

CITY OF YACHATS

CITY COUNCIL WORK SESSION & REGULAR MEETING

September 5, 2018

Approved Minutes

Mayor Gerald Stanley called the September 5, 2018 work session and regular meeting of the City Council to order at 9:30 am in Room 1 of the Yachats Commons. Council members present: Gerald Stanley, Barbara Frye, Craig Berdie, and Max Glenn. Excused: Jim Tooke. Staff present: City Manager Shannon Beaucaire, Clerk Kimmie Jackson, and Water Plant Lead Rick McClung. Audience: 20.

I. Work Session Discussion Topics

A. Website Finalist Presentations & Results of RFP Selection Committee

Manager Beaucaire reported:

1. The RFP was issued on July 17
2. The RFP was posted on League of Oregon Cities website and emailed to several preselected designers
3. Eleven responses with intent to submit were received
4. Seven proposal were received
5. The proposals were reviewed by a selection committee of staff, technical experts, and citizens
6. Two finalists were selected.
7. Jesse James Creative and Civic Plus were interviewed by staff on August 24, 2018.
8. Manager Beaucaire called the references for both of the finalists. Manager Beaucaire read three positive references for Civic Plus. Manager Beaucaire noted only two out of three references responded for Jesse James, and she read two reviews for Jesse James.

Manager Beaucaire noted there are pros and cons with each company in that neither company will meet the needs at one hundred percent. She indicated there was a concern among staff that licensing and tax collection might need additional support. Civic Plus offered several options to address these functions, and Jesse James did not return her call. Manager Beaucaire noted pros and cons of each applicant.

Manager Beaucaire indicated she hoped to have each company present to Council today, but Jesse James did not respond to her request to set up a presentation. She indicated she would show examples of each company's website and, if desired, the applicants could present at the September 12, 2018 Council meeting.

Manager Beaucaire showed the websites for Dunwoody, GA and Pagosa Springs, CO for Jesse James and Klamath County, OR; Dallas, OR; and Signal Hill, CA for Civic Plus. Councilors asked questions about what was requested of the applicants and what the applicants were offering.

Mayor Stanley asked Manager Beaucaire for direction on what is needed from Council. Manager Beaucaire indicated she wanted Council to indicate whom they would like to present at the September 12, 2018 meeting. Councilor Glenn indicated he wanted more time to look through the RFP, proposals, and documentation.

Questions raised included:

1. Did the finalists address the transition of information?
2. How much of the current website will the website incorporate?
3. Would the City need someone local to provide support?
4. How will the documents in the document library be displayed?
5. What is an i-frame?
6. What items would require an i-frame?
7. What current functions would the City keep?
8. How does the search function work and would it search PDFs?
9. How will the provider ensure documents are properly classified?
10. How easy is it for staff to correct uploaded documents?
11. What type of analytics would be available?
12. What technology platforms are being used?
13. Who would own the site?
14. What are audit and security practices?

Councilor Frye was concerned that no local or west coast applicants were interviewed. Frye believed they should add a local person to the interview process. Manager Beaucaire noted the local proposals appeared to not meet all of the capabilities requested in the RFP, and the selection committee was not comfortable with the amount of support the local applicants could provide.

Glenn wanted to have only Civic Plus present at the September 12, 2018 meeting to allow more time to talk with them. Mayor Stanley wanted to see both companies present.

Councilor Berdie indicated he would provide Manager Beaucaire with additional written questions for the finalists.

B. Discussion of Commons Manual of Plastic Water Bottles and Properly Permitted and Certified Security Allowed to Carry Firearms

Mayor Stanley stated Council would discuss the topic today and take public input at the September 12, 2018 meeting.

1. Armed Security: Glenn noted he has received a phone call and email about the firearms questions. Glenn noted in the Policy Manual, firearms sales and displays are prohibited. He noted there was also a sentence on paid certified security being allowed to carry firearms in the Firearms Sales and Display section of the Manual. Glenn suggested this line be removed from this Firearms section and instead included in the section on security.

