

1. Agenda

Documents:

[CC AGENDA 12-13-17.PDF](#)

2. Meeting Materials

Documents:

[11-01-17 CITY COUNCIL MINUTES.PDF](#)

[11-08-17 CITY COUNCIL MINUTES.PDF](#)

[2017-12-07 FRIENDS LETTER TO COUNCIL.PDF](#)

[CM REPORT 12-13-17.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, December 13, 2017 at 6:00pm

AGENDA

- I. Announcements, Correspondence and Proclamations
- II. Minutes
 - A. Minutes: 11/01/17 Work Session
 - B. Regular: 11/08/17 Regular Meeting
- III. Reports
 - A. Council Reports
 - B. City Manager Report
- IV. Public Comment
- 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 December 11, 2017

CITY OF YACHATS

CITY COUNCIL WORK SESSION AND REGULAR MEETING

November 1, 2017

Minutes

Mayor Gerald Stanley called the November 1, 2017 work session and regular meeting of the City Council to order at 9:30 am in Room 1 of the Yachats Commons. Council members present: Mayor Gerald Stanley, Barbara Frye, Jim Tooke, and Max Glenn. Absent: Greg Scott. Staff present: City Manager Shannon Beaucaire, Water Plant Lead Rick McClung. Audience: 10.

Mayor Stanley announced the Oregon Coast Community College (OCCC) Foundation Donor and Scholar Reception is November 9, 2017 and asked for a Councilor volunteer to attend.

I. Special Presentation – Dahl Disposal Service

Mayor Stanley introduced Chuck Lerwick and Zach Dahl from Dahl Disposal Service. Lerwick summarized China's recent changes in policy rejecting recyclable materials containing trash. He noted around 13% of recycling sent to China is trash. Lerwick indicated their local processor has not made changes in what they accept other than asking that materials be cleaner. While plastics #1 - #7 are still accepted, he predicted some types might become non-recyclable. Lerwick noted their costs have increased by \$47.50 per ton of materials, and Dahl stated they are recycling about 1600 tons each year. They asserted the need to move away from "wishful recycling," or putting something in the blue bin and hoping it can be reused. Lerwick noted the tagline, "When in doubt, throw it out." DEQ is now allowing waivers for processors to send dirty recycling to landfills. Dahl Disposal's goal is to continue recycling, but they may have to use the DEQ waiver program if the market for recyclables shrinks.

Councilor Glenn asked for a primer on the recycling process. Lerwick indicated the blue bins are loaded onto the truck, then compacted and taken to the recycling center. The materials are dumped on the floor where workers pull out obvious inappropriate materials. The materials are then loaded into a trailer, which is delivered to the MRF (materials recycling processor) in Salem. Materials are sorted by blowers, shakers and human sorters. Dahl noted there is a video on the process their Facebook page.

Dahl noted that their trucks are equipped with cameras, which can be used to inspect individual containers. Serious offenders of including trash in the recycling are yellow tagged. A second-time offender may have the blue bin removed from the residence.

Councilor Tooke liked the brochure and asked if it were going to be sent to residents. Lerwick noted it will be included with the next mailed and electronic bills. Tooke suggested creating a brochure indicating what materials could be recycled at the recycling centers, such as scrap metal. Dahl reviewed their marketing campaign to date (paid advertising, radio, social media).

Lerwick highlighted the website address at the bottom of the brochure for DEQ that is updated weekly by DEQ.

Dahl and Lerwick indicated the recycling centers take batteries, flow tubes, bulbs, motor oil, gasoline, and kerosene.

1 Councilor Frye asked if any of the items on the prohibited list are new. Dahl stated anything
2 with food on it is not recyclable, such as pizza boxes.

3
4 Sterner stated he has observed people are conscientious but not aware of the requirements.
5 Sterner noted people are paying attention to the Yachats Facebook page as a resource for
6 information.

7
8 Bette Perman (410 E 2nd St) asked about glass bottle and jars. Lerwick stated glass will soon
9 not be allowed in the blue bin but could be taken to recycling center.

10
11 Leslie Lawler (205 Radar Rd) asked if regular garbage cans would increase in size since they
12 cannot recycle as much materials. Dahl noted they do have larger cans available. She asked if
13 they could give a primer on cleaning, such as do laundry detergent bottles need to be cleaned.
14 Dahl noted a rule of thumb of imagining you are on recycling line and would you want to pick
15 that up with your hands from the sorting line.

16
17 Lerwick reported they have recently had a many calls about people applying for vacation rental
18 licenses requesting bear-proof containers. Lerwick was confused by City code on what is
19 required for vacation rentals regarding bear-proof carts versus regular carts in enclosed areas.
20 He noted the cost of a bear cart is \$200 versus \$45 for a regular cart. Also drivers need to get
21 out of cart to open the bear-proof cart. The bear carts also require frequent maintenance, with
22 lids needing replacement almost yearly. Manager Beaucaire will figure a plan to address the
23 situation.

24
25 Dahl noted Dahl Disposal provides a subscription service for around 45 residences for yard
26 waste. He noted residents seem to be using the city drop box at the waste treatment plant more
27 frequently. He noted the drop box system was implemented before Dahl Disposal had a
28 residential yard waste subscription service. Several hypothesized commercial landscapers
29 abuse the city bin. Tooke suggested increased signage at the drop box. Mayor Stanley asked
30 for clarification on what their expectation from the City was at this time. Manager Beaucaire
31 indicated she believed Dahl and Lerwick were providing information on what was available.

