1. Agenda

   Documents:

      CC AGENDA 07-11-18.PDF

2. Meeting Materials

   Documents:

      2017-07-11 CM REPORT.PDF
      DRAFT 06-06-18 CITY COUNCIL MINUTES.PDF
      DRAFT 06-13-18 CITY COUNCIL MINUTES.PDF
      LIBRARY COMMISSION.PDF

*Yachats City Council Vision*
*Our village is a place where natural resources are valued and protected, where diversity is celebrated, and where a vibrant economy and sense of community pride create and recreate a living spirit. Yachats cares not just for its citizens' basic needs but also supports them in their efforts to excel mentally, physically, artistically, and spiritually. It is a community with an enduring sense of itself.*

CITY OF YACHATS

# CITY COUNCIL MEETING

441 Hwy 101N, Yachats Commons, Room 1

## Wednesday, July 11, 2018 at 6:00pm

AGENDA

I. Announcements, Correspondence and Proclamations

II. Public Comment (**topics not listed on the agenda**: 5-minute limitation per person)

III. Minutes
- A. Minutes: 06/06/18 Work Session
- B. Regular: 06/13/18 Regular Meeting

IV. Reports
- A. Council Reports
- B. City Manager Report

V. Business
- A. Discussion/Vote: Parks & Commons Commission: Commons Manual Update
- B. Update: Library Commission: Library Move update
- C. Vote: Ordinance 351 – Transient Lodging Definition
- D. Discussion/Vote: Resolution 2018-07-03 Adoption of Council Rules
- E. Discussion: Yard Debris Dumpster

VI. Other Business
- A. From Mayor
- B. From Staff
- C. From Council

This meeting is open to the public and all interested persons are invited to attend. This meeting will be audio taped. All items to be considered by the Commission must be submitted to City Hall no later than one week prior to the meeting. Minutes of all public meetings are available for review at City Hall, or on the City website at www.yachatsoregon.org. In accordance with ORS 192.630, City of Yachats will make a good faith effort to provide accommodations for any person desiring to attend a public meeting, if the request is made at least 48 hours in advance of the meeting time. The meeting room is physically accessible to persons with mobility devices; a sign language or foreign language interpreter may be available, with advance notice. Call City Hall at 541-547-3565 or Oregon Relay 1-800-735-2900 (TDD) two days in advance. **POSTED July 5, 2018**

**City Manager's Report**

**July 11, 2018**

Dear Mayor Stanley and Councilors,

It is my pleasure to update you on some of our current project highlights.

- **South Tank Project:**
  - Completed Items:
    - Soil Nail Retaining Wall
    - Concrete Foundation
    - Drainage systems for both the wall and foundation
    - Waterline
  - In Progress:
    - **Tank**: The mixing system and disinfection of the tank are scheduled for the week of July 16
    - **Storm drains**: Installation of the 24" storm drain line began this week.
    - **Wastewater line**: Installation is complete. Testing of the line is scheduled for July 13 & 16.
  - Substantial Completion: The date for substantial completion was Monday, July 9. Despite progress, that date is not going to be met. Civil West, as the project manager, has drafted a letter letting the Contractor know that we intend on seeking the damages allowed to us by contract. This letter has been reviewed by our City Attorney.

- **Ocean View Drive:** The County has been busy with other items at this time. I have reached out to see about continuing conversations with them. I have also used the time to go through the settlement agreement point by point and will talk to the County about the obligations they agreed to do. I have also had the Engineer of Record review the Settlement agreement and come up with a plan of action.

- **Commission Round Tables:**

  - **Planning Commission:**
    - Public Hearing on Sign Ordinance anticipated in July
    - Will be reviewing affordable housing information and determining if current code needs to be amended

  - **Public Works & Streets Commission:**
    - Clean Sweep was an overwhelming success
    - Ocean View Drive – continuing to take public input on traffic flow direction
    - Reviewing options for funding streets & storm drain work
    - Emergency plan is being reviewed after the successful Tsunami walk on June 23rd
    - A new chair will be elected in August

  - **Parks & Commons Commission:**

        - The Commission asked volunteers to assist with work on the wood & picnic tables in the picnic shelter – removing graffiti, taking off rough edges, and staining the tables.
        - At the time of the meeting, the Commission was reviewing the Commons Policy Manual for any updates that need to be done. Those updates will be presented to Council July 11

    - **Library Commission:**
        - At the time of the Meeting, the Commission was still waiting for a response from the contractor. With the consent of the Commission the City Manager will ask the Engineer of Record to do a cost analysis if Commission has not received information ahead of time.
        - A ballpark figure was obtained from the Engineer of Record. The Commission is updating the Council on July 11.

- **Commons:**
    - A positive response was received from the company who installed the flooring to the attorney's letter. The company did provide a check in the amount that was requested by the attorney. Once the check clears we will finalize the transaction with the company. This amount will help fund replacing the floor.

- **Little Log Church:**
    - The Engineer of Record has made a recommendation of a contractor to look at the LLC&M. I sent this contractor the report and pictures generated from Jonathan Pincus on June 25. I followed up on July 6 and I am waiting for a response to schedule a meeting.
    - The Engineer and I are also exploring backups to this contractor and determining if it is a better option just to go out to public bid given the scope of this project.

- **501 Building:**
    - Public works has been repairing the floor according to the Structural Engineer's recommendations. There is a complication with the epoxy application that public works is looking to resolve.

