CITY OF YACHATS

**CITY COUNCIL MEETING**
July 11, 2018

Approved Minutes

Mayor Gerald Stanley called the July 11, 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, Barb Frye and Max Glenn. Excused: Greg Scott. Staff present: City Manager Shannon Beaucaire. Audience: 26.

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

Mayor Stanley announced this weekend is the first annual Sea Vegetable Weekend and information is available at the Visitors Center.

Bette Perman (410 E 2nd Street) announced an "Incarceration Then and Now: What Can We Learn?" series of presentations about the history of incarceration, especially around the Japanese camps in the World War II era. Presentations will be in Newport, Waldport, and Yachats from August 4-19, 2018 with a wide range of speakers. Perman noted one-third of the incarcerated people of Japanese descent were foreign born and two-thirds were American citizens. The Yachats Presbyterian Church will have an exhibit. The program is sponsored by Lincoln County People Power in conjunction with Rural Organizing Project.

Craig Berdie (319 E 3rd Street) stated he was following up on his previous presentation about deforestation. He explained the current situation with logging and how logs must be airlifted across the Salmon Creek. He noted the Oregon Department of Forestry was following up on its effort to enforce civil penalties. He reported there was a sedimentation problem just after the logging began that impacted the City water supply, but has since decreased in impact. He proposed several options for how the situation might go forward: Oregon Department of Forestry (ODF) reforests, removal of the forest designation, and sell as is. Berdie encouraged the City to investigate buying this property.

Councilor Tooke reported he had contact with the Regional Forest Agent who indicated the nonresponse on the part of the owners was significant. He noted the previous City's letter prompted the Chief Compliance Officer with ODF to walk the property. Councilor Frye recalled when the property previously was on the market, the City did not have the ability to buy real estate without a vote of the citizens. She wanted the City to look at its long-term priorities and the importance of this property.

Tom Lauritzen noted 84% of the City's water comes from Reedy Creek, which is on US Forest Service property, and 14% comes from Salmon Creek. Bette Perman clarified that in reforestation, weed control must be addressed and could include the spraying of herbicides.

**II. Minutes**

**A. June 6, 2018 Work Session and Regular Meeting**

Frye commented as she missed the meeting, she was listed as "absent." However another Councilor was listed as "Not Present." Frye believed that "absent" implied the absence was unexcused. Recorder Anderson noted the reference to "not present" reflected a correction to previous minutes.

Mayor Stanley asked that members be listed as "Excused" as opposed to "Absent."

Page 5, Line 4: Should read, "Mayor Stanley closed the work session"

Tooke moved to approve the June 6, 2018 minutes as presented: Aye – 3; No – 0; Abstain – 1 (Frye was excused).

Frye noted page 2, line 33 referenced her making a request of the Trails Committee to present a report to Council. Frye explained the circumstance under which the alleged request occurred, indicating she was surprised that a casual conversation was interpreted as a formal request. Frye recalled she never asked for a report. Mayor Stanley recalled how a statement he made became an agenda item. Manager Beaucaire reported Joanne Kittel had asked Mayor Stanley about getting on the agenda and he said, "Yes." Councilors concurred they need to be careful about their statements. John Moore, Parks and Commons Commission Chair, clarified that when the Trails Committee brought the issue to Parks and Commons, the Commission was told it was at Frye's request.

Mayor Stanley clarified while the minutes referred to the audience as "the audience," he saw as them as attendees and co-actors in the running of the City.

**B. June 13, 2018 Meeting**

Councilor Glenn moved to approve the June 13, 2018 minutes as presented: Aye – 3; No – 0; Abstain – 1 (Frye was excused).

## IV. Reports

### A. Council Reports

Glenn reported he is president of the Community Relations Council. He noted Angell Jobs Corps was in a tenuous position with their leadership, and their second interim director will soon be leaving.