32
33 Perman noted a drawback to the residential brush service is that it still must be paid for during
34 the winter months which people are not landscaping much.

35
36 Helen Anderson (77 8th St) noted some landscapers believe their debris is allowed if the debris
37 comes from a city residence, she was told at recycling center grass was not accepted in green
38 waste, and it would be desirable to have periodic but not ongoing/subscription yard waste
39 pickup. Dahl reported Dahl Disposal will pickup at the curb whatever a customer requests for a
40 fee, including items such as brush, bulky items, garbage, and yard waste.

41 42 **I. Work Session Discussion Topics**

43
44 Mayor Stanley noted the ordinances are online and there will be a second vote at the November
45 8, 2017 meeting.

46 47 **A. Ordinance 349 – Building Height Restrictions and Hazard Areas**

48
49 Planning Commission Chair Anderson summarized the revisions in 9.52.050 Hazard Areas are
50 95% editorial. She noted an example of previous language indicating slopes greater than 12%
51 and less than 11%, which does not address a slope of 11.5%. Anderson reported the changes

1 in 9.53.170 Building Height Restrictions arose over complaints about overly large features that
2 were previously exempted, such as chimneys. She noted the Planning Commission looked at
3 regulations in other cities and revised the Code to increase safety and prevent unnecessary
4 large protrusions. An exemption for elevators was made because building code regulations
5 necessitate a safety area above the elevator cart. Frye asked for clarification on previous
6 problems around in these areas. Glenn asked if the section on steep slopes would address the
7 problems that arose several years ago regarding development on the east hillside causing
8 runoff to homes below. Anderson indicated the revised language is clearer and also includes a
9 requirement of a checklist created by the geologist for the builder to follow.

10 11 **B. Ordinance 350 – Parking on public property; impoundment**

12
13 Manager Beaucaire stated the purpose of this ordinance is for health and safety. She noted
14 there is current code prohibiting parking in public right-of-way, and this ordinance adds
15 language to enable enforcement through an administrative hearing process and impoundment.
16 Manager Beaucaire emphasized purpose is to keep streets clear for safety vehicles to have
17 access in case of emergency.

18
19 Frye noted the document in document library had a wrong footer. She wanted clarification on
20 the 72-hour stipulation as she has seen cars parked in one place for three days, and then move
21 elsewhere for another three days. Mayor Stanley noted there is language about continuity of
22 time not being affected by vehicle relocations.

23
24 Mayor Stanley asked about people parking in front of their own house overnight. Manager
25 Beaucaire noted the 72-hour requirement to trigger the ordinance. Frye believed there already
26 was language in the Code about parking RVs. Anderson noted there is Code regulating parking
27 and living in RVs in Title 9, and State law regulates parking on streets. She stated it is illegal to
28 park in a street lane, even if it is in front of your own home. Tooke noted on Aqua Vista loop
29 that the paved road is only two lanes wide, so a car parked in the street is in the road.

30
31 Frye asked about situations where people park in front of businesses, such as Valeria Tutrinoli
32 parking in front of her business, Toad Hall. Manager Beaucaire clarified that then language on
33 continuity only applies to moving from one public right-of-way to another public right-of-way.
34 This regulation would not apply to a car parked at a residence at night. Glenn suggested the
35 intent of this ordinance is to deal with vehicles that are parked and left, not to address normal
36 business traffic flow. Frye wanted to look more closely at the language so as to not be too
37 restrictive. Manager Beaucaire noted Oregon State Law states one cannot park in public right-
38 of-way. Tooke asked about parking on wider streets where two lanes of traffic could flow past a
39 parked car.

40
41 Frye referred to language that stipulated one cannot park a vehicle for sale on the street.
42 Manager Beaucaire noted a person can get permission from the City for exceptions.

43
44 Mayor Stanley asked if the Public Works and Streets Commission should review this ordinance.
45 Frye was not certain that this matter would fall under the purview of Public Works and Streets.
46 John Moore, Chair of Public Works and Streets, indicated they would review the issue if asked.
47 Manager Beaucaire suggested Council give the Commission specific questions to address
48 should they pass the matter to the Commission. Frye wanted to look at the purpose of the
49 Public Works and Streets Commission to see if they should be the one to address the matter or
50 to have the Code Enforcement Officer address the matter.

1 Glenn noted the impoundment procedure is all new and desirable. Glenn asked Manager
2 Beaucaire if they could add purpose and intent to the document. Tooke asked if ongoing illegal
3 parking was driving this change, and if so, could not the Code Enforcement Officer make a
4 determination about citations. Manager Beaucaire noted the need to have objective
5 enforcement. Tooke noted some trucks put up cones when they unload and whether State Law
6 required that safety step.

7
8 Mayor Stanley suggested Councilors study the ordinance during the week and discuss further at
9 the next meeting, noting he was uncomfortable about passing language to allow for vehicle
10 impoundment without fully understanding the language. Frye wanted to know the rationale from
11 the Code Enforcement Officer on the language she used in this ordinance and her intent. Glenn
12 suggested this is the kind of documentation needed for a Code Enforcement Officer to do their
13 job.

