



**CITY OF YACHATS  
CITY COUNCIL  
November 3, 2022  
Zoom Meeting Summary**

Public Guests: 30

1. (00:09) Meeting Call to Order by Mayor Vaaler on this November 3, 2022, of the City Council at 9:30 am via Zoom. Members present: Mary Ellen O'Shaughnessy, Greg Scott, Ann Stott, Council President, and Anthony Muirhead. Staff: Kimmie Jackson, Recorder, Katherine Guenther, Asst. City Manager & Planner, Holly Hamilton, CIP Coordinator, Rick McClung, Water Lead and Jyl Fueling, Code Enforcement.

**WORK SESSION**

2. (02:00) CIP PowerPoint Presentation was given by the CIP Coordinator describing the project development process, included deferred maintenance and critical updates on the infrastructure. The ranking structure is still in progress and will need to come up with a criterion on what the groups will be required to do. A proposed project request form will be submitted to staff, then to council, and schedule for the Budget Committee. Staff will test the process with a couple of current projects. Discussion continued regarding the process and possible changes, and how it correlates to Ordinance 355 and who should be ranking the projects. The status of the projects will be brought back to Council with an update of current projects at the November 16<sup>th</sup> meeting. Joann Kittel will request to meet with the City Manager and CIP Coordinator regarding grant writing.

**REGULAR MEETING**

3. (50:53) Announcements, Proclamations, and Correspondence: City Hall is closed on Veterans Day, Friday November 11<sup>th</sup>.
4. (51:48) Public Comment: Resident, Mike (last name inaudible) thanked the Council for their hard work and would like to volunteer and was advised to complete a volunteer application on the City website.
5. (56:50) New Business - Introduce Jyl Fueling, Code Enforcement: Ms. Fueling introduced herself; worked for the Forest Service in Idaho, became Hemp Farmer, and has experience in compliance. Ms. Fueling has a Masters in Archaeology and is working on her PhD.
6. (1:02:59) Old Business - Monthly Summary's from October 2022 meetings of the Emergency Preparedness Committee of October 3<sup>rd</sup>, Planning Commission Work Session & Regular Meeting of October 18<sup>th</sup>, Parks & Commons Commission of October 4<sup>th</sup>, Public Works & Streets of October 11<sup>th</sup> and City Council Work Session/Regular Meeting October 6<sup>th</sup>, and City Council Regular Meeting of 19<sup>th</sup> can be located on the City's website with the Council Packet.



### PUBLIC HEARINGS

7. (1:03:46) Shell Street Vacation: Mayor Vaaler stated potential conflict of interest and may be involved in a land vacation at some point to a piece of property that adjoins City land. Mayor Vaaler read into the record the order of business for the Public Hearing. Planner stated that this vacation has been in the works since February 2021. Public Works as heard this matter back in April 2021.

(1:12:05) Staff input: Lance Bloch, Chair of Planning Commission stated this is not an issue. Planning had not discussed in detail and is just listening at this meeting for informational purposes.

(1:12:50) Applicants: Jim & Maggie Paul had nothing to add at this point. John Aviani & Linda Siegel stated they did not really want it because they would have to maintain but will maintain if approved. All owners are aware property taxes may be adjusted.

(1:18:11) Public Testimony: Shirley Vanguard wrote that there may be other options for the parcel. (1:30:15) Quinton Smith stated he is part owner of two private streets in Yachats and went through this same process and indicated it changed pedestrian walkways and a pedestrian easement could be option.

(1:32:22) Discussion continued among councilors and staff. Councilor Scott disclosed his conflict of interest, and that he owns a piece of land and has constructed a public trail and it is available for public access. The City has received the two third requirement, 33 people received notice, and the City received 22 in favor. Council discussed recommendation from the City Manager and Councilors to vacate the street. The Yachats Inn is also in favor of the vacation.

(2:02:50) A Motion was made for the City of Yachats to vacate Shell Street portion in the application, a 30x82.5 strip of land between Yachats Inn & Mitchel Lane, all recording fees and any other fees is the responsibility of the applicants to pay, and this is to take place immediately. The ordinance will be presented to council on the November 16<sup>th</sup> City Council Meeting for adoption:

Aye: O'Shaughnessey, Scott, Muirhead, Stott

Nay: Vaaler

Close Hearing

8. (2:10:50) Open Public Hearing: Fences, Walls & Hedges, Amending Chapter 5 and 9 of the Yachats Municipal Code: Mayor Vaaler stated the order of business, and no conflict of interest was introduced.



1 (2:13:50) The Planner stated there is no formal staff report and the application  
2 packet was submitted to Department of Land Conservation and Development, and  
3 they had no comments to add. Planning Commission held a Public Hearing, and the  
4 outcome was to forward to Council for adoption.

5  
6 (2:14:47) Public Testimony: Betty Johnston, PO Box 897, Yachats, was concerned  
7 with fire danger this summer with tree limbs, weeds, and wood. Mayor Vaaler stated  
8 this was not the topic.

9  
10 (2:18:55) Barry Collins, 1230 King Street sent correspondence through Request  
11 Tracker and was read into the record (Attached to Council Packet).

12  
13 (2:25:52) Christine Lothrop, PO Box 879, Yachats, is concern with her corner lot  
14 hedge being well over the height limit. It does not interfere with the line of sight  
15 entering on Highway 101 from Reeves Circle, from the North or South.

16  
17 (2:33:12) Close Public Comment

18  
19 (2:33:30) Council is in agreement to remand back to Planning Commission with a list  
20 of changes and considerations, and have it reflect only a complaint driven system  
21 and to be reviewed by the City Manager and the Judge before it is brought back to  
22 Council.

23  
24 (3:33:00) A Motion to remand the Fences, Walls & Hedges Amending Chapter 5  
25 and 9 back to the Planning Commission to consider having discussions with the City  
26 Manager and any other parties that may be helpful, Code Enforcements and its  
27 philosophy, and make modifications to the ordinance.

28 Aye: Scott, O'Shaughnessey, Stott, Muirhead, and Vaaler

29 Nay: None

30  
31 (3:36:26) CLOSE PUBLIC HEARING - RE-OPEN REGULAR COUNCIL MEETING

- 32  
33 9. (3:36:45) City Manager Report can be viewed on the City's website in the Document  
34 Library.

35 (3:37:00) Other Business: The Council members are to forward there completed City  
36 Manager Evaluation Form to the Mayor on Sunday by noon, before the Executive  
37 Session Monday November 7, 2022, at 10:00am in Council Chamber.

- 38  
39 10.(3:38:25) The City Manager is currently working and scheduled meetings on  
40 arranging in person City Meeting.

41  
42 Mayor Vaaler adjourned the meeting at 1:15pm

43 Prepared by Kimmie Jackson on November 9, 2022