Frye recalled her update at the last meeting on the Florence to Yachats bus service, and she indicated there has been movement on getting the service without the involvement of Task Force. She noted the bus is being built and the routes are being planned. She reported Health and Human Services has undergone a major reorganization and there is still interest in having a clinic in Yachats.

Mayor Stanley reported:

1. Yachats hosted the Lincoln County Mayor's meeting.
2. The local Public Safety Coordinating Committee had its quarterly meeting. He noted Lincoln County had received grants to build a 9-bed women's and a 22-bed men's transitional facilities. He added that since this implementation, recidivism has dropped form 41% to 6%.
3. He read the Declaration of Independence on the 4th of July.
4. He met with the Pollinator Project, and ODOT has approved the contract for the 25-mile stretch.

### B. City Manager Report

Manager Beaucaire reviewed her report in the meeting packet and highlighted the following areas:

1. South Tank Reservoir: The City will be pursuing liquidated and special damages for the contractor not meeting their deadline. She added that on May 9, 2018, the projected cost was $1.6 million; on July 10, 2018, $1.55 million had been invoiced to day; and the current projected cost is $1.78 million.
2. Ocean View Transfer: She has been working to go point-by-point through the Settlement Agreement with the County attorney to ensure the County delivers what they agreed to.
3. Commission Updates: She highlighted the refinishing of the picnic tables in the Shelter and the success of Clean Sweep.
4. Commons: The Attorney's letter about the improper installation of the multipurpose room floor resulted in a check from the installer.
5. Little Log Church & Museum: The Engineer of Record recommended a contractor, who has not been responsive to date. She reported she is pursuing contacting another contractor.
6. 501 Building: They are working to find a method to fill the floor cracks.
7. IT: Frye asked for clarification on what the Council of Governments is doing for the City. Manager Beaucaire the City entered into an intergovernmental agreement with COG to provide support services, and the arrangement allows the City to benefit from their equipment purchase deals. Frye clarified the RFP was for design of the website and future maintenance.
8. She met with the Coastal City Managers who reported the Lincoln County grant for affordable housing has made the tier in the review process.
9. Flower Beds: She thanked the many volunteers working on flowerbeds along Highway 101.
10. Code Enforcement: She reported the City has a Code Enforcer.

Frye asked about the accumulation of materials at the Alder Bistro. Manager Beaucaire reported the owner granted permission for the RV and retail rock display to be on the property. She read the section of Code about trash on property, and noted she is trying to work directly with the owner.

## V. Business

### A. Commons Policy Manual Update

Postponed to August 2018.

### B. Library Move Update

Marv Wigle, Library Commission Chair, thanked the Council for their patience with this project. He reviewed their difficulty in getting cost estimates for the ideal library. He noted:

- Design costs will run 8% of the total cost of the project. If the initial cost were $400,000, design costs would be $35,000.
- West Tech Engineering provided an estimate of $150 per square foot for hard costs and 20% in soft costs, not including furniture. They estimated the cost to be between $750,000 and $1,000,000. Wigle noted the project would still be $720,000 with smaller estimate of building square footage.
- The Friends of Library has limited capacity to raise substantial funds for construction, making the City the primary funder.
- Current funding for the project includes $50,000 from the CIP and $75,000 from the Hall Bequest. He noted in best-case scenario, the City would need to contribute upwards of $600,000.

Wigle reported the Library Commission considered several options with input from the Friends and the volunteers. They believed for the City to fully fund the remodel, it would require multi-

year fundraising that would not be in best interest of the Library. They also did not want to pursue building a new Library. The Commission recommended two options: (1) to revise the plan for the remodel and (2) to explore redesign of the current Library. He suggested they reconvene the 2+2 Committee to explore these options.

Glenn asked the City Manager for her recommendation. Manager Beaucaire wanted to support the volunteers, noting the strain on the volunteers, the potential need for a paid librarian in the future, the safety of the volunteers, and support for technology updates. She noted the significant expenditures in process for the City. She recommended Council evaluate the competing priorities and supported the Library's additional approach to look at expanding the current facility.