Glenn stated there are times when events have high value items and they want security over night. Glenn had no issue with properly trained and certified security having firearms for this purpose. He also wanted additional information on the certification process.

Frye agreed with Glenn about the location of the sentence Glenn identified. She was concerned about the meaning of certification and reported she found a certification for \$38 online in less than an hour. Frye indicated she had talked to retired police officers about certification. She also found an "armed security professional" certification, which required more training. She also noted the policy requires security at certain events. Frye wanted to know why any security would need a gun at the Commons. Frye believed only trained police officers should be allowed

1 to have guns. She also believed there are retired deputies who would work as a private security
2 guard.

3
4 Mayor Stanley asked Mark Shepard, retired law enforcement officer, to speak to the matter.
5 Shepard indicated that the State of Oregon requires private security at various levels of security,
6 going from guards that are minimally trained (such as Event Staff) to armed professionals,
7 which have to be licensed and trained per State regulations, involving background checks,
8 psychology testing, and range training.

9
10 Shepard suggested the City would be limiting itself by requiring only professional law
11 enforcement. He noted the Lincoln County Sheriff's department does not offer security services,
12 as they do not have the staff to support that. He noted the cost of using overtime officers starts
13 at around \$60 per hour, which prices out most events at the Commons. Shepard advised that
14 the City not get into the business of doing security.

15
16 Berdie indicated the security is up to the vendor, and he was not opposed to having armed
17 security as long as it was appropriate. Berdie noted there could be situations where armed
18 security would be reasonable, but wanted to set some threshold for when this would be
19 required.

20
21 Mayor Stanley stated he was concerned about situations where an event at the Commons
22 would require armed security as a reflection of the state of our nation. He was concerned that
23 the presence of armed security could destroy the atmosphere of the community.

24
25 2. Plastic Bottles: Frye indicated she was shocked to see the section on not allowing
26 plastic bottles deleted from the Policy Manual. Frye summarized the history of enacting this
27 policy. Frye believed the citizens voted in 2011 to have this policy and it reflects a policy
28 statement that the City should stand by. She reported information she found online about the
29 problems with plastic bottles, and she noted she recently saw five plastic bottles in the front
30 commons trashcan. Frye emphasized the City should make an appropriate positive value
31 statement. Frye suggested the statement be changed to incorporate all plastic bottles.

32
33 Berdie stated agreed the statement was important to make, and people could still bring in plastic
34 bottles if they wanted. Glenn agreed the policy statement was important, and suggested adding
35 language in the statement that indicated it was a value statement. Mayor Stanley also wanted
36 to keep the statement in the Commons Policy Manual.

37 38 **C. Discussion of Dog Educational Brochure**

39 Frye reported Bette Perman drafted a brochure, and then Quinton Smith and Manager
40 Beaucaire added their input. Frye noted there was already a brochure put out by the City
41 reminding people to pick up after their dogs. Smith suggested putting the brochure in the
42 monthly City mailing of water bills. Smith also suggested ways to distribute the brochures
43 around town and through the vacation rental companies.

44
45 Glenn suggested the City install signage for picking up poop and for leashing dogs. Mayor
46 Stanley noted that the leash policy is a recommendation, not a requirement. Mayor Stanley
47 added that dogs could die from eating seagull poop when it has salmon in it. Perman added
48 dogs running loose on the beach present problems, especially when multiple dogs are running
49 free and could get into fights.