- **IT:**
    - Phase 1 of improving the City's software and hardware has begun. COG will be onsite all-day July 6, 18, and 31.
    - The RFP is drafted and receiving final input. The document has been drafted to include all of the input received by staff and citizens earlier this year. I have been soliciting input from IT directors and programmers to ensure the comprehensiveness of the RFP. Once the final input is received (hopefully this week), it will be published.

**I.** Code Enforcement

- The Code Enforcement Officer has familiarized themselves with the code and properties throughout the City.
- Responded to call regarding an individual sleeping behind the library and cars parked on King Street.
- Has been identifying lots that need to be addressed for overgrowth. Sent out 2-4 letters a day giving owners 14-16 days to bring their property under compliance, talked to 2-3 property owners on the phone. Cleanup scheduled or owners contacting contractors -- on the ones who have responded. Met with one property owner and homeowner on Driftwood Lane to see how to approach a particular problem lot.
- Dealt with 2-3 vacation rental complaint calls; a couple of neighborhood complaints, and sent out one letter asking to stop using house as an unlicensed vacation rental.
- Toured Quiet Water with HOA president
- Utilizing the detailed excel spreadsheet – set up by City staff - to track complaints, results, and conclusions.
- Responded to a number of walk-in complaints on lots, bees, etc.

**II.** **Date:** July 1, 2018

**To:** Shannon Beaucaire, City Manager

**From:** Public Works Department

**Re:** June 2018 Public Works Report

Rain fall at Yachats Public Works:

| | Inches | | | |
|---|---|---|---|---|
| Year | **2018** | **2017** | **2016** | **2015** |
| June | 1.68 | 2.86 | 1.25 | 0.11 |
| Rain year to date: | 36.27 | 52.50 | 29.23 | 23.18 |

Total water production**:** **4,302,800** gallons
Total wastewater treated: **3,871,000** gallons

The following is a list of what was done by Public Works staff outside of normal operations:

**Streets:**
- Removed a fallen tree on King St.
- Filled pot holes on King St.
- Installed two flashback speed signs.
- Visitor Safety Prep. (street and curb painting)

- Installed US flags and banners for the Fourth of July.
- Installed "DO NOT ENTER" signs on E. 2nd St.

**Drainage:**

- Cleaned up the remainder of the Hanley culvert project.

**Water:**

- Plant maintenance.
- Water plant backwash lagoon discharge pipe repaired.
- Inspected the Reedy Creek headworks.

**Distribution Sys:**

- Read meters.
- Installed two new water services.
- Repaired a broken water service (City side).

**Sewer:**

- Plant maintenance.
- Two loads of biosolids sent to Heard Farms in Roseburg.

**Collection Sys:**

- Notified a local business of their failed sewer lateral. It was repaired.
- Installed six foot sewer main extension for three connections.
- Degreased lift stations.

**Sewer & Water CIP:**

- Assisted contractors working on the Crestview Water line and Sewer line.
- Completed the Driftwood water line CIP.

**Public Works:**

- Picked up trails piles.
- Installed flag pole holder at the Library.
- Assisted with the repair of a water leak in a wall at the Library.
- Cut grass around ballfield fence.
- Installed new pressure pump at the whale park.

- Vehicle maintenance.
- Earthquake survey completed and submitted.
- 10 yard dump truck repaired and back in service.
- Assisted with Clean Sweep.

**501 Bldg.**
- Widened floor cracks with grinders so they can be sealed.

**Emergency Preparedness:**
- Installed Blue Line Markers

CITY OF YACHATS

**CITY COUNCIL WORK SESSION & REGULAR MEETING**
June 6, 2018

Draft Minutes

Mayor Gerald Stanley called the June 6, 2018 work session and regular meeting of the City Council to order at 9:39 am in Room 1 of the Yachats Commons. Council members present: Gerald Stanley, Jim Tooke, Greg Scott, and Max Glenn. Absent: Barbara Frye. Staff present: City Manager Shannon Beaucaire, Clerk Judy Richter. Audience: 19.

Mayor Stanley recognized the tragic losses of Lillian Fawcett and Steve “Max” Maxwell in separate auto accidents on June 1, 2018.

## I. Urban Renewal Agency Budget Hearing

Mayor Stanley opened the Urban Renewal Agency Budget Hearing. Clerk Richter summarized the budget document in the meeting packet. There was no public comment.

Councilor Glenn moved to adopt Resolution UR-2018-06-04 adopting the 2018-2019 City of Yachats Urban Renewal Agency Budget: Aye – 4; No – 0.

Mayor Stanley closed the Urban Renewal Agency Budget Hearing.

## II. 2018-2019 City Budget Hearing

Mayor Stanley opened the Budget Hearing.

### A. Resolution 2018-06-02: Declare City’s Election to Receive State Revenues

Richter explained the City must adopt this resolution each year in order to receive revenues from the State based on population. There was no pubic comment.

Councilor Scott moved to adopt Resolution 2018-06-02 declaring the City’s election to accept State revenues in 2018-19: Aye – 4; No – 0.

### B. Resolution 2018-06-03: Adopt 2018-19 Capital Improvement Plan

Richter explained Council had seen the Capital Improvement Plan developed by the Finance Committee for major projects over the next five years. There was no public input.

Councilor Tooke moved to adopt Resolution 2018-06-03 adopting the 2018-19 Capital Improvement Plan: Aye – 4; No – 0.

### C. Resolution 2018-06-01: Adopt 2018-19 City Budget, Make Appropriations, Levy Taxes, and Categorize Taxes.

Richter explained she has incorporated the changes directed from the budgeting process. Scott expressed praise for the City Manager and Budget Officer for their work on simplifying the management of the budget.

