

CITY OF YACHATS

CITY COUNCIL MEETING

February 14, 2018

Approved Minutes

Mayor Gerald Stanley called the February 14, 2018 meeting of the City Council to order at 6:00 pm in Room 1 of the Yachats Commons. Council members present: Mayor Gerald Stanley, Barbara Frye, Jim Tooke, Greg Scott, and Max Glenn. Absent: none. Staff present: City Manager Shannon Beaucaire. Audience: 10.

I. Announcements, Correspondence, and Proclamations

Mayor Stanley welcomed back Councilor Glenn, who provided an update on his procedure.

Mayor Stanley announced:

1. The Honey Lover's Festival is this weekend. He thanked Pat Rollins and Patti Johnson for their organizational efforts.
2. The Art Quilt Show and fundraiser for the new Library is February 25th.
3. Robbie Schoonover's memorial will be at the Presbyterian Church on March 3, 2018. He recognized her contributions to the City, One of Us Productions, and Lunch.

II. Public Comment

Ann Stott (915 Driftwood Lane) indicated she has been gathering information on street lights and noted dark skies was a recurring theme. Her perspective was that the majority wanted less light. She suggested the City needs a vision for addressing dark sky issues, possibly developed through a committee. Councilor Scott indicated he wanted to discuss the dark sky issue with her.

Leslie Vaaler (205 Radar Rd) noted on February 28, 2018, a new edition of Keesey's Rules of Order would be released.

III. Minutes

A. January 3, 2018 Work Session and Regular Meeting

Councilor Glenn asked about the procedure for approving corrections to minutes. Manager Beaucaire explained the corrections noted in the January 10, 2018 minutes reflect changes to the December 6, 2017 minutes. Frye asked whether the original statement is retained after a correction. Manager Beaucaire explained minutes are in draft form until they are approved, and the approved version would reflect all of the corrections.

Frye moved to approve the January 3, 2018 minutes: Aye – 5; No – 0. Minutes approved.

B. January 10, 2018 Meeting

Frye stated on page 5, lines 34-36, what the second sentence referred to was unclear with the reference to "She." Frye suspected that sentence belonged earlier in the discussion with the reason they did the shepherding goals. Minute taker Helen Anderson clarified "she" is referring to Frye, and the statements were almost verbatim. Frye indicated the statements were out of context, and Mayor Stanley asked Frye to clarify her comments. Frye explained the shepherding goals were created to ensure there was follow up from Commission work. She

1 noted Commissioners would find it frustrating to make decisions that would not go anywhere.
2 She noted there was a time when many of the Commission did not have full membership and
3 did not have Chairs. Frye asserted the second sentence was out of context because they were
4 not very operational because there were not enough people on them. Anderson asked for
5 clarification on what Frye wished to add.
6

7 Mayor Stanley asked if Councilors agreed Frye's recollection of how the shepherding program
8 began was factually accurate. Scott recalled the shepherding system was started out of a need
9 for communication, whereby the system created some structure for facilitating conversations on
10 important topics. Glenn recalled there was no follow-through on decisions from the
11 Commissions.
12

13 Mayor Stanley asked Frye if she wanted to rephrase some portion or to drop the sentence. Frye
14 explained, "She believed that was a problem as the Commissions were not very operational..."
15 was out of order and does not describe her intent. Frye noted what she believed was irrelevant.
16 Frye asserted the fact was the Commissions were having difficulty because the Council was not
17 giving clear directions and that Commissioners were frustrated. Frye explained that there was
18 not a problem so much as there was a process issue.
19

20 Mayor Stanley asked if Frye would be satisfied with dropping that sentence (lines 35-36). Frye
21 agreed. Frye added that using the term, "She believed..." in minutes was questionable.
22

23 Scott moved to accept the January 10, 2018 minutes as amended: Aye – 5; No – 0. Minutes
24 approved.
25

26 **IV. Reports**

27 **A. Council Reports**

28 Tooke reported he attended a meeting of the Mid-Coast Planning Water Partnership on
29 February 9, 2018. He noted the group is trying to come up with a long-term plan for addressing
30 water needs in Lincoln County. The Partnership has been working for two years to first build the
31 collaboration and process and to second understanding the system. Tooke said they will plan
32 out to 2050 and highlighted the complexity of the project. Tooke reported Tim Gross, Newport
33 Public Works Director, would like to be on the agenda for the next Council work session. Frye
34 suggested Tooke involve Yachats Public Works in the discussions. Scott explained the City will
35 need an alternative to the rivers as the environment dries out. Scott noted there is extensive
36 infrastructure between the supply and the City. Scott believed the City should focus on short-
37 term issues, such as installing check valves on the north water tank reservoirs.
38