50 51 **D. Emergency Operations Plan Update**

1 Manager Beaucaire noted the Emergency Preparedness Committee updated the Emergency
2 Operations Plan (EOP) and the Public Works and Streets Commission approved the plan and
3 recommended Council approve the document. She indicated this introduction was the first step
4 in a process of approval and did not require action at this time. She noted there are some items
5 that still need to be addressed, such as relationships with the Fire Department. Bob Bennett,
6 Chair of the Emergency Preparedness Committee, explained this document addresses what
7 happens in the event of a major emergency. He noted the EOP provides the framework for how
8 emergencies are managed, and in most cases, the City of Yachats would not be the major
9 operation overseeing the emergency effort. He explained the document was based on the Plan
10 from the City of Newport and modified to reflect the resources and needs of Yachats. Bennett
11 stated the sections of most importance to the Council are the ones concerning emergency
12 declarations and are noted in Section 1.7 and Appendix A.

13
14 Mayor Stanley clarified Councilors could send emails or provide hard copy comments as a
15 means to provide their feedback. Glenn asked that a hard copy of the entire document be
16 available at City Hall. Glenn asked when the Council would need to send a promulgation letter.
17 Manager Beaucaire indicated Jenny Demaris, Emergency Planning Manager of Lincoln County,
18 stated the City is required to review the document every five years. The City has already
19 fulfilled that obligation. Manager Beaucaire added that when the additional information is
20 incorporated, the letter of promulgation would be sent to Demaris.

21
22 Berdie noted there are some technical details, such as usable radio frequencies, that should be
23 addressed. Bennett stated that type of information would end up in appendices to the
24 document, and most of the work has been done and are in the current plan. Bennett explained
25 those details are not necessary for this step of the process.

26
27 Glenn thanked John Moore for filling the Chair position on the Public Works and Streets
28 Commission.

29 30 **E. Approve Agenda for 9/12/18 City Council Meeting**

31 Manager Beaucaire noted the addition of the following items:

- 32 1. IT Presentation
- 33 2. Add to Reports: Code Enforcement Report on Grease Traps
- 34 3. Planning: light industrial, sign code update, and Comprehensive Plan review.

35
36 Mayor Stanley clarified that One of Us Productions will be presenting to Parks and Commons in
37 October.

38
39 Glenn added:

- 40 4. Proclamation that September is National Recovery Month.

41
42 Berdie added:

- 43 5. Inclusion of a budget report or financial update.

44
45 Council consented to the agenda with the above additions.

46 47 **REGULAR MEETING**

48 49 **I. Announcements**

50 Shelly Shrock (121 Greenhill Drive) announced that there would be a farewell for Ron Brean
51 and Lauralee Svensgaard from 6:00 to 10:00 pm on September 10, 2018.

1
2 Mayor Stanley announced:

- 3 1. The City Council is having a Special Work Session with a facilitator on September 10,
4 2018 from 9:00 am to 4:00 pm.
- 5 2. The electric car show is from 10:00 am to 3:00 pm in the picnic shelter on Sunday,
6 September 9, 2018
- 7 3. There are two events on September 13: Council of Governments Awards Dinner and
8 the Cape Perpetua Collaborative Volunteer Appreciation Dinner. Berdie and Frye
9 indicated they would attend the Cape Perpetua event.

10
11 Frye announced the Florence to Yachats bus service has begun.
12

13 Peter Colley, President of South Lincoln Resources, handed out a brochure and described the
14 work of South Lincoln Resources. He highlighted they have workers that can help remove and
15 deliver furniture and appliances, they process goods that help take care of people's basic
16 needs, such as medical goods and food resources. Colley asked people to volunteer and
17 thanked everyone for their support. He added that they are holding an open house Sunday,
18 September 9, 2018 from 1:00 to 4:00 pm and all are invited. Glenn reported that Yachats
19 played a central role in the creation of this organization and there is significant Yachats history
20 associated with this work. Ginny Hafner and Joanne Kittel reported they have been very
21 pleased with the help they have received. Colley noted they have distributed over 300 Holiday
22 Baskets to local people.
23

