

Regular Meeting of the Yachats City Council
October 13, 2016
MINUTES

The regular meeting of the City Council was called to order by Mayor Ronald Brean at 2:00pm in the Civic Meeting Room at the Yachats Commons. Council members present: Greg Scott, Barbara E. Frye and Max Glenn. Sandy Dunn participated by phone. Also in attendance: City Administrator Joan Davies, Wastewater Department Lead Dave Buckwald, Water Department Lead Rick McClung; and an audience of 5.

I. Announcements and Correspondence

The Ladies Club has a fundraiser dinner Friday night, from 5-7pm. They have a scholarship fund of \$3,000 and three of their recipients will be working at the dinner. They will be serving meatloaf, potatoes, green beans and apple crisp, with proceeds going to the scholarships.

Thank you letter from League of Oregon Cities for the City's donation. The City has benefited more than one time from the LOC scholarship program that helps members attend conferences, Mayor Brean said. He then read aloud an email complaining about food and beverage taxes, and blaming the taxes on "Californians". The Mayor pointed out that at the time the F&B tax was put into place, no former Californians were on the council, to even have input, and it was put to a vote of the town. The tax results in the visitors and not the residents to pay for the increased water usage by tourists. Councilor Sandy Dunn stated the tax was patterned after the City of Ashland.

II. Citizen's Concerns
(None)

III. Consent Agenda

- A. Minutes of August 8, 2016 Work Session and August 11, 2016 Regular Meeting**
- B. Bills for Approval**

Councilor Max Glenn moved to accept the minutes and approve the bills. Four ayes on the minutes (Councilor Greg Scott had not been present at the August meeting, so he did not vote on the minutes); all five voted to approve the bills.

Continuing hearing on Ordinance 346:

Mayor Brean opened and closed the continuing hearing on Ordinance 346. No comments made.

IV. Reports

A. Council Reports:

Councilor Greg Scott reported that he and Rick McClung had attended the Mid Coast Water meeting. The State will fund four local study groups, from Lincoln County to Yachats. Only coastal cities will be in the group, determining the feasibility of a partnership to connect all

1 systems together. Newport is taking the lead and asking cities to join in participation to discuss
2 the long-term needs to ensure adequate delivery of water. They will continue to monitor the
3 delivery and factor any future plans into the future CIP Plan. Mayor Brean said the topic has come
4 up from time to time and has died when it comes to a point of giving up power. There is a need to
5 share higher-level licenses for utility system as there is a great deal of potential to increase the
6 water potential. Councilor Scott stated Seal Rock and Waldport are discussing a pipeline under the
7 river. Seal Rock currently gets their water from Toledo, through the wetland.

8
9 Councilor Scott report he has met with the lead IT developer, and in the next two months, he will
10 finish the utility/property bill conversion, but is waiting on Munibilling. He is taking a different
11 method to speed up the download of 850 accounts and bringing on a third developer in January
12 2017. They will migrate to the Document Library and focus on a more-nuanced level of security.

13
14 Councilor Barbara Frye reported that the LCHC work towards a Yachats clinic continues slowly.
15 She also just learned that the LCHC Director died unexpectedly yesterday.

16
17 Mayor Brean attended the LOC conference in Salem, which was his last one before his term ends.
18 He encouraged the Council to continue membership and advised them to utilize the LOC data
19 added to the LOC website compare cities and matched, sorted, created filters and export
20 comparison to Yachats, in reference to Transient Room Tax. Comparing to other cities of less than
21 2,500 population per capita basis is useful, although water billing info doesn't necessarily translate.

22
23 Councilor Sandy Dunn pointed out the Chamber already has banners that are put on the highway
24 street light posts, so she wondered why Administrator Davies had applied for a grant for banners.
25 The City Administrator replied that she didn't know the Chamber had banners, and the Chamber,
26 in fact, was a partner in the grant application, so maybe they were different from the old ones.

27
28 Mayor Brean asked about changing the December work session date from 12/5/16 to 12/2/16.
29 After he checks his schedule, that change may be made.

30
31 Councilor Glenn moved to sign the agreement to accept the donation of a vacant lot at 200
32 Crestview Drive, Yachats, from property owner Charles Reiber; all ayes, motion carried.

33
34 Mayor Brean read aloud the Proclamation from Lisa Morton, Executive Director of My Sister's
35 Place. She advised those in attendance that Oct. 8, 2016 from 3pm-5pm is the final Sanctuary
36 Night for the organization. They have raised \$1,600.00 for helping domestic violence victims.
37 Councilor Scott said it is a great program and the Council supports it. Council Glenn moved to
38 proclaim against domestic violence; all ayes, motion carried.

39 40 **Smoke, chemical and fragrance-free policy**

41
42 Councilor Scott stated that in order for the policy to work, the City needs to make the community
43 aware of the policy and educate others, along with a commitment from the larger community.
44 Mayor Brean said he would like to wait for Parks & Commons to review and approve this policy.

Progress Matrix

Councilor Glenn explained that during the past year, the Council created objectives and developed assignments for each member, with about five issues apiece.