Frye supported getting firmer estimates for renovating and expanding the current Library as well as remodeling the 501 Building.

Tooke asked about Friends grant work. Wigle reported the Friends have raised $58,000 to date, all of which is for specific items to be put in the library, not the remodel.

Mayor Stanley thanked Wigle and the Commission for their work. Mayor Stanley asked if they could reduce the $600,000 figure. Wigle indicated one objective of the 2+2 Committee would be to explore how to reduce remodeling costs. Wigle noted his own contractor did not think the $750,000 estimate was unreasonable.

Glenn noted Council had previously asked the City Manager to look at all of the demands for City spaces and asked Manager Beaucaire what she found. Manager Beaucaire noted:

- There is significant demand for storage in the three habitable buildings: the Commons, the Library, and the 501 Building.
- City Hall is about 1089 square feet for six people (3 full time and 3 contractors) and three new people (two new positions and a space for the County Sheriff to use for paperwork).
- There is a need for quiet workspace.
- The server needs to be in a locked space.

Frye noted Manager Beaucaire was talking about space utilization while they were in the middle of a report on the Library. Glenn noted he had asked Manager Beaucaire to provide this information. Frye suggested they finish the Library discussion before addressing lobbying for space for other entities. Glenn argued in light of all these needs, he has a problem considering the 501 Building for the Library. He heard the volunteers were considering the 501 Building "only because the City wants us there." Glenn felt strongly about providing more resources for City Hall and to address the matter the City Manager has no space to have a private conversation. Glenn encouraged the Library to pursue evaluation of remodeling the current Library.

Frye reminded Council they have twice voted to move the Library to the 501. Glenn asserted it was unwise to tie up a large facility for a short period of time each day for the limited hours of the Library when there are other significant needs for space.

Wigle responded that at the volunteers meeting, there were six votes to move and six to stay.

Frye moved to accept the Library Commission's recommendation to reconvene the 2+2 Committee with the addition of the City Manager and the President of the Friends of the Library

to evaluate the two options for expanding the current Library and moving to the 501 Building by the end of September 2018: Aye – 3: No – 1 (Glenn).

**C. Ordinance 351 – Transient Lodging Definition**

Manager Beaucaire noted the City Charter requires that Ordinances require two votes if the decision is not unanimous or the public has not had a week to review the proposal. She noted technical difficulties might have prohibited some citizens from accessing the material, so Council needs to vote on this Ordinance again. Mayor Stanley summarized the changes the Ordinance is making to the Yachats Municipal Code.

Glenn moved to adopt Ordinance 351 revising section 3.08 of the Yachats Municipal Code on Transient Lodging: Aye – 4; No – 0.

**D. Resolution 2018-07-03 Adoption of Council Rules**

Frye clarified these recommended changes are to update the rules to be consistent with their operations. Glenn suggested including portions Administrative Policy #6 in the Council Rules. Frye asked for more time to read Administrative Policy #6 handed out by Glenn.

Glenn suggested adding on page 4 after first sentence on "1. Authority and Purpose statement":

> The City utilizes the Council-Manager form of government which combines the political leadership of local elected officials (Mayor and City Council) with the managerial experience of an appointed manager. All power and authority to set policy rests with the City Council. The City Council in turn hires a nonpartisan manager who has very broad authority to run the organization.

Tooke asked for clarification what the Administrative Policies were. Mayor Stanley asked where the Administrative Policies fit within in the document structure of the City. Frye was concerned they were merging rules and policies. Glenn explained they were just using the language from the Policy document. Manager Beaucaire explained the intent of adding the language from the Policy into the Council Rules was to maintain consistency between the documents. John Moore noted it was common to duplicate language between the Policies, Code, and Rules.