24 **II. Proclamation: South Lincoln Resources, 35th Annual Celebration**

25 Mayor Stanley read a Proclamation for South Lincoln Resources for neighbors helping
26 neighbors.
27

28 Glenn moved to proclaim that South Lincoln Resources is an exceptional neighbor in our
29 communities by providing basic needs and by representing the importance of volunteerism; and
30 for 35 years, South Lincoln Resources has been, and continues to be, an important and
31 engaged community resource: Aye – 4; No – 0.
32

33 **III. Public Comment/Citizens Concerns – none**

34

35 **IV. Public Hearing: Ordinance 353 Animals at Large**

36 Mayor Stanley suspended the regular meeting and opened the Public Hearing on Ordinance
37 353 for Yachats Municipal Code section 5.08.030 on Animals at Large.
38

39 Manager Beaucaire summarized the history of this legislation and noted this is the second
40 Public Hearing on the Ordinance.
41

42 There was no public testimony.
43

44 Mayor Stanley closed the Public Hearing on Ordinance 353.
45

46 Frye moved to adopt Ordinance 353 for Section 5.08.030 Animals at Large as presented: Aye –
47 4; No – 0.
48

49 **IV. Reports**

50 **A. View the Future: Update on Evans-Betz Property**

1 Joanne Kittel (1356 Hwy 101 S), Chair of View the Future, provided an update and summary of
2 the Evans-Betz property. She explained when the appraiser was asked to update the land
3 appraisal, the Trust for Public Lands (TPL) provided additional reports to the appraiser, who
4 then quit. This action required a new appraisal and delayed the grant application. In July 2018,
5 View the Future learned TPL underwent significant cuts and laid off the coordinator for the
6 Yachats project. She noted the work is now being handled at the Bend, OR office. Kittel
7 wanted to know if Council was still on committing \$200,000 to the project.

8
9 Manager Beaucaire stated she asked Kittel to present to Council so they could take this
10 information to the September 10, 2018 work session. Berdie asked if the money was in the
11 current budget. Manager Beaucaire reported the money was not in the current budget and was
12 not certain if it was in a CIP for future years.

13
14 Kittel noted the funding pledged by the City was from the Visitors Amenities fund.

15 16 **B. Library Commission: Library move update**

17 Marv Wigle (289 W 2nd St), Chair of the Library Commission, stated, as previously reported in
18 July, the estimate for renovating the 501 Building was between \$750,000 and \$1 million. As a
19 result, the Commission recommended reconvening the 2+2 Working Group and examining an
20 expansion of the current facilities. He note the 2+2 revised the criteria for the library,
21 established budget of \$375,000, and asked the City Manager to engage an architect to provide
22 preliminary designs. Wigle reported on August 8, 2018, the Commission and the 2+2 Committee
23 met and agreed to contract with architect identified by the City Manager. The architect and
24 representatives met with the City Manager, Facilities Manager Heather Hoen, the Librarians,
25 and two Commissioners on August 21, 2018. The architect estimated it would take two months
26 to generate a report.

27 28 **C. Planning Commission: Response to Councilor Glenn's May 9, 2018 request for the** 29 **Planning Commission to look at the Newport Report on Housing Initiatives**

30 Postponed until later date.

31 32 **V. New Business**

33 **A. Discussion and vote on IT finalists**

34 Berdie asked that two or three scenarios be developed for the finalists so they can demonstrate
35 that function. Glenn was not clear as to how many of the finalists would present. Frye was
36 inclined to have both candidates present, and wanted the selection committee to be present to
37 field questions from Council. Glenn asked that the selection process be respected and affirmed.
38 Manager Beaucaire indicated the selection committee and staff were confident and were very
39 positive with the two candidates. Manager Beaucaire noted Council could as that the RFP be
40 re-posted, but the City was currently very limited on having support for the existing site

41
42 Glenn moved to accept with appreciation the review of the proposals from the RFP and to
43 accept the two finalists as recommended by the selection committee and staff for presenting to
44 the Council at the September 12, 2018 meeting: Aye – 4; No – 0.

45
46 Glenn asked if any staff could speak on the matter.