Mayor Brean discussed the state park facilities. County has to fix up Ocean View Drive before the City can accept it. One corner has archaeological issues that have to be addressed. The County has 801 Trail settlement money they could use; could tie into our mowing program. The most recent information was that the local parks manager was going to bring a specific proposal to us. It's not dead, it's just languishing.

Councilor Barbara E. Frye reported that her goal of hiring a City Administrator was conclude and now they are working on the changing role of mayor.

Mayor Brean reported that an ad hoc committee is still needed, in reference to the Visitor Amenities fund. The money has to be spent on legitimate, needed projects, and needs to serve both visitors and residents. There was discussion of kinetic art that moves with the rain and wind.

Councilor Glenn discussed the Emergency Plan. Bob Bennett's report is in the packet. Rick McClung now has stencils to print on the street surface to increase the safety level. Blue designs will be on the street, indicating feet above sea level.

Councilor Glenn brought up the gossip on the community pages on Facebook. Mayor Brean agreed it is difficult to stay on top of rumors. Councilor Glenn said he was amazed at the vitriol expressed. He didn't realize opposition would rise again, to the point of some of them saying that the new mayor would be able to put an end to the project. Mayor Brean added that there was also a rumor that he was moving to Montana, just based on a trip he made.

Mayor Brean stated the City still needs to diversify the revenue sources and should look at applying part of the water and sewer revenue to the street fund, as the economical turn-down demonstrated.

Councilor Dunn asked to have each section in the Progress Matrix numbered. Library Commission was meeting at the same time as the Council this week, so she couldn't attend the library meeting.

Councilor Scott stated the City has obtained a new accounting system. He and Tom Lauritzen have worked on revamping and moving forward. Training on the new system is next week. Payroll will move to the new system as of 1/1/17 and Accounts Payable will move to the new system on or about 11/1/16. They examined a lot of firms, before choosing Chaves Consulting. The new program gives good quality at a good rate, and is the best option available. They work with multiple Oregon cities and counties, under Oregon budget law. He has confidence in the Chaves staff's ability to manage the City budget.

1 Councilor Glenn stated that Administrator Davies is increasing usage of the former bank building
2 (501) as an events center. He is going to push OCWCOG about the bank project in which several
3 cities could benefit from a mobile bank or other services. Councilor Scott stated that given the
4 support of using the 501 building for entertainment, he would like to ask the Finance Committee
5 to pay for upkeep of the 501 building. Tom Lauritzen agreed it was a good idea, but also agreed
6 they should run it by the Finance Committee first.

7
8 Mayor Brean reminded the Council that they will discuss the status of the 101 project and the
9 South Reservoir project tomorrow. Gerald Stanley asked the meeting would be open to the public.

10
11 Councilor Frye reported that in reference to the parking in the downtown area, she is still waiting
12 to hear about the lots next to the Alder Bistro. Mayor Brean said they need to talk to the City
13 Planner about those.

14
15 Councilor Dunn reminded the Council that the money budgeted for the south city entrance was re-
16 directed, so her project is on hold. She said there is nothing new about the transit to Florence, or
17 at lease she has not been updated. The grant was awarded to Lane County Transit, and she has no
18 information about the marketing.

19
20 Councilor Scott said the Planning Commission is in the final stages of reviewing the formula
21 business language and the Council should see it in November.

22
23 Councilor Max Glenn stated he likes the visual appeal assignment. An old vehicle was moved from
24 along Hwy 101, but the derelict building there has not been torn down. The owner of the Salty
25 Dog in Waldport has bought a property in downtown, along Hwy 101, to put in a piano bar and
26 apartments above with parking all around. The shack on the site will be torn down.

27
28 Mayor Brean continued the vacation rental discussion. He asked that people think about it, talk
29 about it again, and then they can weigh in on it. He said the Finance Committee has been
30 “chugging along nicely”, and the City Administrator is now the chair. They met yesterday and
31 talked about the CIP. Councilor Scott said he thought the industrial part was done, but he will
32 check. Mayor Brean Rick McClung may be part of the Mid Coast committee studying water needs.
33 Councilor Scott reported that the subject of Dark Sky certification has been pushed back by the
34 Planning Commission, because they are going to work on the subject of building homes on slopes.

35
36 Councilor Glenn wants “work force” housing as a separate heading for the matrix. He’s been
37 working with businesses, the planner, and the county, has stimulated some business owners to
38 look at alternatives. Councilor Scott feels the City’s role should be minor. Mayor Brean made
39 reference to the old company town concept, when employers built housing for their workers.
40 Councilor Glenn said he had found that ski resorts have some of the same problems, with little
41 housing for seasonal workers who then don’t have a job off-season to easily pay their rent.

42 Councilor Scott pointed out that the hotels and one restaurant are providing worker housing, and
43 that local businesses need to have ownership of the issue and provide leadership.