14
15 Mayor Stanley wondered if this ordinance was overreaching where they want to go on
16 regulations. Glenn asserted it was better to have a regulation with an enforcement element.

17
18 Code Enforcement Officer Joan Davis (782 Driftwood Lane) asked the Council what parts of the
19 ordinance appear to be overreaching. Frye raised the question of a car parked in front of a
20 house on a narrow street. Davies noted parking in front of commercial business is permitted.
21 Davies noted parking overnight in a city right-of-way is currently not allowed. Davies indicated
22 Council could decide if they wanted stricter enforcement on this matter, but this code was
23 specifically intended for establishing a way to take action on abandoned vehicles.

24
25 Frye indicated she was not in favor of intensified efforts to ticket every illegally parked vehicle,
26 but instead wanted to address the more long-term violators. Stanley was concerned about
27 creating an unpleasant atmosphere of coming down hard on every violation. Glenn sees the
28 document as an advancement of the ability of the Code Enforcer to address violations. He
29 stressed the need for the enforcement part. Davies reported she had received multiple
30 complaints of parked vehicles, and yet she had no way to enforce parking violations.

31
32 Davies reported that law enforcement will only cite a vehicle when the tags are expired. She
33 has received multiple complaints about vehicles and personal property in City right-of-way. She
34 noted some of these streets are tsunami evacuation routes. Davies indicated the ordinance will
35 enable her to provide notice to owners. Tooke noted there is a notice of impoundment, which
36 gives the owner a chance to move the vehicle/property or work out something with the City.

37
38 Mayor Stanley indicated he was uncertain about impact on the ordinary citizen. Frye suggested
39 the Council give direction to the Code Enforcement Officer about their intent. Manager
40 Beaucaire reiterated the goal is objective enforcement, so language needs to be in the policy,
41 and not subjectively enforced.

42 43 **C. Approve agenda for November 8, 2017 City Council**

44
45 Frye noted the south entrance sign, the status of the Art in the City Committee, and problems
46 with the heating and cooling system need to be address. Davies reported she had Florence
47 Heating and Cooling evaluate the HVAC in the Commons. They noted outside units last five to
48 six years, and the City's is six years old. Additionally, the inside units are over 20 years old.
49 Glenn noted the Art in City topic is on Council Shepherding Goals. Council gave consent for the
50 agenda.

1 Mayor Stanley adjourned the work session at 11:07 am.

2
3 **REGULAR MEETING**

4 Mayor Stanley called to order the regular meeting of the City Council at 11:15 am.

5
6 **I. Public Comment - none**

7
8 **II. Ordinance 349 – Hazard Areas and Building Height Limitations**

9
10 Glenn moved to approve Ordinance 349 amending the Yachats Municipal Code Section
11 9.52.050 Hazard Areas and 9.52.170 General Exceptions to Building Height Limitations (first
12 vote): Aye – 4; No – 0.

13
14 **III. Ordinance 350 – Vehicles and Traffic; Impoundment Procedures**

15
16 Helen Anderson (77 8th St) believed the ordinance is common sense, people need education
17 about parking, and there is not see a reason not to do it.

18
19 Stanley noted a person parking his truck in front of his house and whether he could continue to
20 do that. Anderson stated the Code requires that new homes to have two off-street parking
21 spaces. She did not know what homes without off-street parking do and asked Davies if they
22 would be grandfathered in. Davies noted this ordinance does not address the grandfather
23 issue, but focuses instead on impounding. She believed another ordinance should be enacted
24 to address parking for homes with no off-street parking. Tooke reminding owners are notified
25 prior to impoundment. Frye wanted to avoid giving notices for homes without parking.

26
27 Davies emphasized the 72-hour limitation already exists in the Code in section 6.04.090, and
28 the Council has the ability to make exceptions. Frye wanted to know if they could make a
29 blanket exception to houses without parking on-site parking. Tooke argued that would negate
30 the effect of the ordinance.

31
32 Glenn moved to approve Ordinance 350 amending Title 6 - Vehicles and Traffic, adding section
33 6.09 Vehicle Impoundment Procedures and establishing an effective date (first vote): discussion

34
35 Frye moved to amend the motion to clarify the City Council has the authority to exempt a home
36 that does not have off-street parking. Davies asserted this authority is already in section
37 6.04.090. Frye withdrew her amendment.

38
39 Call for vote: Aye – 3; No – 1 (Stanley).

40
41 **VII. Other Business**

42
43 Water Treatment Plant Lead Rick McClung reported the yard debris bin takes a significant
44 amount of staff time to monitor and to deal with people who cannot dump their brush when the
45 bin is full. McClung noted the bin also blocks their second entrance to the yard. He would like
46 the City to move toward having people use the Dahl pickup service and ending the free bin
47 program.