47
48 McClung noted Civic Plus scored in the 200's and the local RFPs scored between 50 and 100.
49 He noted Civic Plus had over 3500 municipal sites while Jesse James only had 12 municipal
50 clients. McClung believed Civic Plus understood what the City was trying to accomplish.

1 Clerk Kimmie Jackson appreciated the ease of using the Civic Plus site. She noted Civic Plus
2 was very responsive to her questions and Jesse James did not present information that was
3 relevant to her work. Jackson wanted to know if the websites designed by these companies
4 worked for other cities. Jackson added what the City currently has does not do everything, and
5 Civic Plus was the only company she felt comfortable with.
6

7 Manager Beaucaire noted Heather Hoen and Helen Anderson participated in the interview.
8 Hoen asserted Civic Plus blew Jessie James out of the water. She noted while nobody met one
9 hundred percent of their criteria, Civic Plus was very responsive to the needs of staff. Hoen
10 explained the uploading documents process was much more user friendly with Civic Plus. She
11 noted Jessie James had good buildable pages, but the City does not need that feature. She
12 noted the Civic Plus websites are very user-friendly. She was impressed by how much Civic
13 Plus covered in the time allotted. She was encouraged by Civic Plus' vast experience with city
14 websites, noting they have already uncovered and fixed bugs in their systems. Hoen was very
15 impressed with the potential for user support with Civic Plus.
16

17 Anderson explained Civic Plus took the time to complete the massive table of requirements to
18 indicate how they would address each. Anderson believed either finalist would be a huge
19 improvement for staff. She also believed information from the current site would not be lost.
20 She suggested that the glitches in the implementations would be a huge improvement over the
21 problems experienced now.
22

23 Glenn was concerned that Council's time would be limited during the presentations, and he was
24 in favor in eliminating Jesse James based on their non-response to Manager Beaucaire
25 requests. Glenn would rather have Civic Plus have all of the time to address their concerns and
26 asked that Council re-examine the decision to have both finalists present at the next meeting.
27

28 **Berdie moved to only invite Civic Plus to present to Council and to give them scenarios to**
29 **demonstrate in their presentation:** discussion
30

31 Manager Beaucaire provided more detail on the selection process and highlighted the
32 significant work the selection committee did. Mayor Stanley indicated he was undecided about
33 whether to have both finalists present. John Moore added that Councilor Tooke was extremely
34 enthusiastic about Civic Plus.
35

36 Frye asked if Tooke was part of the selection committee. Manager Beaucaire indicated Tooke
37 was not, and she added that one of the technical advisors was related by marriage to Councilor
38 Tooke. Manager Beaucaire explained Greg Scott has requested she get more technical
39 expertise involved in the process. She asked Scott's coder, Mark Clements, to provide her with
40 references for technical persons. Clements provided no references. Tooke indicated he knew
41 of a consultant who was experienced in web development. Manager Beaucaire read sections of
42 the consultant's resume.
43

44 Mayor Stanley had concern on whether Tooke should recuse himself for any votes at the next
45 meeting. Berdie did not see there was any financial gain for this consultant or Tooke. McClung
46 reported that this consultant served more of a clarifying role than a persuasive role.
47

48 **Call for vote on Berdie's motion: Aye – 4; No - 0.**
49

50 **B. Public Works Commission Applicant – item removed**
51

1 **C. Library Commission Applicant, David Rivenus**

2 Wigle introduced the applicant, David Rivenus, and reported the Commission voted
3 unanimously to appoint Rivenus to the Commission. Rivenus stated he participated in helping
4 get a music center built in Brattleboro, VT and he has had grant-writing experience. Glenn
5 asked whether he had been briefed on the current work of the Library. Rivenus reported he has
6 talked with Wigle and Library Commissioner Marion Godfrey and is well aware of the issues
7 facing the Commission. Rivenus believed the Library was critical to the life of the community.

