

CITY OF YACHATS

CITY COUNCIL WORK SESSION & REGULAR MEETING

June 6, 2018

Approved 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. Excused: 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 public 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

1 retain a 5% administrative handling fee from those taxes, which amounts to \$90,000 that stays
2 with local businesses. Mayor Stanley clarified this amount is not reflected in the budget as it is
3 collected before submitting taxes to the City.

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

7
8 Mayor Stanley closed the Public Hearing and continued the work session.

9 10 **III. Work Session Discussion Topics**

11 **A. 804 South Trail**

12 Bob Langley, Wally Orchard, and Loren Dickenson represented the Trails Committee and asked
13 the City to reaffirm their commitment to the 804 South Trails Project. Langley explained the
14 importance of the trail, the mandate from the State Legislature for the Oregon Coast Trail and
15 the 804 Trail, and the pedestrian safety issue that currently exists in the section from Highway
16 101 to W 7th Street. He noted a final design would be contingent upon the final decision of
17 traffic flow on Ocean View Drive after the County give the road to the City. He explained the
18 project is separated into phases for each of the sections of the area, with Phase II including the
19 section from Beach St to the State Park, Phase III from the State Park to W 7th Street, and
20 Phase IV from W 7th Street to Marine Drive.

21
22 Langley explained the most critical section was between Highway 101 and Beach Street where
23 there is no room for walkers outside of the paved street. Langley believed there was money in
24 Visitors Amenities and from grants from State Parks, Oregon Travel, and other agencies. He
25 reported that Drew Roslund from the Overleaf is willing to add an “opt out” \$1 per room fee to go
26 to this trails work and that the State Parks would be willing to contribute more. Loren Dickenson
27 referred Council to their May 2018 letter.

28
29 Glenn thanked Dickenson for his drawing of a possible boardwalk from Highway 101 to Beach
30 Street. Glenn asked if the Trails Committee had presented this report to the Parks and
31 Commons Commission. Langley indicated Trails had presented the report to Parks and
32 Commons, but that Councilor Frye had specifically asked them to bring this report to the
33 Council. Glenn noted normally Councilors do not make such demands.

34
35 Scott expressed support for the recommendation and wanted the City Manager to proceed with
36 implementation, recognizing the City Manager’s current workload. Scott wanted to make a
37 motion to this effect, and Mayor Stanley clarified Council cannot vote during a work session.
38 Tooke noted the Trails proposal has been part of the plans to receive Ocean View Drive from
39 the County. Mayor Stanley indicated he was fully in favor of this proposal. He recalled from the
40 Public Works and Streets Public Meeting that some sections of the trail be on the paved portion
41 of the streets. John Moore, Chair of the Public Works and Streets Commission, noted the topic
42 is one their June 2018 agenda.

43 44 **B. Friends of the Yachats Commons**

45 Rose Valentine, President of the Friends Board, and Mary Aebi, Board Member, stated the
46 Friends have decided to dissolve their nonprofit foundation. She noted the Friends began in
47 1990 when the City had just purchased the Commons. She indicated their mission has been
48 completed, and they will be working on a plan to disburse their assets and reassign their
49 sponsorships.

1 Scott added that the Commons is a lot more than a building and identified the many
2 organizations and activities that have been started by the Friends. Valentine commented that
3 the number of people involved has been amazing. Tooke expressed his appreciation for their
4 efforts. Mayor Stanley commended the Friends on their rationale of their decision, their efforts
5 to smoothly disengage from their roles, and their approach to disbursing their assets.
6

7 **C. Discussion of Council Facilitated Session**

8 Mayor Stanley noted this agenda item is to get clarity on what Councilors think about this topic.
9 Mayor Stanley explained the question is whether the Council should gather with a facilitator to
10 review their role. Glenn was surprised that this decision to have a meeting was not understood
11 by other Councilors. Glenn recalled that Frye wanted to review financial roles. Glenn added
12 that they should assess their priorities, identify what needs to be accomplished, and what needs
13 to be passed to the next Council.
14

15 Scott stated the suggested discussions should be part of a regular Council meeting, not in a
16 private meeting. Scott also believed that the next Council should address these matters, not the
17 current Council. Scott clarified he was in favor of the discussions as long as they were part of a
18 public meeting.
19