1 Mayor Stanley adjourned the regular meeting at 11:34 am.

2
3
4
5 _____
6 GERALD F. STANLEY, Mayor
7
8
9

10 ATTEST:

11
12
13 _____
14 Shannon Beaucaire, City Manager

Date

CITY OF YACHATS
CITY COUNCIL REGULAR MEETING
November 8, 2017

Minutes

Mayor Gerald Stanley called the November 8, 2017 regular meeting of the City Council to order at 6:00 pm in the Room 1 of the Yachats Commons. Council members present: Mayor Gerald Stanley, Jim Tooke, Max Glenn, Barbara Frye. Absent: Greg Scott. Staff present: City Manager Shannon Beaucaire. Audience: 34.

I. Announcements, Correspondence and Proclamations

Mayor Stanley expressed sympathy for those affected by the Sutherland Springs church shooting and noted Yachats is about the same size as Sutherland Springs, remarking that no community is immune from such disasters.

Councilor Glenn announced Mayor Stanley is having an 80th birthday celebration on Tuesday, November 21, 2017 from 7-9 pm at the Lions Club. Mayor Stanley clarified that his friends were the ones inviting the public.

Mayor Stanley announced:

1. This weekend is the Celtic Music Festival.
2. The Cape Perpetua Land-Sea Symposium on November 16, 2017 at the Commons. It is open to the public and people can rsvp online.
3. The Siletz tribe is celebrating the 40th anniversary of the restoration of the Tribe on November 18, 2017 at the Casino in Lincoln City.

II. Public Comment

Carl Miller (211 Chief Albert Dr.) read a statement about the impact of the City of Yachats' changes in rental fees on One of Us Productions. Miller highlighted the amount of money One of Us has donated to the community since its inception in 1995 (\$85,000 with \$32,000 going to the Commons) and the number of volunteers who participate in productions. Miller announced the production of "You're A Good Man Charlie Brown" slated for April 2018 has been cancelled. One of Us has been here since 1965. He indicated there was a non-spoken agreement between the City and One of Us to charge \$400 per play for facilities and to print the program at City Hall free of charge. He did not understand why copying would cost the City money as the City pays a flat fee for copier rental. Miller requested a meeting with Councilor Frye and Manager Beaucaire to discuss the matter further.

Frye expressed sadness in this news, as the arts are part of what makes Yachats special. She thanked Miller for coming to address the Council. Frye indicated they will work to find a solution and suggested the Council might not have been as thoughtful as they could have been in developing the new fee schedule. Parks and Commons Chair John Moore explained the reasoning for their fee structure and stated they were open to allow for exceptions. He suggested Miller submit an appeal to the Parks and Commons Commission. Miller noted he had been on Parks and Commons and argued that Yachats should be a community center. Moore asked Miller to come to the Commission meeting on Thursday, November 16, 2017 at 2 pm in Room 1.

1 Dave Cowden (One of Us Board Member) argued that making things fair was in opposition to how
2 One of Us Productions gives money back to the community.

3
4 Creight Horton (105 Reeves Cir) loved the idea of live theater in Yachats and wanted to see One of
5 Us supported.

6
7 Councilor Glenn expressed sadness with the situation and appreciation for all the work Miller had
8 done for the community. Glenn wanted more information on the situation.

9 10 11 **III. Consent Agenda**

12 13 **A. Minutes and Accounts Payable**

14
15 Manager Beaucaire indicated she would get clarification on whether the meeting minutes could be
16 combined into one vote.

17
18 Glenn moved to approve the October 4, 2017 work session minutes: Aye – 4; No – 0.

19
20 Glenn moved to approve the October 11, 2017 regular meeting minutes: Aye – 3; No – 0; Abstain –
21 1 (Frye, absent).

22
23 Glenn wanted to correct a statement from Mayor Stanley on page 1, lines 42-50, that asserts
24 Waldport offers limited police support to Yachats. He noted only the Lincoln County Sherriff
25 provides limited law enforcement support. Glenn reported Waldport has long wanted Yachats to
26 share in the cost of the 80 hours of support they receive from the Sherriff's Department at a cost of
27 \$330,000. Glenn did not believe Yachats would see an increase in coverage if they shared in
28 Waldport's cost. Mayor Stanley noted he spoke inaccurately in the last meeting. Neither Glenn
29 nor Mayor Stanley checked to see if service to Yachats would fall under Waldport's 80 contracted
30 hours.

31 32 **IV. Reports**

33 34 **A. Council Reports**

35
36 Glenn reported he attended the Cascade Council of Governments first awards dinner. The City
37 had nominated Sandy Dunn for the Citizen of the Region award. Wendy Kirby, Dr. Larry Mullins
38 (Samaritan Health), and David Price (publisher) were other nominees and Dr. Mullins won. The
39 Port of Toledo Boatyard won Project of Year. Carolyn Bauman had nominated the Brooks
40 Foundation (Sam and Margaret Brooks of Yachats) for the Business/Community Award. Glenn
41 also reported progress had been made between the Lincoln Community Land Trust and Proud
42 Ground in Portland to enhance the resources for affordable and workforce housing.

43
44 Mayor Stanley noted he also attended the awards dinner in Corvallis and the event will be held at
45 Salishan in Gleneden Beach next year. He also attended the My Sister's place fundraising event
46 at the Commons.