Tom Lauritzen (204 Shell Street) reported a Budget Committee member had raised the issue of the City not reinvesting its revenues into local businesses. Lauritzen noted the City collected $1.4 million in Transient Rental and Food and Beverage Taxes, and the collecting agencies can retain a 5% administrative handling fee from those taxes, which amounts to $90,000 that stays with local businesses. Mayor Stanley clarified this amount is not reflected in the budget as it is collected before submitting taxes to the City.

Glenn moved to adopt Resolution 2018-06-01 adopting the 2018-19 City budget, making appropriations, imposing the tax, and categorizing the tax: Aye – 4; No – 0.

Mayor Stanley closed the Public Hearing and continued the work session.

## III. Work Session Discussion Topics

### A. 804 South Trail

Bob Langley, Wally Orchard, and Loren Dickenson represented the Trails Committee and asked the City to reaffirm their commitment to the 804 South Trails Project. Langley explained the importance of the trail, the mandate from the State Legislature for the Oregon Coast Trail and the 804 Trail, and the pedestrian safety issue that currently exists in the section from Highway 101 to W $7^{th}$ Street. He noted a final design would be contingent upon the final decision of traffic flow on Ocean View Drive after the County give the road to the City. He explained the project is separated into phases for each of the sections of the area, with Phase II including the section from Beach St to the State Park, Phase III from the State Park to W $7^{th}$ Street, and Phase IV from W $7^{th}$ Street to Marine Drive.

Langley explained the most critical section was between Highway 101 and Beach Street where there is no room for walkers outside of the paved street. Langley believed there was money in Visitors Amenities and from grants from State Parks, Oregon Travel, and other agencies. He reported that Drew Roslund from the Overleaf is willing to add an “opt out” $1 per room fee to go to this trails work and that the State Parks would be willing to contribute more. Loren Dickenson referred Council to their May 2018 letter.

Glenn thanked Dickenson for his drawing of a possible boardwalk from Highway 101 to Beach Street. Glenn asked if the Trails Committee had presented this report to the Parks and Commons Commission. Langley indicated Trails had presented the report to Parks and Commons, but that Councilor Frye had specifically asked them to bring this report to the Council. Glenn noted normally Councilors do not make such demands.

Scott expressed support for the recommendation and wanted the City Manager to proceed with implementation, recognizing the City Manager’s current workload. Scott wanted to make a motion to this effect, and Mayor Stanley clarified Council cannot vote during a work session. Tooke noted the Trails proposal has been part of the plans to receive Ocean View Drive from the County. Mayor Stanley indicated he was fully in favor of this proposal. He recalled from the Public Works and Streets Public Meeting that some sections of the trail be on the paved portion of the streets. John Moore, Chair of the Public Works and Streets Commission, noted the topic is one their June 2018 agenda.

### B. Friends of the Yachats Commons

Rose Valentine, President of the Friends Board, and Mary Aebi, Board Member, stated the Friends have decided to dissolve their nonprofit foundation. She noted the Friends began in 1990 when the City had just purchased the Commons. She indicated their mission has been completed, and they will be working on a plan to disburse their assets and reassign their sponsorships.

Scott added that the Commons is a lot more than a building and identified the many organizations and activities that have been started by the Friends. Valentine commented that the number of people involved has been amazing. Tooke expressed his appreciation for their efforts. Mayor Stanley commended the Friends on their rationale of their decision, their efforts to smoothly disengage from their roles, and their approach to disbursing their assets.

**C. Discussion of Council Facilitated Session**

Mayor Stanley noted this agenda item is to get clarity on what Councilors think about this topic. Mayor Stanley explained the question is whether the Council should gather with a facilitator to review their role. Glenn was surprised that this decision to have a meeting was not understood by other Councilors. Glenn recalled that Frye wanted to review financial roles. Glenn added that they should assess their priorities, identify what needs to be accomplished, and what needs to be passed to the next Council.

Scott stated the suggested discussions should be part of a regular Council meeting, not in a private meeting. Scott also believed that the next Council should address these matters, not the current Council. Scott clarified he was in favor of the discussions as long as they were part of a public meeting.

Tooke was not certain as to the value a facilitator would contribute. He believed the budgeting process and hearing went well and was not sure a facilitator could clear up communication issues between Councilors. He did not recall Council having agreed to have a facilitator.

Mayor Stanley noted there are two questions: the first concerns how the Council communicates, and the second concerns discussing their priorities. He believed the latter should be part of a public meeting that he would facilitate. Mayor Stanley also was uncertain as to why this Council rather than the next would be having these discussions.

Glenn noted the value of a facilitator enables the Mayor to be a participant rather than the leader of the meeting. Glenn noted that while they added to the Administrative Policies on the roles and functions of Council, they still have Council members giving staff directives, contrary to those Policies.

Manager Beaucaire noted there is a third component of Council not getting clarity in their discussions about what they have decided and how they will proceed. She cited the example of some Councilors asking her the status of setting up the facilitated meeting and some asking when they would decide about having a facilitator, which puts herself and staff in a difficult decision.

Mayor Stanley suggested they not make a decision about using facilitator today as Councilor Frye was absent. He noted the decision could be made in August after Councilor Scott returns.

Scott asserted Councilors need to reduce their demands on the City Manager and Staff. Mayor Stanley did not see the link between having a discussion and increasing Staff and City Manager workloads.
Manger Beaucaire clarified they are postponing a decision on having a facilitator until the August meeting.

Glenn suggested if they are deciding whether to use a facilitator, they already know how Councilor Frye would vote, so they do not need to wait on Frye's return.