20 Tooke was not certain as to the value a facilitator would contribute. He believed the budgeting
21 process and hearing went well and was not sure a facilitator could clear up communication
22 issues between Councilors. He did not recall Council having agreed to have a facilitator.
23

24 Mayor Stanley noted there are two questions: the first concerns how the Council communicates,
25 and the second concerns discussing their priorities. He believed the latter should be part of a
26 public meeting that he would facilitate. Mayor Stanley also was uncertain as to why this Council
27 rather than the next would be having these discussions.
28

29 Glenn noted the value of a facilitator enables the Mayor to be a participant rather than the
30 leader of the meeting. Glenn noted that while they added to the Administrative Policies on the
31 roles and functions of Council, they still have Council members giving staff directives, contrary
32 to those Policies.
33

34 Manager Beaucaire noted there is a third component of Council not getting clarity in their
35 discussions about what they have decided and how they will proceed. She cited the example of
36 some Councilors asking her the status of setting up the facilitated meeting and some asking
37 when they would decide about having a facilitator, which puts herself and staff in a difficult
38 decision.
39

40 Mayor Stanley suggested they not make a decision about using facilitator today as Councilor
41 Frye was absent. He noted the decision could be made in August after Councilor Scott returns.
42

43 Scott asserted Councilors need to reduce their demands on the City Manager and Staff. Mayor
44 Stanley did not see the link between having a discussion and increasing Staff and City Manager
45 workloads.

46 Manger Beaucaire clarified they are postponing a decision on having a facilitator until the
47 August meeting.
48

49 Glenn suggested if they are deciding whether to use a facilitator, they already know how
50 Councilor Frye would vote, so they do not need to wait on Frye's return.
51

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

3 4 **D. City Manager Report**

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

12
13 2. South Tank: Manager Beaucaire reported there was a site visit meeting at the South
14 Tank. She was now asking for weekly updates from the engineers to push the project along.
15 When she last negotiated a contract amendment in February 2018, the "substantial completion
16 date" was July 6, 2018. The substantial completion date was now July 9, only 3 days from the
17 February estimate. She reported the sewer line install began this week with an expected
18 completion by the third week of June.

19
20 3. Public Works: Manager Beaucaire highlighted that Public Works has been working
21 overtime to complete projects by the end of this fiscal year. She reported Public Works has
22 been extremely accommodating to herself and to citizens, especially in light of addressing two
23 unanticipated projects taking them away from their scheduled work. Manager Beaucaire
24 highlighted the Public Works crew was extremely accommodating to local businesses and
25 residences when connecting the Driftwood Water Line to the main system. She noted they took
26 significantly less time than projected. She believed their skill level is outstanding. Manager
27 Beaucaire pointed out their work cost the City \$60 per person hour compared to \$150 per
28 person hour for outside contracted work.

29
30 4. Consent Agenda: Manager Beaucaire noted there is a draft agenda as part of their
31 packet. Scott asked for clarification on Item C regarding transfer of funds. Mayor Stanley asked
32 they hold the consent for the draft agenda until the end of the meeting after the Engineer of
33 Record discussion.

34
35 5. Code Enforcement: Manager Beaucaire noted Council had approved a position to do
36 Code Enforcement, and it would take time to hire the right person. Manager Beaucaire noted
37 they are entering the tourist season and will likely need help with Code Enforcement. Manager
38 Beaucaire reported a citizen offer to work temporarily to do code enforcement during the busy
39 season. Scott believed Council should support Manager Beaucaire and give her additional
40 options to address code enforcing. Tooke added there is no point to regulations if they cannot
41 enforce them.

42
43 Tooke asked if a temporary person could issue citations. Manager Beaucaire indicated the
44 temporary position was more to respond to complaints and document activity rather than to
45 issue citations.

46
47 6. Manager Reports to Council: Manager Beaucaire noted there was a request by a
48 Councilor to provide written reports at each Council meeting. Manager Beaucaire noted today's
49 report was verbal as she had many issues come up at the last minute. She noted there was
50 confusion among Councilors about her providing written reports at each meeting and asked for
51 clarification on the Council's position on her reporting. Glenn believed it was excessive to ask

1 for written reports at each meeting. He suggested the periodic electronic messages they get
2 were helpful and sufficient for reporting in the interim between her regular meeting reports.
3 Tooke, Scott, and Mayor Stanley agreed with Glenn.