Glenn also suggested they insert on page 14, section 6.4 on "Communication with Staff" as the first bullet point before "attempting to work…"

> (Item 1) Refraining from interfering with the day-to-day administration of City business, which is the responsibility of the City Manager.
>
> (Item 3) Respecting the administrative function of the City Manager and department heads by refraining from actions which could undermine their authority.

Frye indicated she was prepared to approve the document "as is" in the packet. The Mayor and Council agreed to ask that the document be redlined to reflect Glenn's recommended insertions and readdressed at the next Council meeting.

**E. Yard Debris Dumpster**

Mayor Stanley reported at the last Council meeting, Councilor Glenn made a motion about the yard debris dumpster at the wastewater treatment plant and Tooke asked that the motion be postponed until the next meeting. Mayor Stanley that this discussion begins with the motion. Glenn wanted to revise the original motion. Glenn reported since the last meeting, the City Manager has worked out with Dahl a 20% discount on the brush box.

Glenn moved to keep the yard debris bin for six months, with the first three weeks of the month available for City use only, and the last week open to the general public: open discussion.

Glenn suggested this approach gives the City an opportunity to discern the usage of the new curbside cans and to assess the amount of City usage of the large bin. Tooke stated he had heard much feedback to keep the bin as is. He would be willing to keep the bin for six months to assess usage. Mayor Stanley agreed that the dumpster could be kept for six months.

Call for vote: Aye – 1; No – 3 (Stanley, Tooke, Frye).

Glenn moved to keep the yard debris bin at the wastewater treatment plant for six months as is: Aye – 3; No – 1 (Frye).

## VI. Other Business

### A. From Mayor

Mayor Stanley noted the Council has a document from Lawrence Calkins asking that vacation rentals better manage dog waste. Mayor Stanley suggested the item should be on the agenda in August 2018.

Mayor Stanley noted Councilors have the quarterly report from the Visitor's Center. Mayor Stanley noted the third page on the right side of the report includes the budget report with $2,327.39 for the Honey Festival. He noted the City pays the Chamber of Commerce to administer the Visitors Center. Mayor Stanley explained the Visitor's Center could spend the money because they did not spend it on other items.

Mayor Stanley suggested the Council recommend that the City Manager talk with the Chamber and Visitors Center to use an accounting system with line items for expenditures. The money for the Honey Festival was not spent according to a line item, which State budgeting laws require. Glenn concurred with the City Manager meeting with the Visitor's Center but wanted to be cautious about over-managing the Visitor Center's budget.

Manager Beaucaire explained the Visitors Center RFP was awarded to the Chamber, the Chamber submitted a budget as part of their proposal, but festivals were not part of that budget. She noted the concern is that the expenses match the budget presented, especially given how the auditors are reviewing the budget.

Linda Hetzler, President of the Chamber, stated the contract had instructions to promote the City, and she wanted some flexibility to spend as ideas and needs arise.

### B. From Council

Frye asked about getting materials on the website for the Council meetings. Manager Beaucaire noted there have been changes to the landing page on the website, which made it impossible to get the documents loaded. Frye asked if the new IT RFP would address the matter. Manager Beaucaire expected the website redesign will correct the problem.

Frye asserted the Council has not been getting financial reports and wanted to know when the Council would get monthly budget reports. Manager Beaucaire noted there was discussion at the last meeting about financial reports, but there was confusion about what information the report would contain. Manager Beaucaire suggested Council discuss this issue at their facilitated session. Manager Beaucaire showed Council the thick report that is generated without investing staff time to trim it down. Frye suggested Manager Beaucaire could provide

guidance about what to include in a summary. Mayor Stanley wanted to ascertain the six or seven items Council need to know and suggested using a red flag system for problem areas.

**C. From Staff** - none

Mayor Stanley adjourned the meeting at 8:05 pm.

_____
GERALD STANLEY, Mayor

ATTEST:

_____ _____
Shannon Beaucaire, City Manager Date