8
9 Frye noted a strength of the Library Commission is that the Commissioners are also volunteers
10 for the Library and asked how he planned to learn about the operations of the Library. Rivenus
11 stated Library Commissioner and Library Volunteer, Diane Allen, has offered him a standing
12 invitation to come see how the Library operates. Frye recommended Rivenus attend the
13 monthly meetings of the volunteers. Glenn noted his late wife was Chair of the Library
14 Commission. Rivenus indicated he was impressed with the dedication of the Library
15 Commissioners

16
17 Frye moved to appoint David Rivenus to the Library Commission: Aye – 4; No - 0.

18
19 **VI. Other Business**

20 **A. From the Mayor**

21 Mayor Stanley requested that Councilors select their three favorite evaluation forms for the City
22 Manager prior to the September 10, 2018 special work session.

23
24 Councilor Glenn asked whether updating the Charter to reflect the City Manager position was on
25 the agenda for the special work session. Manager Beaucaire explained the Charter is being
26 considered both for the update for the City Manager structure and to address whether Council
27 terms be changed from four years to two years.

28
29 Frye suggested they prioritize the eighteen items on the agenda, as it would be unlikely they
30 could have time to have in depth discussions on each of the eighteen.

31
32 Berdie indicated he has concerns about the form and format of the meeting, noting the Council
33 is missing purpose and direction, and it would be difficult to assess priorities without
34 understanding their goals. Berdie thought the communication aspect was less important than
35 the “meat” of the topics. Manager Beaucaire explained the reasons for the current format as a
36 public work session rather than an executive session on communication.

37
38 Berdie was concerned that the last part of the meeting was on strategic planning, when Council
39 would likely be very tired. Frye reiterated her concern to clearly define the goals of the Council
40 and to have a plan. She expressed concern over not having enough discussion time,
41 suggesting each topic would only have two minutes of discussion. Manager Beaucaire noted
42 the Council Rules and Responsibilities was put first as this document was frequently referenced.

43
44 Mayor Stanley wondered what would be appropriate to pass on to a new Council in 2019. He
45 suggested it was more important to establish goals rather than to do the strategic planning.
46 Glenn noted there were actually five major items that would be addressed, and that they would
47 not be doing strategic planning. Berdie asserted the City would be well served to develop a set
48 of goals, which would give the new Council a head start for their work. Berdie suggested the
49 issues were not as complicated as some were suggesting.

1 Frye was not certain as to what the facilitator would be doing at the meeting, as the meeting
2 agenda had changed somewhat from what she originally proposed. Manager Beaucaire
3 explained some of his role. Mayor Stanley recognized there were substantial and varied
4 expectations about the meeting.

5
6 **Berdie moved to revise the agenda to move Strategic Planning Priorities to the second item on**
7 **the agenda: Aye – 2: No – 2 (Glenn, Stanley).** The motion does not pass.

8
9 Manager Beaucaire indicated she has asked staff to be on call all day in case Council wanted to
10 consult with any of them.

11
12 Frye asked for clarification on what the people coming from Newport would be adding to the
13 meeting. Manager Beaucaire indicated they are coming to give Council perspectives on their
14 experience with the City Manager-Council form of government. Berdie was not certain as to why
15 the manager-council roles had so much emphasis on the agenda. Glenn noted Council is still
16 adjusting to the new structure of government, such as going from a shepherding system to
17 allowing the City Manager to have the freedom to manage. Glenn also noted Council needs to
18 address how they “put teeth” in Administrative Policy 6. Frye did not see that Council was
19 micromanaging staff. Glenn noted he wanted to ask the representatives from Newport how they
20 deal with Councilors who disrupt the process.

21
22 **B. From Council – none**

23 **C. From Staff - none**

24
25 Mayor Stanley adjourned the meeting at 1:15 pm.

26
27
28
29
30 _____
31 GERALD STANLEY, Mayor

32 ATTEST:

33
34
35
36 _____
Shannon Beaucaire, City Manager

Date