47 48 **B. City Manager**

49
50 Mayor Stanley reported the Code Enforcement report is at the end of the Manager's report
51 document in the document library. He noted the Manager's report contained a summary of what

1 Manager Beaucaire learned at the International City Manager's Association Conference in San
2 Antonio. Glenn asked Manager Beaucaire if she had anything she wanted to highlight. Manager
3 Beaucaire indicated she is currently focusing on gathering information from the community, the
4 Commissions, and staff and is tracking where she spends her time. She is working to determine
5 how to best utilize her time and to determine what additional resources are needed. Mayor Stanley
6 invited Manager Beaucaire to highlight other aspects of her report that might be relevant to citizens
7 and the Council. Manager Beaucaire reported the vacation rental seminar at the conference was
8 standing room only. She noted 50 or more rentals were considered to be a significant issue for a
9 jurisdiction. There are 3500 communities throughout US having 50 or more rentals, and the
10 industry is growing with 35,000 listings added per month for the past nine months. She noted
11 Yachats' Ordinance met several criteria on their nine best practices list. Responding to Glenn's
12 question, Manager Beaucaire did not hear discussion about a national organization promoting
13 vacation rentals through controversial practices. Manager Beaucaire reported there is a growing
14 cottage industry on tracking and managing rentals. There was a theme at the conference about
15 the value of public-private partnerships in city government. Manager Beaucaire noted another
16 emphasis on fiscal, environmental, and other sustainability factors to make cities more resilient,
17 more livable, and more enjoyable.

18
19 Mayor Stanley noted the public in Gearhart, OR voted 75% in favor of keeping the ordinance on
20 vacation rental caps. Glenn expressed appreciation for Manager Beaucaire continuing to develop
21 the City Manager role in the City's governance. Glenn noted from the Code Enforcement
22 report that all vacation rental license applications have been processed. Glenn wanted Manager
23 Beaucaire to address to investigate the issue of people sitting on licenses. Mayor Stanley reported
24 he had heard of instances where people applied for licenses with no intent to use it.

25
26 Frye asked Manager Beaucaire about situation with IT since the recent departure of the IT support
27 person. Manager Beaucaire is working on a short-term solution as well as a long-term strategy for
28 managing IT. Frye asked if anyone responded to the amnesty program. Clerk Judy Richter noted
29 there were two, one of which is still being addressed.

30 31 **V. Business**

32 33 **A. Urban Renewal District Board (URD) and Registered Agent**

34
35 Manager Beaucaire stated there is an annual requirement from the Secretary of State to establish
36 the Urban Renewal District Board and Agent. Glenn moved to establish the Mayor as the
37 Registered Agent and the Council as members of the established Urban Renewal District Board:
38 Aye – 4; No – 0.

39 40 **B. Ordinance 349 – Yachats Municipal Code - Building Height/Hazard Areas** 41 **amendments – second public hearing**

42
43 Glenn moved to approve Ordinance 349 amending Section 9.52.050 Hazard Areas and 9.52.170
44 General Exceptions to Building Height Limitations of the City of Yachats Zoning and Land Use
45 Ordinance (second vote): Aye – 4; No – 0.

46 47 **C. Ordinance 350 – Yachats Municipal Code – Obstructing Streets amendments –** 48 **second public hearing**

49
50 Mayor Stanley noted he is now in favor of this Ordinance and believes it to be a positive change.

1 Glenn moved to approve Ordinance 350 amending the Yachats Municipal Code Title 6 – Vehicles
2 and Traffic; adding Chapter 6.09 – Vehicle Impoundment Procedures; and establishing an effective
3 date (second vote): Aye – 4; No – 0. Manager Beaucaire indicated the effective date will be 30
4 days after the vote.

5
6 **D. Update from Library Commission: Library Move**
7

8 Mayor Stanley recalled the Commissions previously made reports at the Council meetings. He
9 would like to see the Council at least review the minutes of the Commissions and welcomed any
10 Commission to make a report at a Council meeting.

11
12 Mayor Stanley noted he and Manager Beaucaire saw the grant document and wanted to include
13 this issue in the business section of the agenda to get more details. He hoped the Library
14 Commission or 2+2 Committee person would present an update on the move. Manager Beaucaire
15 believed an update would be beneficial to this meeting, especially before getting into the details of
16 grant questions.

17
18 Frye did not believe the Library Commission was ready to give a report. No Library Commissioner
19 was currently present. Manager Beaucaire indicated she had sent an email to the 2+2 Committee,
20 Library Commission, and Friends of the Library about being on the agenda.

21
22 Frye asked if the Mayor and Manager had read the MOU between the Library Commission and the
23 Council. Frye was still confused about the Library Commission's role in this meeting and the lines
24 of communication. Manager Beaucaire noted the original intent of the 2+2 Committee was to
25 resolve conflict between the Council and Commission.

26
27 Stanley wanted to know if Frye could address questions he and Manager Beaucaire had about the
28 grant application. Frye noted the grant writer, Meredith Howell, was present and could address the
29 grant.

30
31 Meredith Howell (150 NE Star Creek Dr.) stated the granting agency is the Lincoln County
32 Community and Economic Development fund and the grant seeker is the Friends of the Yachats
33 Library. Howell noted the Friends are an independent nonprofit organization.

