Scott, Max Glenn, Sandy Dunn, Barbara Frye. On conference call: Mayor Ron Brean. Also present: City Administrator Joan Davies; WTP Operator Rick McClung; WWTP Operator Dave Buckwald and Code Enforcement Officer Don Niskanen. Audience: 2

I. Continued Discussion: Hwy 101 Project and Aug. 10, 2016 Informational Meeting

Mayor Ron Brean updated the council with information from a meeting he had with ODOT, Yachats Planner Larry Lewis and the engineering firm. Essentially, the project is ready to go, with the exception of a couple of routine minor right-of-way issues still pending. He had discussed the cost of the underground utilities with ODOT, at the mayors' convention, seeking some help with the financing. They didn't have anything to offer but will continue to keep looking. The informational meeting on August 10 is to reveal the plans to the public. The planning and design work has been completed. The contracts have been awarded. Work is scheduled to begin in September with the first phase being surveying, which could take a few weeks. Councilor Scott confirmed that it will probably be October before any actual ground breaking. Dave Reese is the engineer for the City. He will be working with ODOT regarding scheduling to reduce the interruption to businesses as much as possible.

Councilor Max Glenn asked about the results of contact with the mayor of Sisters OR. Mayor Brean replied that he was told that neither the City of Sisters nor ODOT paid any of the businesses for the interruption or inconvenience of the road project. Councilor Barbara Frye asked about the possibility that work might be done around the clock to shorten the length of the project. Mayor Brean said that would be up to the contractor, but some people might object to the noise in the night.

Leon Sterner asked if the August 10 meeting might begin by setting out the goals of the project and respond to some of the issues up front. Mayor responded that the procedure will be to inform, not to take input. Input or specific questions could be taken after the meeting. Councilor Frye asked if some of the rumors such as losing parking spaces could be addressed up front. She also asked if the Council could be briefed before the meeting so they would be informed. Mayor Brean responded that Larry Lewis would be in the next day and a couple of briefing sessions could be set up for members of the City Council. Councilor Dunn asked about an ombudsman who would be the "go-to" person if people have questions or who would be in charge of "rumor control." She also suggested the possibility of making the 501 building available to businesses to set up a satellite office during the construction in front of their building. Mayor Brean commented that it could open up a "can of worms."

II. Continued Discussion: Finance Planning

Tom Lauritzen presented a comprehensive financial report regarding financing for the underground utility portion of the Hwy 101 Project. Gerald Stanley asked about the budget for the 501 building. Lauritzen replied that there is nothing in the budget as it is a new fiscal year and the budget for 501 building was not carried over. There is some flexibility in \$1.6 million budget. Stanley asked about the deferral of the project to obtain space for a city parking lot. Councilor Scott stated that there will be a gain of about 50 parking spaces with the completion of the Hwy 101 project, plus the additional parking gained with the purchase of the 501 building. Mayor Brean pointed out that parking spaces are an ongoing issue, as evidenced by the past weekend with the Psychic Fair, the free concert and the Farmers Market all going on at the same time. It was very crowded and parking was at a premium. The goal is still to have more parking. It is a timing issue. Since there are some unknowns with the Hwy 101 project, it is prudent to defer some projects until it is completed. Councilor Frye asked about the list of the 15 items being deferred – is one item more important than the others? McClung stated that he was comfortable with the deferral of the items. There are things that need to be done but the

1 Hwy 101 project is important, too. Lauritzen expressed concern about the ability to control costs on the
2 project because many things are unknown. An additional 10% is built in to cover cost overruns.
3

4 He also referred to the creation of the Urban Renewal District as one of the smartest things the City has
5 ever done. Dollars need to be transferred from URD to Fund 68. Since City Council is the Board for
6 Urban Renewal District, action is needed by the Council. Councilor Scott commented that this needs to
7 happen soon, so he recommended that this item be put on the September Work Session agenda.
8 Lauritzen then explained the life of the URD. Re-payment starts in 2030, over a four-year period.
9

10 **III. Continued Discussion: Banking Services**

11 Max Glenn had a meeting with Phil Warnock of Cascades West on August 5. The University of Oregon
12 Community Service Center is conducting a feasibility study to develop a RFP for Multi-Jurisdictional
13 Collaborative banking for Yachats, Scio and Brownsville with Yachats being the favored project.
14