Mayor Stanley asked that the discussion be postponed until all Councilors are present, which will be August 2018.

**D. City Manager Report**

1. Waste Processing: Manager Beaucaire reported Dahl invited several cities to tour their processing facilities. She observed the landfill and how the layers are engineered at a cost of $700,000 per acre to prepare for receiving trash. She noted rainfall dictates the standards they use. She added the landfill has become a wildlife refuge, which they take efforts to protect. She found it surprising that the recycling center was much dirtier than the trash landfill and required significant hand sorting. She found the giant magnet that collects steel-based cans to be impressive.

2. South Tank: Manager Beaucaire reported there was a site visit meeting at the South Tank. She was now asking for weekly updates from the engineers to push the project along. When she last negotiated a contract amendment in February 2018, the "substantial completion date" was July 6, 2018. The substantial completion date was now July 9, only 3 days from the February estimate. She reported the sewer line install began this week with an expected completion by the third week of June.

3. Public Works: Manager Beaucaire highlighted that Public Works has been working overtime to complete projects by the end of this fiscal year. She reported Public Works has been extremely accommodating to herself and to citizens, especially in light of addressing two unanticipated projects taking them away from their scheduled work. Manager Beaucaire highlighted the Public Works crew was extremely accommodating to local businesses and residences when connecting the Driftwood Water Line to the main system. She noted they took significantly less time than projected. She believed their skill level is outstanding. Manager Beaucaire pointed out their work cost the City $60 per person hour compared to $150 per person hour for outside contracted work.

4. Consent Agenda: Manager Beaucaire noted there is a draft agenda as part of their packet. Scott asked for clarification on Item C regarding transfer of funds. Mayor Stanley asked they hold the consent for the draft agenda until the end of the meeting after the Engineer of Record discussion.

5. Code Enforcement: Manager Beaucaire noted Council had approved a position to do Code Enforcement, and it would take time to hire the right person. Manager Beaucaire noted they are entering the tourist season and will likely need help with Code Enforcement. Manager Beaucaire reported a citizen offer to work temporarily to do code enforcement during the busy season. Scott believed Council should support Manager Beaucaire and give her additional options to address code enforcing. Tooke added there is no point to regulations if they cannot enforce them.

Tooke asked if a temporary person could issue citations. Manager Beaucaire indicated the temporary position was more to respond to complaints and document activity rather than to issue citations.

6. Manager Reports to Council: Manager Beaucaire noted there was a request by a Councilor to provide written reports at each Council meeting. Manager Beaucaire noted today's report was verbal as she had many issues come up at the last minute. She noted there was confusion among Councilors about her providing written reports at each meeting and asked for clarification on the Council's position on her reporting. Glenn believed it was excessive to ask for written reports at each meeting. He suggested the periodic electronic messages they get

were helpful and sufficient for reporting in the interim between her regular meeting reports. Tooke, Scott, and Mayor Stanley agreed with Scott.

Mayor Stanley opened the work session at 10:53 am.

## REGULAR MEETING

Mayor Stanley opened the regular meeting at 10:53 am.

### I. Announcements

Scott announced the weather system data from the sewer plant has been located on yachats.info, his personal site, and he is moving this information to yachatsoregon.org. Scott reported he is changing the way the website handles draft documents in the document library.

### II. Public Comment/Citizens Concerns

1. Linda Hetzler (Drift Inn) thanked the City Staff in helping her address the drain in her new building. She updated the Council on the use for the money the Council allocated for marketing and development, specifically noting a Yachats Ambassador Program in which volunteers would position themselves in visitor areas to provide tourism and safety information. She noted they would pay a volunteer coordinator for managing the program. Hetzler reported the Chamber was able to produce several events without having to use the money, as they were able to get volunteers to assist in the planning and production.

Hetzler indicating she was now asking the City to carryover the $20,000 allocated for FY2017-18 to FY2018-19 for interactive art that would attract visitors passing through town and encourage winter visitors. Hetzler distributed artist concepts of work that interacts with wind and rain. She noted the art was expensive, as it has to last through the harsh winter. She has been working with local business owners to get permission for installations on their property.

Scott expressed favor with Hetzler's ideas, especially as it involves wind and rain. Glenn liked the ideas but was concerned about setting a precedent for how ongoing art is planned for the City. Glenn asked that this project be a one-time event and that a program be established for future interactive art in Yachats.

Scott noted a resolution was needed to carryover the funds to FY2018-19. Manager Beaucaire clarified that if money was to be spent in FY2017-18, Council will need to change the description of how the money is to be spent as it is now appropriated to an Activities Director. Manager Beaucaire explained the allocation for FY2017-18 for this position has been reapplied to the General Fund for the FY2018-19 year, which means the Budget Officer would need to find an additional $20,000 in the budget just adopted to cover the costs and require a resolution. Mayor Stanley clarified the money would need to be spent by June 30, 2018. Glenn clarified there is $20,000 in the new budget for continuing Hetzler's project, resulting in a total of $40,000 should Council decide to rollover the current allocation.

Mayor Stanley recalled the allocation almost did not get passed at the May Budget Hearing and felt uncomfortable adding an additional $20,000 given the close previous vote.

Hetzler indicated she was not aware that the money had to be spent on a position as opposed to art. Scott did not believe there was time to change the appropriation in FY2017-18. He did not believe the monies allocated in next year's budget had any connection to carrying over the current allocation and did not want the calendar and budget restrictions to impact the installation of art.