34
35 Mayor Stanley recalled the Library is equally an agency for citizens and for visitors. He was
36 curious as to why the grant plan does not incorporate Visitors Amenities Funds. Howell asserted
37 they are developing a strategy to maximize grant opportunities and to position themselves to win
38 grants, especially when they do not currently have a known project cost. She stated they did not
39 want to start the process with asking for funds from the City. She noted the Friends must seek the
40 grants now to be part of this grant cycle, as they cannot ask for funds now once work is completed.
41 Mayor Stanley asked Howell if CIP money would be needed and if the Finance Committee needed
42 to know what might be expected. Howell noted this plan is the start of a communication about
43 what funding sources will be.

44
45 Mayor Stanley noted the grant application states this funding is not intended for staff operations,
46 yet the project description indicates staff will be used. Howell clarified staff work is actually "in
47 kind" in the budget. She explained the \$15,000 is targeted for shelving, and other project costs can
48 include staff time. Howell noted the 2+2 Committee will need to figure out how to include the City
49 Manager's involvement.
50

1 Mayor Stanley cited a statement in the collaboration section that City will provide a long-term lease
2 to the Library Commission. He noted (a) no such lease had been arranged, (b) such an
3 arrangement did not make sense given that the Commission is a branch of the City, and (c) the
4 MOU clearly indicated City is to remain in control of the use of the building. Frye indicated grantors
5 want to know the City is not going to "kick the library out of the building" in five years. Howell noted
6 they do not have to call it a lease; they could call it a "long-term use agreement." Frye stated the
7 grantor needs some statement that the City is committed to the library staying in that building.
8 Tooke believed the lease issue is not standard practice for the City, and he did not believe this
9 council could bind future councils to their decisions. Manager Beaucaire agreed that the Council
10 should not bind future councils through actions such as issuing a lease. Frye argued that there
11 could be a commitment without issuing a lease. Howell noted the current grant could move
12 forward without a statement about a lease, but a future grant from the Ford Foundation would
13 definitely require some formal commitment or statement to keeping the Library in that building for
14 the foreseeable future (typically five years). Manager Beaucaire asked what would qualify as a
15 formal statement. Howell replied they could write a letter stating, "We look forward to housing the
16 Library in this building for years to come." Frye did not see this statement of support as binding to
17 future councils. Manager Beaucaire asked Howell about the legal ramifications if the City were to
18 close the Library after a grant is made. Howell could not be certain of their response. Manager
19 Beaucaire indicated she would check with the City Attorney about what kind of commitment the
20 City can make.

21
22 Glenn was pleased with comprehensive nature of this plan. Glenn noted the Library and the
23 Library Commission are arms of the City Council, not separate entities. Glenn indicated he
24 understood the need to show collaboration between entities in the grant writing process. He
25 argued the City Council, the Library Commission, and the Library are not legally three entities. He
26 noted the City is the ultimate decision-maker on how funds are used. He was not in favor of the
27 suggestion that the City would have a fundraising drive for the Library. Frye understood the 2+2
28 Committee was charged to do the planning and grant applications for the Library move. Frye
29 emphasized it is the Friends who are applying for the grant. Howell noted between now and
30 February 2018, there are seven grants they could apply for. Frye was thrilled with Howell donating
31 her time to help the Friends apply for grants.

32
33 Manager Beaucaire noted she has been impressed with amount of thought and volunteerism that
34 has going into this project. She noted page 3 of the draft operational structure identifies the City
35 Council, City Manager, Library Commission, 2+2 Committee, and Friends of the Yachats Library as
36 parties in the decision process, with the Friends reporting to the 2+2 Committee, the 2+2
37 Committee reporting to the Library Commission, the Commission reporting to the City Manager and
38 the City Council. Frye did not understand the role of the Library Commission. Manager Beaucaire
39 explained City Code establishes that the Library Commission is part of the organizational structure
40 of the City and is under the Council. She also asserted the July 12, 2017 MOU is between City
41 and the Library Commission. She understood the role of the 2+2 Committee to be to help with the
42 Library's move and to resolve conflicts that arose the Commission and the Council. Frye believed
43 the intent of that memo was broader than what Manager Beaucaire stated.

44
45 Manager Beaucaire suggested she meet with the 2+2 Committee and the Friends. She noted the
46 preliminary inspection of the 501 Building arrived earlier that day. The report indicates the
47 sequence of what needs to happen with renovation, beginning with the preliminary design phase.
48 Completion of the preliminary design will provide a means to estimate the budget needed.
49 Manager Beaucaire noted that item 7 in the MOU commits the City to funding the preliminary
50 design costs. She suggested a meeting to come up with a plan about how to proceed with the

1 preliminary design, to identify the next steps, to examine the financing, and then to present the
2 plan and financing structure to the Council.

3
4 Mayor Stanley reminded Council that there is a November 16, 2017 grant deadline and asked if the
5 City was ready to recommend to the Friends that this grant is premature due to a need to clarify
6 staffing and City contributions. Manager Beaucaire noted while some issues might be premature,
7 the City cannot tell a nonprofit not to submit a grant. Howell noted this grant is "easy money" from
8 the County, and the City's support of this County grant is important for getting later grants. Howell
9 questioned need for the City to halt grant application done by the Friends. Frye thought the in-kind
10 staff costs were for volunteers. Howell stated she could remove the in-kind staff costs from the
11 budget. Howell stated they would need to include time required of Manager Beaucaire once they
12 agree to what her contribution will be.