4
5 Mayor Stanley closed the work session at 10:53 am.

6 7 **REGULAR MEETING**

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

9 10 **I. Announcements**

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

14 15 **II. Public Comment/Citizens Concerns**

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

23
24 Hetzler indicating she was now asking the City to carryover the \$20,000 allocated for FY2017-
25 18 to FY2018-19 for interactive art that would attract visitors passing through town and
26 encourage winter visitors. Hetzler distributed artist concepts of work that interacts with wind and
27 rain. She noted the art was expensive, as it has to last through the harsh winter. She has been
28 working with local business owners to get permission for installations on their property.

29
30 Scott expressed favor with Hetzler's ideas, especially as it involves wind and rain. Glenn liked
31 the ideas but was concerned about setting a precedent for how ongoing art is planned for the
32 City. Glenn asked that this project be a one-time event and that a program be established for
33 future interactive art in Yachats.

34
35 Scott noted a resolution was needed to carryover the funds to FY2018-19. Manager Beaucaire
36 clarified that if money was to be spent in FY2017-18, Council will need to change the description
37 of how the money is to be spent as it is now appropriated to an Activities Director. Manager
38 Beaucaire explained the allocation for FY2017-18 for this position has been reapplied to the
39 General Fund for the FY2018-19 year, which means the Budget Officer would need to find an
40 additional \$20,000 in the budget just adopted to cover the costs and require a resolution. Mayor
41 Stanley clarified the money would need to be spent by June 30, 2018. Glenn clarified there is
42 \$20,000 in the new budget for continuing Hetzler's project, resulting in a total of \$40,000 should
43 Council decide to rollover the current allocation.

44
45 Mayor Stanley recalled the allocation almost did not get passed at the May Budget Hearing and
46 felt uncomfortable adding an additional \$20,000 given the close previous vote.

47
48 Hetzler indicated she was not aware that the money had to be spent on a position as opposed
49 to art. Scott did not believe there was time to change the appropriation in FY2017-18. He did
50 not believe the monies allocated in next year's budget had any connection to carrying over the

1 current allocation and did not want the calendar and budget restrictions to impact the installation
2 of art.

3
4 Hetzler noted two years ago when they gave money to hire someone to create events, she
5 stopped the program as it was not getting a good return. Hetzler explained issues with the
6 current management of the Chamber. Hetzler reported the Dean Runyan report on travel in
7 Oregon indicated a 41% increase from 2011 to 2015 in room tax revenues, the second highest
8 in the state. She argued the Chamber has been very effective in bringing people to town.

9
10 Scott explained some of his pushback was because he likes to see a written plan. Hetzler
11 noted she tries to adjust her approach based on the energy of the community and what seems
12 to be working.

13
14 2. Helen Anderson (77 8th Street) asked Council to meet with a facilitator to help them
15 determine the delineations between policy that Council decides and operations that the City
16 Manager oversees. She believed it would be helpful to have this issue worked out before a new
17 Council comes into office. Anderson also asked Council to refrain from delaying votes due to
18 issues like the absence of a Councilor. She asserted Councilors were elected to make decision
19 regardless of who was present.

20
21 3. Tom Lauritzen noted he and John Moore rewrote Administrative Policy #6 that spelled
22 out Council was to work as a body rather than each giving instruction to the City Manager or
23 Staff. He argued they do not need facilitator to figure out how to enforce the rules. He
24 suggested they review the rewrite of Administrative Rule #6 and establish a mechanism for
25 addressing what happens when a Councilor violated the Policy.

26
27 Lauritzen noted they never completed the organizational structure analysis. While they have
28 changed the structure to a City Manager, but they did not layout how policy and operations are
29 managed. He suggested a person who is skilled in organizational structure or management
30 could help them identify their roles. Lauritzen suggested this work would be extremely helpful to
31 the next Council.

32
33 Stanley clarified any Councilor can put an item on the agenda.

34
35 4. Leslie Vaaler (205 Radar Rd) asked that a group broader than just the Chamber make
36 decisions about art for the City.

37 38 **III. Appointment of Dianne Allen to Library Commission**

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

43
44 Scott moved to appoint Dianne Allen to the Library Commission: Aye – 4; No - 0.