39 Frye reported work is in progress to get a Project Manager for the Library Move Project. She
40 reported Lincoln County Community Health is still committed to getting a clinic in Yachats,
41 despite the firing of the Health and Human Services Director. Frye added Lincoln County
42 Community Health received a grant for training people in crisis intervention and has gotten that
43 program operational.
44

45 Mayor Stanley was concerned about how information will continue to be conveyed to the
46 community about the move project. Frye suggested the Library Commission develop a plan for
47 communication.
48

49 Mayor Stanley reported he had attended both hearings for the Evans/Betz project; he
50 represented the City at the Newport Women's March; he attended the Local Public Safety
51 Coordinating Committee, and he noted Lincoln County is one of seven counties in the country

1 who received a major grant for addressing mental illness in the legal system (the Stepping Up
2 Program); he attended the first Pollinator Restoration Project meeting, a collaboration between
3 ODOT and Lincoln County to restore pollinator plants between the Newport bridge and the
4 south County line; he went to the Friends of the Commons public meeting.

5 6 **B. City Manager Report**

7 Manager Beaucaire highlighted the following from her detailed report:

- 8 1. Communication/Community Engagement - She has been having ongoing
9 conversations with persons who attend her Manager's meetings. She highlighted the
10 next meeting will focus on the website, and one of the programmers and Greg Scott
11 will be there. Along with identifying issues, they plan to prioritize what should be
12 completed first.
- 13 2. IT - She is pursuing a partnership with Oregon Cascades West Council of
14 Governments to have a team analyze the City's software and hardware and to ensure
15 equipment is up to date.
- 16 3. Budget - She has been having weekly budget meetings and encouraging Public
17 Works staff to coordinate with Clerk Richter. Mayor Stanley suggested putting an
18 article in the March Newsletter about how citizens could get involved in the budgeting
19 process.
- 20 4. Ocean View Drive Transfer - She noted page 16, paragraph 66 of the settlement
21 agreement addressed the transfer of Ocean View Drive and Marine Drive to the City.
22 Frye clarified there is much work to be completed before the City addresses street
23 directions.
- 24 5. Evans/Betz Property – She reported the OWEB hearings will be on April 24th and 25th.
25 The Trust for Public Lands is working on another grant.
- 26 6. Code Enforcement – The Code Enforcement Officer tendered her resignation effective
27 March 15, 2018. Waldport and Yachats have placed a joint advertisement in the
28 Newport News Times and with the League of Oregon Cities for a new officer, but
29 each City will retain their own contract. The application deadline is February 28,
30 2018.
- 31 7. Little Log Church – She sent the Pincus report on the rehabilitation of the building to
32 Parks and Commons. She highlighted a point in the conclusion about the scope of
33 work and the need to close the Little Log Church to complete the work. She noted the
34 Little Log Church Board reports to the Parks and Commons Commission.

35
36 Scott complimented Manager Beaucaire for her attention to establishing a budgeting process,
37 noting he has been involved in City activities for thirteen years and had not previously observed
38 such work emanating from the front office.

- 39
40 8. South Entrance Sign – She is working with Parks and Commons to move this project
41 along.
- 42 9. Commission Round Tables - She indicated this meeting has been productive and will
43 be ongoing. She highlighted the success of the recent Planning Commission public
44 meeting. She summarized the many activities of Parks and Commons and Public
45 Works. Glenn asked who participated in the Round Table meetings, and she
46 explained groups involved and process.
- 47 10. Library RFP for Project Manager – She plans to get an RFP to the attorney tomorrow
48 for his review.
- 49 11. South Tank – She reported Civil West has submitted a final amendment to cover the
50 completion of the project.

12. 501 Building – She summarized improvements and status of door glass replacement. She noted she asked for a quote for dark sky heads on the parking lights, and that information is with Parks and Commons. Several Councilors noted there are other streetlights that could use retrofitting. She has enlisted a volunteer to explore seeing if Central Lincoln PUD would install dark sky compliant heads if the City purchased them.
13. Commons – She conferred with the Facilities Manager and Fire Marshall to concluded that the report on violations would stand regardless of who occupies the building. She noted they are working with the YRFD to find more economical solutions to the requests.

Glenn suggested Manager Beaucaire have a section on Rumor Control. Beaucaire reported she and Scott are working to address create better communications through the website.

Mayor Stanley asked Manager Beaucaire to check if the code violation on a bus on W 3rd Street was for the County bus. Mayor Stanley also asked about the significance of fourteen man-hours of time devoted to cleaning grease traps. Manager Beaucaire concurred that issue remains a struggle.