13
14 Glenn asked if the technical assistance grant for \$4,000 to compensate Howell for her work had
15 been submitted. Howell asserted that the \$4,000 from that grant is for her planning and
16 organizational work, not for grant writing. She is not asking to be paid for the grants that she writes
17 for this project.

18
19 Manager Beaucaire asked for clarification on how the Hall monies indicated as secured. Howell
20 explained in their scope of work, the 2+2 Committee will ask the Library Commission to release
21 \$75,000 of Hall funds for use with this project. Howell stated this money would indicate secured
22 funding to the grantor and that Library Commissioners Marion Godfrey and Marv Wagle believed
23 the \$75,000 was appropriate for this use. Glenn recalled the \$150,000 Hall Bequest was to the City
24 of Yachats for use for the Library. Frye reported the discussion at the 2+2 Committee meeting was
25 that this money would be used for the same items regardless of whether the Library remained in
26 their current building or moved to the 501 Building. She also noted the Library wanted to put some
27 of the Hall money into an endowment. Frye suggested the Commission wanted the bequest to be
28 earning income. Glenn informed Manager Beaucaire that the Library Commission had erroneously
29 thought the City was going to use the Hall bequest to pay down the debt on the 501 Building.

30
31 Howell reported she will be at the November 17, 2014 Library Commission meeting. Howell
32 explained that if the Library Commission were to recommend to Council to spend the Hall money
33 on this project, she would take that recommendation as an indication of funds being secured. She
34 also indicated that, if at any time, information in a grant application is no longer accurate, she can
35 withdraw the application.

36
37 Stanley reiterated his hope that the Library will use Visitor Amenities Funds and expressed relief
38 that there seems to be agreement to not use "lease" language.

39
40 Howell asked if she should continue to work on the proposal, noting that she will remove mentions
41 of staff time and the lease agreement. Manager Beaucaire noted the July 12, 2017 MOU indicates
42 expenditures from the Hall bequest requires Council approval. Anderson clarified the next Library
43 Council meeting is work session, not regular meeting, so they cannot take a vote. Howell indicated
44 she can indicate that support is "pending."

45
46 Manager Beaucaire emphasized need to meet soon to agree upon a plan and communication
47 structure. Frye noted the next meeting of the 2+2 Committee on Friday, November 10, 2017.
48 Manager Beaucaire pointed out that day is a City holiday and, as that is a City meeting, they might
49 consider having the meeting during business hours. She also asked whether the meeting was
50 open or closed. Frye and Howell asked why the meeting needed to be public. Manager Beaucaire
51 reiterated the 2+2 Committee is a City committee so their meetings are public. Tooke agreed with

1 Manager Beaucaire and raised the issue of having a City meeting in a private residence. Frye
2 noted that Sandy Dunn had mobility issues. Manager Beaucaire had heard of complaints from
3 citizens in the past about the perception of meetings being closed.
4

5 Howell noted her concern about Frye's comment of having the Council look through each grant
6 application. Manager Beaucaire noted this issue lends import to the 2+2 Committee, the Library
7 Commission, and the City Manager meeting to create a funding plan and how communications
8 should proceed in the future. Howell noted organizations develop grant policies about review and
9 submission of grants, and this information would be useful to be in a communication plan.
10

11 **E. Council Shepherdding Goals**

12
13 Frye reported:

- 14 (a) She did not have anything to add about the library
- 15 (b) Nothing has been done on parking in the core business area
- 16 (c) She received a report from the Code Enforcement Officer that the south gate sign
17 creation and placement is ready to go
- 18 (d) There will be meeting next month on the health clinic. The last meeting was delayed
19 because Lincoln County has contracted with consultant to look at the strategic plan for
20 County, they are still committed to the project, but they have not had an architect look
21 at the building
- 22 (e) Nothing is happening with transportation to Florence. Mayor Stanley reported he heard
23 the Florence bus company indicated they were not interested in the project.
- 24 (f) The formula business ordinance was approved
- 25 (g) The Library Commission strategic plan is underway.
26

27 Tooke reported the Finance Committee meet with the engineer and contractor on the south tank
28 project. He noted Manager Beaucaire made it clear they need clearer communication on change
29 orders and they need to work on savings. They discussed public restrooms, restroom access for
30 the Sunday Farmer's Market, and the potential for permanent outside facilities. They also talked
31 about putting a restroom in south bay area.
32

33 Glenn reported:

- 34 (a) He previously mentioned housing and was looking forward to working with Mayor
35 Stanley on housing plans
- 36 (b) A lot is happening with the Emergency Planning Committee. Marc Courtenay is the new
37 Chair. The signage for directing traffic for tsunami evacuation routes has arrived, and
38 Public Works is waiting for suitable weather to install signs and blue lines. They have
39 renewed and inventoried the contents of the two emergency supply containers and
40 distributed new keys. They are updating the Emergency Operations Plan and are
41 recruiting volunteers for CERT training.
- 42 (c) He has been working with the Code Enforcer on identifying blighted properties and
43 remedying the matter.
- 44 (d) He is gathering six people for a subcommittee to work on acquiring kinetic art. He was
45 notified of two pieces for sale from the Freed Gallery in Lincoln City. One is a whale
46 tale bench, appropriate for the Whale Tale Park. Another is a circular object that could
47 be a point of interest for tourists to take pictures. Glenn asked the Code Enforcement
48 Officer to identify places along the highway appropriate for art. Glenn asked if the
49 Council wanted him to proceed with purchase of these two objects. Frye wanted to
50 have a theme for new art rather than having random pieces installed. She also wanted
51 to see local artists contribute. She would like to see a committee make