15 **IV. Continued Discussion: Vacation Rentals**

16
17 Greg Scott reported that there are currently 126 licensed vacation rentals with two more applications
18 pending-- just up slightly from last year. This number only reflects licenses that have been issued.
19 Some may no longer be in business, but there is no way to track that. Mayor Brean would like to limit
20 the number of licenses issued (the sooner, the better) and suggested the need for more discussion.
21 The City of Manzanita has their cap as a hard and fast number with a "waiting list." Councilor Dunn said
22 another city has had a cap for about 20 years, based on a percentage of the number of homes in the
23 city. Councilor Scott said more work needs to be done before it can be brought to a vote by the City
24 Council. Mayor Brean suggested an outside group be involved in the process. He recommended
25 bringing together real estate and property managers, as well as the City Council. Joan Davies will work
26 with Max Glenn and Barbara Frye to form a committee to work on a recommendation. Issues to
27 consider include a hard cap and/or density--neighborhoods or distance between rentals.
28

29 **V. Continued Discussion: "No Fragrance" status in The Commons.**

30 City Administrator Joan Davies reported that laminated signs have been placed on the door of each
31 room reminding everyone that the Commons is "Fragrance Free." She has also ordered an easel to
32 hold a sign about it in the entryway. Councilor Glenn asked how long it takes for the Commons to air
33 out after an event such as the Psychic Fair, which just happened. Leon Sterner replied that it can take a
34 week or more, in spite of him having opened up and aired out as much as possible. Leon suggested
35 that the "no smoking" area outside of the Commons needs to be expanded, as well.
36

37 **VI. Continued Discussion: Business Cards with new Logo**

38 Max Glenn showed a picture of the new anniversary logo and suggested that it be used on letterhead
39 and business cards for the City during this anniversary year, instead of the colorful logo with Cape
40 Perpetua in the background. He commented that this would be a compromise and might help to negate
41 some of the "logo fires" going on. Councilor Frye noted that there had already been quite a bit of
42 discussion around logos. Councilor Scott said that the Marketing Team put up the marketing logo to
43 differentiate from the Chamber of Commerce. The comment was that the anniversary logo with a
44 seagull has nothing iconic; it could be any coastal town. Mayor Brean compromised with using both.
45

46 **VI. Continued Discussion: Farm Store (SDC, EDU, BOD research)**

47 Dave Buckwald is working on a recommendation to Public Works & Streets Commission.
48

49 **VII. New Discussion: Delinquent Payment of TLT and F& B taxes (policy)**

50 Councilor Scott stated that the system automatically applies a 10% penalty to the bill of any unpaid
51 balance on midnight of the last day of the month. He suggested rather than the 10% penalty, they lose
52 their 2% deduction for administration and collection of the taxes. Administrator Davies explained that
53 every quarter there are 2-3 people who are assessed this penalty when it is clear that their intention was

1 to pay in a timely manner: the check was in the mail and was delayed, etc. This puts City staff in an
2 awkward position of whether to waive all or part or none of the penalty. Councilor Dunn stated that the
3 usual critical date is the postmarked date. There needs to be an override protocol that makes sense to
4 staff. Councilor Scott asked the City Administrator to make recommendations to change the policy.
5

6 **VIII. Status Update: Water supply, building water tests, tank site appraisal**

7 Rick McClung reported that current water level in the Yachats River is 14 cubic feet per second. He is
8 waiting for the appraisal on the potential south tank site to come back. McClung got a call from the
9 Friends of the Yachats River over the weekend, asking why Yachats hasn't gone to a Level 3 of water
10 rationing. He explained that 15 cfs is Level 3, and he believes that Yachats has the choice of three
11 measures to use. (The Polymer index predicts drought and length.) McClung indicated to Friends of
12 the Yachats River that he wanted to use a combination of the measures. They have started to contact
13 regulatory agencies to force the issue. McClung suggested that the city attorney should review the
14 agreement. Councilor Dunn asked if there were regulatory agencies that should be consulted. McClung
15 replied that it is a civil issue based on an agreement the City has with the Friends of the Yachats River.
16 The City isn't currently taking water from the Yachats River.
17

18 **IX. Status Update: City Clerk III position (instead of City Recorder)**

19 The position description has been written and the job is currently posted with the State of Oregon
20 Employment Department and League of Oregon Cities. There is also an ad in the *Newport News-*
21 *Times*. So far, there are six applicants. Davies reported that the job will remain open until filled.
22

23 **X. Monthly Review: Status of Work on Measurable Objectives/Goals**

24 Mayor Brean reported ongoing conversations with the State about the park.
25

26 Councilor Frye confirmed that she and the City Administrator have completed job descriptions for City
27 staff. They will continue working on other issues as they come up.
28