Hetzler noted two years ago when they gave money to hire someone to create events, she stopped the program as it was not getting a good return. Hetzler explained issues with the current management of the Chamber. Hetzler reported the Dean Runyan report on travel in Oregon indicated a 41% increase from 2011 to 2015 in room tax revenues, the second highest in the state. She argued the Chamber has been very effective in bringing people to town.

Scott explained some of his pushback was because he likes to see a written plan. Hetzler noted she tries to adjust her approach based on the energy of the community and what seems to be working.

2. Helen Anderson (77 8th Street) asked Council to meet with a facilitator to help them determine the delineations between policy that Council decides and operations that the City Manager oversees. She believed it would be helpful to have this issue worked out before a new Council comes into office. Anderson also asked Council to refrain from delaying votes due to issues like the absence of a Councilor. She asserted Councilors were elected to make decision regardless of who was present.

3. Tom Lauritzen noted he and John Moore rewrote Administrative Policy #6 that spelled out Council was to work as a body rather than each giving instruction to the City Manager or Staff. He argued they do not need facilitator to figure out how to enforce the rules. He suggested they review the rewrite of Administrative Rule #6 and establish a mechanism for addressing what happens when a Councilor violated the Policy.

Lauritzen noted they never completed the organizational structure analysis. While they have changed the structure to a City Manager, but they did not layout how policy and operations are managed. He suggested a person who is skilled in organizational structure or management could help them identify their roles. Lauritzen suggested this work would be extremely helpful to the next Council.

Stanley clarified any Councilor can put an item on the agenda.

4. Leslie Vaaler (205 Radar Rd) asked that a group broader than just the Chamber make decisions about art for the City.

## III. Appointment of Dianne Allen to Library Commission

Dianne Allen (115 Green Hill Dr) reported she wanted to become more involved and strongly believed in the importance of the Library in the City. She noted how much people love the Library. Library Commission Chair Marv Wigle supported the appointment of Allen, noting in particular her experience as a Library volunteer.

Scott moved to appoint Dianne Allen to the Library Commission: Aye – 4; No - 0.

## IV. Engineer of Record RFP

Manager Beaucaire reported the RFP for an Engineer of Record was issued on April 12, 2018 and closed on May 4, 2018. Three proposals were received from West Tech Engineering, Civil West, Reese and Associates. A selection committee met on May 16, 2018 where West Tech Engineering received the highest score. She noted West Tech is the Engineer of Record for Waldport, which could benefit the City through reducing travel costs when work in both areas was combined.

Glenn noted West Tech's mission of working with small cities. Scott reviewed the process for selection and found that to be appropriate. Took agreed with Scott and Glenn.

Glenn moved to authorize the City Manager to engage West Tech Engineering as the Engineer of Record for the City of Yachats: Aye – 4; No - 0.

## V. Other Business

Scott moved to affirm their decision to have the City Manager make one written report each month: Aye – 4; No - 0.

Scott moved to accept the 804 Trail recommendations and to add it to planning process for the transfer of Ocean View Drive: discussion

Stanley was concerned about the proposal blocking the work of Public Works and Streets Commission. Scott and Mayor Stanley discussed the implication of accepting the recommendation. Glenn indicated he was in favor of the recommendation but was concerned about the process of how it was brought to Council. John Moore stated he had no problem or conflict with Scott's motion.

Call for vote: Aye – 4; No - 0.

Scott explained the Budget Officer recently informed him that he had exceeded his budget for software development. According to his calculations, Scott believed he was under budget. Scott noted at the end of the previous year, the former City Manager had found extra money to cover his expenses. That solution was to move the June 2017 costs to the FY2017-18 budget. Scott explained he must either cease his work or get an additional $2,000 to continue the work. Scott wanted to make a motion to add $2,000 to his FY2017-18 IT budget. Mayor Stanley asked Scott to wait on the motion.

Glenn asserted this issue is a management decision and asked for a recommendation from the City Manager. Manager Beaucaire noted the invoices are paid from the CIP. She indicated $2,000 has already been allocated to Scott in June 2018 from the $5,300 for IT in the General Fund, which she hoped to use to upgrade hardware and software. Manager Beaucaire noted the request amounts to $4,000 from the General Fund for IT going to Scott's development costs in June 2018. Scott suggested Manager Beaucaire could allocate $2,000 from a contingency fund. Manager Beaucaire clarified there was already $2,000 applied to the IT development overrun in June 2018 and the request is for an additional $2,000.

Manager Beaucaire asked the Budget Officer, Judy Richter, to return to explain the budgetary process and impact. Richter reported the City has spent 88% of its budget and still has 24 days of operations. She noted there was $18,000 in the contingency fund. Richter indicated there could be a motion could be to authorize up to $2,000 of general contingencies to cover this additional item, which would allow the City Manager to make the other IT upgrades she wanted.

Tooke asked for clarification on what the contingency funds are for and how much had been spent in FY2017-18. Glenn clarified that releasing the contingency funds required a Council resolution. Councilors discussed whether a supplemental budget would be required.

Richter explained, by law, the City Manager cannot spend more than what is in the budget. Manager Beaucaire noted she and Richter do not have a resolution drafted to allow the transfer from the contingency fund. Scott suggested they could make a motion to draft the resolution that would authorize the transfer.

Glenn moved to instruct the City Manager to prepare a resolution to authorize transfer $4,000 from the general fund contingency to cover Councilor Scott's IT needs: Aye - 4; No – 0.