45 46 **IV. Engineer of Record RFP**

47 Manager Beaucaire reported the RFP for an Engineer of Record was issued on April 12, 2018
48 and closed on May 4, 2018. Three proposals were received from West Tech Engineering, Civil
49 West, Reese and Associates. A selection committee met on May 16, 2018 where West Tech
50 Engineering received the highest score. She noted West Tech is the Engineer of Record for

1 Waldport, which could benefit the City through reducing travel costs when work in both areas
2 was combined.

3
4 Glenn noted West Tech's mission of working with small cities. Scott reviewed the process for
5 selection and found that to be appropriate. Tooke agreed with Scott and Glenn.

6
7 Glenn moved to authorize the City Manager to engage West Tech Engineering as the Engineer
8 of Record for the City of Yachats: Aye – 4; No - 0.

9
10 **V. Other Business**

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

13
14 Scott moved to accept the 804 Trail recommendations and to add it to planning process for the
15 transfer of Ocean View Drive: discussion

16
17 Stanley was concerned about the proposal blocking the work of Public Works and Streets
18 Commission. Scott and Mayor Stanley discussed the implication of accepting the
19 recommendation. Glenn indicated he was in favor of the recommendation but was concerned
20 about the process of how it was brought to Council. John Moore stated he had no problem or
21 conflict with Scott's motion.

22
23 Call for vote: Aye – 4; No - 0.

24
25 Scott explained the Budget Officer recently informed him that he had exceeded his budget for
26 software development. According to his calculations, Scott believed he was under budget.
27 Scott noted at the end of the previous year, the former City Manager had found extra money to
28 cover his expenses. That solution was to move the June 2017 costs to the FY2017-18 budget.
29 Scott explained he must either cease his work or get an additional \$2,000 to continue the work.
30 Scott wanted to make a motion to add \$2,000 to his FY2017-18 IT budget. Mayor Stanley
31 asked Scott to wait on the motion.

32
33 Glenn asserted this issue is a management decision and asked for a recommendation from the
34 City Manager. Manager Beaucaire noted the invoices are paid from the CIP. She indicated
35 \$2,000 has already been allocated to Scott in June 2018 from the \$5,300 for IT in the General
36 Fund, which she hoped to use to upgrade hardware and software. Manager Beaucaire noted
37 the request amounts to \$4,000 from the General Fund for IT going to Scott's development costs
38 in June 2018. Scott suggested Manager Beaucaire could allocate \$2,000 from a contingency
39 fund. Manager Beaucaire clarified there was already \$2,000 applied to the IT development
40 overrun in June 2018 and the request is for an additional \$2,000.

41
42 Manager Beaucaire asked the Budget Officer, Judy Richter, to return to explain the budgetary
43 process and impact. Richter reported the City has spent 88% of its budget and still has 24 days
44 of operations. She noted there was \$18,000 in the contingency fund. Richter indicated there
45 could be a motion could be to authorize up to \$2,000 of general contingencies to cover this
46 additional item, which would allow the City Manager to make the other IT upgrades she wanted.

47
48 Tooke asked for clarification on what the contingency funds are for and how much had been
49 spent in FY2017-18. Glenn clarified that releasing the contingency funds required a Council
50 resolution. Councilors discussed whether a supplemental budget would be required.

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

5
6 Glenn moved to instruct the City Manager to prepare a resolution to authorize transfer \$4,000
7 from the general fund contingency to cover Councilor Scott's IT needs: Aye - 4; No – 0.

8
9 Glenn wanted to support Hetzler's request to acquire artwork but wanted to broaden the
10 decision body that makes decisions about the art. Scott suggested they prepare an amendment
11 to the budget to allow the transfer of the \$20,000 from this fiscal year to the next year. Manager
12 Beaucaire clarified she would need a resolution to expand scope of work of the current
13 allocation to cover Hetzler's request. She noted rolling over the funds to next year would
14 necessitate something else in the budget be adjusted. Mayor Stanley indicated he was not in
15 favor of a rollover. Scott wanted more time to consider the matter.

16
17 Council gave consent to the June 13, 2018 agenda.

18
19 With no further business before the Council, Mayor Stanley adjourned the meeting at 12:15 pm.

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21
22
23
24 _____
25 GERALD STANLEY, Mayor

26 ATTEST:

27
28
29
30 _____
31 Shannon Beaucaire, City Manager

Date