1 **CIP Project/URD Changes**

2
3 Mayor Brean stated the CIP amendment to the five-year plan takes care of these changes. Tom
4 Lauritzen shared a spreadsheet, and stated the five-year plan is somewhat separate from Urban
5 Renewal District money. The items in red are changes from the original CIP. They changed the
6 timing of the plan to re-direct resources. Councilor Scott moved to approve the changes to the CIP
7 Plan. Councilor Dunn asked if this was the same plan from two months ago, when they re-directed
8 the funds for the South Gate, and Mr. Lauritzen said it was. All ayes; motion carried.

9
10 **B. Written Reports:**

11
12 **VI. Business**

13 (None)

14
15 **VII. Other Business**

16
17 Councilor Frye moved to increase the City Administrator's salary by 10%, effective 12/01/2016.
18 Feedback from the Council, the staff and the public all show a stellar job is being done by Joan
19 Davies, beyond what was expected. She is doing really fabulous, Frye added, and it will be her six
20 months anniversary, so it is an opportune time to grant the raise. They looked at salaries and the
21 City Administrator's salary is by no means the largest. Councilor Scott stated it is not obvious to
22 the community-at-large what takes place; Joan Davies has navigated a lot of land mines, while
23 being truly collaborative. Councilor Glenn stated he is not only pleased with all of that, but noticed
24 today that Joan Davies arranged for PUD to be at the park and prepared for storm outages. Mayor
25 Brean said there was little he could say that had not already been said. All ayes; motion carried.

26
27 Storm report. Rick McClung reported the usual pre-storm preparations have been completed. All
28 vehicles are fueled up, saws sharpened, suspect areas identified and they have prepped heavily on
29 Crestview. The major concern is Saturday, which may be comparable to the Columbus Day storm
30 in the 1960s. They have doubled the on-call workers for the weekend, so that one worker won't
31 be responding alone. Dave Buckwald said there is a good chance of seeing around 2.25" of rain, or
32 500 gallons per minute through the system. The City has gone from drought to flood in one week.

33
34 Mayor Brean said the Council has talked about vacation rentals and how to measure them: What if
35 they restrict by neighborhood to 20% density? Then the heaviest neighborhood would not be
36 allowed additional licenses. Then evenly distribute vacation rentals at 20% for the whole town.
37 There are eight homes in Bay View Terrace. Councilor Glenn stated 15 out of 22 have the ability to
38 get a new license. Councilor Scott said he has a boatload of concerns, as to unintended
39 consequences. They could push new licenses into a neighborhood with great effect. Oceanside is
40 mostly vacation rentals now, and most residents have gotten used to it. The economic impact on
41 homeowners has to be considered. It is an economic reality that being licensed as a vacation rental
42 increases their ability to sell property as such. That should be a big lightning rod to go slow.

Councilor Frye said that they have gone slow, for awhile now. Councilor Scott said, not with this particular proposal. Mayor Brean stated this does not affect the current licenses and it would take a while to go into effect. Councilor Dunn stated that in considering doing this by neighborhood, the Council needs to look at the picture: the neighborhoods are not all the same size. The Overleaf is very compact, as opposed to Ocean Crest. She does agree with Councilor Greg Scott's two comments. Councilor Greg Scott added that "one size fits all" doesn't sit well. Mayor Brean stated he doesn't disagree, and had added two houses to Hillside in the scenario he created. He suggested they consider multiple "what if" scenarios: one year from now, what will have changed?

Councilor Frye said it tries to be equitable. Oceanfront owners haven't all accepted it. Councilor Glenn asked when they had talked about capping the number of licenses. Mayor Brean said they have talked about capping, a 500-yard limit, license location, and licensing the property, as opposed to licensing the individual. Councilor Glenn recalled something about the number of days it could be rented per year. Councilor Dunn stated there is a comparison in the research paper she wrote. Councilor Scott pointed out that a special economic zone would allow a lower threshold to be set, maybe at two per cent. A property owner can only hold one vacation rental license, although there are property management companies who handle multiple rentals for the owners. But they have not dealt with Air BnB, or other on-line rental companies. Councilor Dunn stated that no matter how a property is rented, the owner still needs to follow the licensing regulations. They are a rental agent, not an owner. Mayor Brean said B & Bs are part of the character of the community, and he gets it that it affects home sales. Councilor Scott said he believes people will bend rules like gangbusters, if it is not clear. Councilor Dunn said that zone changes would have a major effect on property value, and pointed out that Lincoln City was sued over some of their vacation rental choices. Mayor Brean stated a zoning overlay could be a can of worms.

A. From the Council
(None)

B. From the Staff

City Administrator Davies advised the council that she has been working with a number of residents who requested that street lights in their areas either have a shade put on them or be turned off completely. In the area of West 2nd and 3rd Streets, the street lights shine out sideways and into upstairs bedrooms, making it difficult to sleep. Residents also complained of not being able to see the night sky, enjoy the fireworks or see the ocean waves they live right next to. She took a survey of owners and started out with wattage reduction by half. PUD advises some of the street lights can't have shades added, so if the reduction doesn't work, they can shut them off.

There being no further business before the City Council, the meeting was adjourned at 3:52pm.

Ronald L. Brean, Mayor

Attest:

Joan Davies, City Administrator