Glenn wanted to support Hetzler's request to acquire artwork but wanted to broaden the decision body that makes decisions about the art. Scott suggested they prepare an amendment to the budget to allow the transfer of the $20,000 from this fiscal year to the next year. Manager Beaucaire clarified she would need a resolution to expand scope of work of the current allocation to cover Hetzler's request. She noted rolling over the funds to next year would necessitate something else in the budget be adjusted. Mayor Stanley indicated he was not in favor of a rollover. Scott wanted more time to consider the matter.

Council gave consent to the June 13, 2018 agenda.

With no further business before the Council, Mayor Stanley adjourned the meeting at 12:15 pm.

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GERALD STANLEY, Mayor

ATTEST:

Shannon Beaucaire, City Manager | Date

CITY OF YACHATS

**CITY COUNCIL MEETING**
June 13, 2018

<u>Draft Minutes</u>

Mayor Gerald Stanley called the June 13, 2018 meeting the City Council to order at 6:00 pm in Room 1 of the Yachats Commons. Council members present: Gerald Stanley, Jim Tooke, and Max Glenn. Absent: Barbara Frye and Greg Scott. Staff present: City Manager Shannon Beaucaire and Clerk Judy Richter. Audience: 29.

## I. Announcements, Correspondence, Proclamations, and Public Comment

### A. Announcements

Mayor Stanley explained the procedures for making motions and taking audience input.

John Moore announced Clean Sweep would be Friday through Sunday at the ballfield. He noted they are still looking for volunteers to work the event. Mayor Stanley clarified that residents could put out items on their curb starting Thursday.

Mayor Stanley announced this coming weekend is Beachcomber Days in Waldport and the Byrdsong Consort concert is Saturday at 3 pm at the Little Log Church.

### B. Ask Day Proclamations

Ginger Gouveia introduced the Ask Day Proclamation about gun safety.

Commissioner Tooke moved to designate June 21, 2018 as Ask Day in the City of Yachats: Aye – 3; No – 0.

### C. Public Comment

1. Maxine Sheets-Johnstone () was concerned about how July 4th is celebrated. She read from a letter dated, May 5, 2011, about reading the Declaration of Independence at the 4th of July ceremonies. She wanted to decrease ignorance about the celebration, where an estimated 40% of Americans do not know why we celebrate Independence Day. She had previously been told people would not listen. Sheets-Johnstone also raised the issue about noise restrictions in the City Code.

Tooke suggested they could do something about reading the Declaration. Mayor Stanley indicated he would talk to restaurants about the noise issue.

2. Ann Stott (915 Driftwood Lane) indicated her experience as a Civics teacher concurs with Sheets-Johnstone about the ignorance of the reason for 4th of July celebration, especially among youth.

## II. Minutes

### A. May 2, 2018 Work Session and Regular Meeting

Members Present: Jim Tooke was not present.
Page 2, Line 40: the City's cost was $1,100,000, not $650,000.
Councilor Glenn moved to approve the May 2, 2018 minutes as amended: Aye – 3; No – 0.

**B. May 9, 2018 Meeting**

Page 4, Line 11: add "developed by the Newport City Council" after "look at these initiatives"

Page 3, Line 38: Mayor Stanley believed the statement, "structure is sufficient for Library but not for storing books" was only accurate for not storing books in the attic. Anderson understood differently and agreed to check the engineer's report.

Glenn moved to approve the May 9, 2018 minutes as amended: Aye – 3; No – 0.

## IV. Reports

### A. Council Reports

Councilor Tooke attended the Mid-Coast Water Planning Partnership meeting. He reported there would be a public meeting from 6-8 pm at the Hatfield Marine Science Center tomorrow, June 14, 2018.

Glenn highlighted the blue painting on streets that indicate the safe zones for tsunami evacuations. He reported the Emergency Planning Committee is planning Tsunami Walk Out exercise on June 23, 2018, and Jenny Demaris of Lincoln County Emergency Planning wants the City to have an annual Tsunami Walk drill to help educate the entire County. Glenn attended Lincoln Community Land Trust Board Meeting and announced their work on workforce housing is paying off with news of receiving a grant for $15,000 in partnership with Proud Ground.

Mayor Stanley attended the Tri-County Mayor's Meeting, the Waldport Seashore Resource Fair, the Cape Perpetua Collaborative Launch, the Friends of Yachats Commons meeting, the Economic Development Alliance meeting, the Monthly Pollinator Project planning meeting, and the Marketing Committee meeting where and learned Mushroom Festival has gotten so large that it will be filmed by Oregon Travel Magazine. He reported there would be a Sea Vegetable weekend on July 14-15, 2018.

### B. City Manager Report

Manager Beaucaire covered the following areas:

South Tank: continuing the weekly phone calls with contractors to assess progress

South Tank Financing: Clerk Judy Richter explained Resolution 2018-06-08 accommodates the change orders for work on the South Tank. She summarized the original note was for $1.1 million and was amended to $1.4 million. The most recent updates would add $300,000 for a total note of $1.7 million, a significant portion of which is forgivable. The Infrastructure Finance Authority (IFA) is requiring a document that formalizes the Urban Renewal Agency (URA) contribution of $100,000 per year for 14 years to cover this loan. Richter noted after the 14 years, other revenue bonds would be retiring and would free up money to cover the payment. She noted Council would see another resolution that formalizes the loan.

Affordable Housing: While at the Coastal Managers' Meeting, Manager Beaucaire learned of an opportunity for a grant to hire a consultant to work with communities on how to create affordable housing. The County would apply to the Oregon Department of Land Conservation and Development on behalf of Depoe Bay, Lincoln City, Waldport, Newport, Siletz, Toledo, Confederated Tribes of Siletz Nation, and Yachats. Manager Beaucaire noted if the Council wished to participate, a Letter of Support needed to be signed today.