29 Mayor Brean reported that the ad hoc committee to make recommendations for the Visitor Amenities
30 Fund had not been appointed yet. His focus has been on the Hwy 101 project. Councilor Glenn asked if
31 sidewalk art was part of the plan for the group. Brean responded that 70% of the bed tax will go to
32 Visitor Amenities fund and there are lots of moving parts relative to those funds. Councilor Glenn
33 commented that part of his assignment is public display of art and he has a committee operating.
34

35 Councilor Glenn will meet with the Emergency Preparedness Committee this week.
36

37 Mayor Brean addressed the item to diversify revenue opportunities. This item has been placed on the
38 agenda of the Public Works and Streets Commission, which is meeting tomorrow. The goal would be to
39 create a Streets Fund from a fee on the Water/Sewer billing – not to increase the amount being billed,
40 but to allocate funds for maintenance of streets. Brean reported that at the last Finance Committee,
41 Lisa McGrath said she had worked with non-profits in regards to endowments to receive bequeathment
42 funds. She would like to help put something together for Yachats.
43

44 Councilor Scott advised that the new accounting software has been moved to a high priority. It makes
45 sense to implement early in the fiscal year. He expects to have a report for next month. Scott will also
46 report on the improvements to IT capabilities next month.

47 Mayor Brean will develop questions for a service satisfaction survey.
48

49 Councilor Dunn reported the library is not going to relocate.
50

51 Rick McClung reported on the south city reservoir project. Councilor Dunn asked if there was hope for
52 acquiring the land this year. McClung replied that the appraiser has been out but that the appraisal
53 hasn't come back yet. He expected that there may be some negotiation with the landowner once the

1 appraisal is done. Once purchase is completed, they would expect to break ground on the access road
2 and brush it out this fall. The loan process allows for 36 months to complete the project starting from
3 March 2016. The project should only take one season to complete.

4
5 Councilor Frye reported that the additional parking project is waiting on Mayor Brean to connect with the
6 property owner.

7
8 Councilor Dunn has put the south entrance sign "on hold."

9
10 Mayor Brean reported on the Ocean View Drive project. The county is willing to participate but he is
11 waiting on Oregon State Parks to respond.

12
13 Councilor Frye handed out a flyer for a community meeting with Lincoln Community Health on Sunday,
14 August 28 at 2pm in the 501 building. The focus will be to meet the staff of LCHC, learn about their
15 services and answer any questions from the public. She reported a good response to the survey. There
16 is also a meeting regarding the new Newport Hospital tomorrow evening, at the Commons. Leon
17 Sterner reported there is a "Conversation on Racism" on August 9 at 7:00 pm, at the Commons.

18
19 Councilor Dunn reported on the continuing efforts to develop public transportation to the south. A grant
20 has been obtained and Lane County Transit will be the head agency to administer the funds. Councilor
21 Dunn has resigned from the Marketing Team.

22
23 Code Enforcement Officer Don Niskanen reported that he has tagged a vehicle on a property on the
24 north end of town. He is trying to find a tow company to come and get the vehicle. He also tagged a
25 vehicle that parks under the "no parking" sign on 2nd street.

26
27 Mayor Brean will contact mayors for information with regards to the wastewater bio solids.

28
29 Raw water storage is on the CIP list. Rick McClung is working on a grant for a feasibility study.
30 McClung, Joan Davies, and Mayor Brean will meet with DEQ regarding a Source Water (Raw)
31 Protection Plan.

32
33 **III. Set the Agenda for the August 11, 2016 City Council Meeting**

34
35 Council Dunn has asked Linda Hetzler and Robert Rubin to attend the next council meeting.

36
37 Councilor Scott requested everyone arrive a few minutes early for the council meeting on Thursday, so
38 a group photo can be taken.

39 Mayor Brean commented that the transition committee/commission have pulled back a little because of
40 the focus on the Hwy 101 project.

41
42 Councilor Dunn asked if the streets in Blackstone were ever accepted. Rick McClung responded that
43 the work was done by the contractor that was required prior to acceptance. Mayor Brean commented
44 that John McClintock accepted Wind Song and he wasn't sure if there was a procedure for that.

45
46 The meeting was adjourned at 12:03pm.

47
48 _____
49 Ronald Brean, Mayor

50 Attest: _____
51 Joan Davies, City Administrator