C. Visitors Center Report

Manager Beaucaire reported Beverly Wilson created the report in the packet. Glenn was pleased they added specific activities related to their goals. Mayor Stanley asked about the numbers indicated for April-June 2018 (Q4), which would be projections or incorrect. He noted several line items with significant budgets and little expenditures. Tom Lauritzen noted the City Budget's Committee does not oversee the budget of the contract for managing the Visitors Center (currently with the Chamber of Commerce). Manager Beaucaire will get a corrected report.

V. Business

A. Review and Discuss Updates to Council Rules

Mayor Stanley summarized his concern raised at the previous meeting about executive sessions. Scott suggested the numerous references to the "City Administrator" should be changed to "City Manager." Frye was reluctant to change one piece of the document without fully reviewing the entire document. Scott suggested this issue be of lower priority in light of other matters before the City Manager.

Frye moved to update the Council Rules to indicate that three Councilors could call for an executive session in the event that the chair disagrees: Aye – 5; No – 0.

Scott moved to authorized the City Manager to search and replace "City Administrator" with "City Manager:" Aye- 5; No – 0.

B. Discussion of Vacation Rental Pilot Program

Scott wanted to get closure on the topic before he leaves the Council. He referred the Council to the three items under Questions Before Council on the packet cover sheet. Glenn asked how many approved rentals there were, and Scott indicated 146. Glenn asked if there had been applications, and Manager Beaucaire indicated this item has recently come up among staff. Staff did not know if they should keep a list and would vacancies be filled first-come first-serve. Scott did not believe that decision has been made. Frye reviewed the ordinance to find what she believed addressed the matter. Councilors concurred that an administrative policy specifying how vacancies are filled needs to be created.

1
2 Glenn asked how many did not renew for the 2018 year, and Scott indicated the number was
3 fewer than ten. Glenn also asked if the Code Enforcement Officer had identified any
4 substantive problems with the pilot system. Tom Lauritzen reported he, Cathy Perkins, and
5 Officer Davies drove by all 146 properties to assess code compliance in terms of the house
6 number being visible, the rental company sign being visible from the street, trash cans being
7 stored properly, and parking being clearly defined. He noted he and Officer Davies are
8 generating a report.
9 Lauritzen estimated 95% of homes do not have contact information on the house; and if
10 neighbors cannot identify whom to call, there is no way to enforce compliance.

11
12 Glenn concurred with Scott's desire to get closure on the system so they can move to a
13 permanent program. Glenn cited Yachats Code 4.08.010 stipulating that a vacation rental
14 shall not adversely affect the residential character of the neighborhood. He suggested some
15 neighborhoods are already adversely affected and would not likely be changed for the better.
16 Glenn was not certain as to how to address the issue of a neighborhood being identified as
17 adversely impacted going forward.

18
19 Glenn asked for clarification on how the Rock Park Cottages were treated, given only one
20 vacation rental is allowed per tax lot. Scott believed the four cottages were categorized as a
21 hotel and the large house was a vacation rental.

22
23 Frye asked if there had been pushback around the vacation rental changes. Manager
24 Beaucaire reported there were frustrations from people who were expecting to be able to rent
25 their homes. Frye asked Manager Beaucaire to keep log on vacation rental issues, as their goal
26 was to get data on how the program was working.

27
28 Frye raised the issue about what constitutes a business in a residential zone, noting that Scott
29 has expressed concern over cases being appealed to LUBA. Frye would like to get a legal
30 opinion on this possibility.

31
32 Mayor Stanley wanted to keep gathering information on how the program is going. Mayor
33 Stanley was concerned with vacation rentals having different rules than other homes, such as
34 the requirement for bear proof cans.

35
36 Scott asserted the primary reason for this program due to residents concerns. He believed
37 there was no value in asking staff to track how many calls City Hall gets about vacation rentals.
38 Scott argued the question they need to address is how satisfied residents are with the program.

39
40 Frye moved to direct the City Manager to get a legal opinion about at what point a vacation
41 rental becomes a business in an R-1 zone: Aye – 4; No – 1 (Scott).

42
43 **VI. Other Business**

44 **A. From Mayor - none**

45
46 **B. From Council**

47 Frye suggested the Library give an update on the move project at the State of the City event.

48
49 **C. From Staff**

1 Manager Beaucaire called attention to an application before the Council for a liquor license.
2 Tooke explained the Underground Pub dba Shrew Brewery is asking to add brewing to their
3 current liquor license.

4
5 Scott moved to approve the liquor license application from the Yachats Underground, LLC: Aye
6 5; No – 0.

7
8 Mayor Stanley adjourned the meeting at 7:44 pm.
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11
12
13 _____
14 GERALD F. STANLEY, Mayor

15 ATTEST:

16
17
18
19 _____
20 Shannon Beaucaire, City Manager

Date