IT: Manager Beaucaire reported she would attend the Council of Governments meeting on Friday focusing on issues for the next legislative session. She noted the importance of

"Smart Communities" in recruiting new business. She added she has been working with Councilor Scott to improve IT, and she plans to develop a RFP for IT.

Finance Committee: Manager Beaucaire was sad to announce that Tom Lauritzen has decided to resign from the Finance Committee. She expressed gratitude his many years of service and dedication.

**V. Business**

Mayor Stanley reported section 5C of Manager Beaucaire's employment agreement indicates that vacation leave must be used by June 30, unless a carryover is approved by Council. Lauritzen noted the previous Recorder had accrued a year of vacation leave upon her retirement with no records to support it. He suggested a recipient of a carryover be required to report the hours to Council so a record is maintained.

Tooke moved to allow the carryover of the City Manager's vacation time in FY17-18 to FY18-19: Aye – 3; No – 0.

**A. Lincoln County Materials Management Plan**

Mark Saelens, Lincoln County Solid Waste District Manager, speaking as staff of Lincoln County Solid Waste Advisory Committee (SWAC), presented the recommendations from their revised Plan. He asked the Council to approve the plan. He highlighted how Lincoln County has outperformed many rural communities in the State in terms of recovery. He explained how recycling and trash amounts varied during recessions. More recently, woody debris accounts for up to 30% of recovery, and the market for woody debris use has been declining. He explained the difference between Materials Management and Solid Waste Management. If approved, the document will be available on the County website in July. Saelens noted 30-35% of what goes into landfills is food waste and woody debris, items that can be composted. He noted it is not economically feasible for the County to build a composting facility.

Mayor Stanley asked Saelens what "support" meant in terms of City action. Saelens explained they wanted the City to send a letter of support.

Glenn moved to send a letter of support to Lincoln County Board of Commissioners for the Materials Management Plan: Aye - 3; No – 0.

Mayor Stanley wryly noted the report indicated, "Depoe Bay is known as the whale watching capital of the work. Waldport features the Alsea Bay Interpretive Center. Yachats is known for its scenic lighthouse." Saelens indicated a correction would be made to the draft report.

**B. Resolution 2018-06-05: Receiving Unexpected Revenues 2017/18 Budget**

Richter explained this item is a "cleanup" item for the current fiscal year. She noted the Transient Rental raised $187,891 more than originally budgeted, and this overage is distributed to cover over-expenditures. The Food and Beverage Tax revenues were also greater than budgeted, and this income goes directly to servicing debt.

Glenn moved to approve Resolution 2018-06-05 accepting certain identified unanticipated revenues to be added to the General Fund and to the Capital Reserves Fund and to be expended therefrom: Aye – 3; No – 0.

**C. Resolution 2018-06-06: Transferring Funds 2017/18 Budget**

Richter explained this resolution receives the monies from the previous resolution 2018-06-05 and disburses them where needed.

Tooke moved to adopt Resolution 2018-06-06 authorizing transferring of monies between objects of expenditure and recognizing unanticipated revenues from Resolution 2018-06-05: Aye – 3; No – 0.

Glenn moved to allocate up to $4,000 from the general contingency funds to IT in FY17/18 to cover expenses already spent and needed maintenance and repair: Aye – 3; No – 0.

**D. Resolution 2018-06-07 to Eliminate Unnecessary Fund**

Richter explained the City previously had a contract with the US Forest Service, which no longer exists. She reported there is a balance in the fund to $145.97, which needs to be transferred to the general fund. Richter noted the auditors recommend the action to close the fund.

**Additional Actions**

Glenn moved to adopt Resolution 2018-06-07 eliminating the unnecessary US Forest Service Contract Fund: Aye – 3; No – 0.

Manager Beaucaire explained Resolution 2018-06-08 is to secure additional loan money for the South Tank Project.

Glenn moved to adopt Resolution 2018-06-08 authorizing City staff to secure additional financing for the South Tank and allocation of budget revenues and expenditures: Aye – 3; No – 0.

Manager Beaucaire indicated a motion is needed to participant in the County application for grants to assist with affordable housing.

Glenn moved to instruct the City Manager to draft the necessary support documents to participate in the County grant application program: Aye – 3; No – 0.

**E. Receiving Input on Dahl Proposal to add Yard Debris pickup as a service**

Chuck Lerwick and Joe Cook represented Dahl Disposal service. Cook recalled the City asked Dahl to develop a program for green waste recycling which was presented at the Council meeting in May 2018. Cook noted Dahl has 482 customers in the City, of which 382 have 35-gallon waste service. Cook suggested that the 20% with the larger can service likely include their green waste in the regular trash. Cook noted the fee would be $1.75 for all waste customers with the 35-gallon can and 6.3% of the current rate for all other customers.

Glenn asked how many residents currently subscribe to the green waste service. Lerwick indicated there are 41 customers paying $8 per month. Cook indicated they would continue the subscription service if the City did not want the curbside green waste pickup, but the price would be fluctuating.

Mayor Stanley clarified that Quiet Water is a commercial customer, but they will still have to pay into the system. Cook indicated their rate for the commercial service would increase by 6.3%

Mayor Stanley clarified Dahl would continue the large brush bin if the City wanted that service to continue should they opt for the curbside green waste pickup

Audience members asked:

1. Could they get a smaller recycling bin? Recycling would be every other week so there were not plans to reduce the size of the recycling cans.
2. Would residents have 3 cans? Yes.
3. Would there be a program for excess yard debris beyond the green waste curbside cans? Dahl is offering a program to allow residents to bring woody debris after a storm event.
4. Could one get two cans for green waste? Yes
5. What is the pickup schedule? Regular recycling and green waste would be every other week. Regular trash continues each week. Residents can get a monthly or bi-weekly service.
6. What type of woody debris is accepted? Anything that grows, and invasive species are accepted. This collection is different from the woody debris collection at the transfer station.
7. What is the service for Quiet Water? Four 300-gallon bins and seven 95-gallon recycling cans. Quiet Water would pay a total of $47.57 per month for the program.

Tooke noted the City's woody debris bin program was instituted when the ban on burning yard waste was implemented. Glenn indicated he had mixed feelings based on citizen input he has heard, including a resident who reported they bought a pick-up to haul debris from the large trees around their yard to the big bin, and residents who stated landscapers already haul away their mowing clippings. Glenn clarified the subscription service would continue if they opted to not participate in green waste curbside pickup. Mayor Stanley reported he has received comments from many complaining about paying for services they do not need.

Manager Beaucaire asked Dahl to elaborate on their offer to allow customers to bring extra woody debris to the transfer center after a storm, which would be weighed and charged to the City should the City decide to remove the large bin at the sewer plant. Cook noted the City generated 60 tons of materials through the large bin at a cost of $8,000-10,000. He added the current rate for woody debris is $110 per ton, which means that if customers brought an extra 60 tons to the center, the City would pay $6,600. He indicated they would allow customers to bring debris for a few weeks after a major storm event.

1. John Purcell (116 Spring Hill) clarified invasive species cannot go into the big bin but can go in household bins. Lerwick noted the curbside pickup and large bin debris go to different locations.
2. Craig Berdie (319 E 3rd St) was in favor but was concerned about having a third bin
3. Leslie Vaaler (205 Radar Rd) was in favor, and pointed out the extra for Quiet Water was less than the $1.75 others would pay. She, too, was concerned about the size of the current recycling container. She noted there are people in the community for whom $1.75 makes a difference, and wondered if there were assistance programs or if there were individuals who could help with assistance.
4. Christine Lothrop (17 Reeves Circle) was in favor of the proposal. She talks to her neighbors to about filling each other's containers, depending on their weekly needs.
5. Jacqueline Danos (116 Spring Hill) wondered if customers could round up their bills to offset the increase for those who could not afford the program. [Dahl was open to the idea, but would need to figure how to administer such a program.]
6. Tom Lauritzen (204 Shell St) has noted the bin at the sewer plant often contain large trees. He would like to see the red dumpster go away as it puts a burden on Public Works to maintain it. He noted there are only 482 residential customers for over 700 homes, meaning over 200 homes do not have trash service.
7. Melissa Johnson (56 Green Hill Drive) was worried about the cost starting small but increasing rapidly in the future.
8. Helen Anderson (77 8th Street) loved the idea of the program as she could get a year of curbside service for what one load to the transfer station now costs. She asserted there

was a large difference in $96 per year for the subscription service versus $21 per year for the proposed program. She added if there were 60 homes in Quiet Water, their per-home fee would be 79 cents per month or $9.51 per year.

9. Debbie Moore (Spruce Ave) was in favor of both the bin and the home pickup program.

Mayor Stanley read emails he had received:

10. Quinton Smith asked the Council to go slow on this proposal as other costs are going up, the $1.75 is small but represents a significant percentage increase, and he wanted more info on how the current subscription service is working.
11. Patty Johnson and Pat Rollins supported curbside program, but also wanted to keep bin.
12. Paul and Maggie Marshall did not think they should charge an additional $1.75 but like the idea of curbside pickup.

Tooke noted cities typically require trash pickup. Tooke clarified the City's franchise does not require all homes to have trash pickup. Cook was not certain the difference in trash customers and the number of homes would be attributable to seasonal visitors.

Lerwick noted Dahl could provide 65-gallon blue bin containers to customers who want them.

Glenn moved to approve an additional 6.3% per month for green waste curbside pickup and to have the City Manager draft a resolution memorializing this action at the next City Council meeting: Aye – 2: No – 1 (Stanley).

Glenn stated he wanted to respond to Councilor Frye's request to have a meeting about financial planning, and the City Attorney suggested they have a work session with a facilitator to discuss these goals and policies.

Glenn moved to authorize the City Manager to set up a special Council work session around a conference work table with a facilitator to address their concerns, including but not limited to the role of Council in financial planning and reporting, organization, status of projects, roles and responsibilities of the City Manager and City Council members, and other matters: Aye – 3; No – 0.

Manager Beaucaire asked if Council supported moving forward with issuing a RFP for IT. Manager Beaucaire explained this proposal would include input she has received from citizens and staff. Lauritzen was in very in favor of this approach.

Glenn moved to direct the City Manager to create a RFP for IT services: Aye – 3; No – 0.

Manager Beaucaire clarified the continuation of the bin at the waste treatment plant would be addressed at a later meeting.

## VI. Other Business

**A. From Mayor** – none

**B. From Council** - none

**C. From Staff** - none

Mayor Stanley adjourned the meeting at 8:34 pm.

GERALD STANLEY, Mayor

ATTEST:

Shannon Beaucaire, City Manager                    Date

# City Council Action Item Cover Sheet

DATE: July 11, 2018

**Agenda Item:**

Library Commission: Library Move Update

**Question Before Council:**

None. Update Only

**Person/Group Initiating Request:**

Library Commission

**Item Summary/Background:**

The Library Commission has an update regarding the status of the move.