1 recommendations. Mayor Stanley concurred with Frye's suggestion for committee
2 recommendations. Glenn reviewed other ideas for art projects such as painting
3 sidewalks and crosswalks on side streets.
4

5 Stanley asked if a committee could change its leadership without a formal process. Glenn reported
6 Manager Davies had indicated they could.
7

8 Stanley reported the marketing committee had wonderful meeting. They have had good responses
9 to a national magazine advertising campaign. The 50/100 project group photo is going to be
10 printed as a post card. The art in the kitchen group completed a three-panel mural. The 76 photos
11 and descriptions on Yachats history that were displayed in the multipurpose room are going to be
12 installed at the Little Log Church. Two women are planning to have a Honey Festival in February,
13 modeled on the Mushroom Festival.
14

15 Stanley asked that Tooke's work on ocean resiliency be added as shepherding goal. The Council
16 gave consent.
17

18 **VI. Other Business**

19 **A. From Mayor** – none

20 **B. From Staff** - none

21 **C. From Council**

22 Keesey's parliamentary procedure workshop is Monday, November 13, 2017 at 10 am.
23

24 Glenn will be attending the Economic Development meeting on the November 16, 2017.
25

26 Tom Lauritzen noted the Finance Committee takes CIP requests from Commissions each January,
27 February, and March. Additionally, any Commission that has a CIP project can come to any
28 Finance meeting to request an amendment.
29

30 Mayor Stanley adjourned the regular meeting at 7:58 pm.
31
32
33
34
35

36 _____
GERALD F. STANLEY, Mayor
37
38
39

40 ATTEST:
41
42
43

44 _____
City Manager, Shannon Beaucaire

Date



**FRIENDS
OF THE
YACHATS
COMMONS
FOUNDATION**

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December 7, 2017

To members of the Yachats City Council

Since April of 1991, the Friends of the Yachats Commons has been a non-profit organization whose mission is:

"to better equip and maintain the Commons as a community and cultural center for the City of Yachats' residents, area residents, and visitors by raising funds and encouraging diverse use and/or developing and managing programming."

For the past 28 years we have been doing just that. We have held fundraising events, solicited donations, and have written grants totaling in the tens of thousands of dollars that have benefitted users of the Commons as a Community Center. A partial list of more recent projects is attached to this letter. The Yachats Academy of Arts and Sciences has provided a diverse array of educational programming for more than ten years, and our cooperation with the local non-profit Polly Plumb Productions has brought musical and art events to the village drawing visitors far and wide and adding to the economy of the town.

We are proud of our history and service and our collaboration with the City of Yachats. However recent events and decisions have caused us to question if our mission is no longer aligned with the direction that the City is taking. The changes in the fee structure requiring rental payment and insurance seems to have taken the "community" out of the Community Center and focuses more on the Commons as an Event Center. The change in the title of the position formerly held by Leon Sterner for nine and a half years from "Commons User Support" to "Facilities Manager" speaks volumes and points to a shift toward buildings and maintenance and away from the people who are part of this unique community.

We hope that we are wrong. We hope that the City will find a return to its centering values so eloquently expressed in its vision statement that is displayed above you.

Sadly, until we can see shared values and goals and an opportunity for community input and healing, the Friends of the Yachats Commons will be taking a hiatus. We will continue to support the organizations that we sponsor and carry under our insurance ~ Yachats Academy of Arts and Sciences, Big Band, and the Farmer's Market, but we will not move forward seeking new grants or producing fundraising events.

We urge you to seek input from the citizens you represent as to their dreams for the Commons as a welcoming meeting place and our best example of the unique and vibrant community that we are.

We look forward to the day when we can again partner with the City in rebuilding community and support for the Yachats Commons as a community center.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rosemary Valentine". The signature is fluid and cursive, with a long horizontal stroke at the end.

Rosemary Valentine
President, Friends of the Yachats Commons

Improvements provided or supported by the Friends of the Yachats Commons:

Kitchen Room 5

Commercial Convection Oven
6 burner commercial "safe" propane stove
Triple sink with grease trap
Hand washing sink
Vegetable sink
Water filter
Double wide reach-in commercial cooler
Freezer
Commercial coffee maker
Stainless steel center island - with power outlets
Cupboards
Countertops
Silverware
Kitchen utensils aplenty
Dishes/ glasses/ cups
Serving cart
Bus stands
Tablecloths

Multi-purpose room (MP)

Stage lighting suspension rails
Stage lighting system and instruments
Follow Spot Light
Exhaust fan overhead stage
Stage curtains - collaboration with One of Us Productions
Stage flooring
Sound system
Audio/Video production equipment
Acoustical panels on East wall
LVT flooring that extends into Rm 5, North hallway and Rm 8
LED lights in MP and Rm 8
30 - 6' and 8' rectangle tables
10 Stand Up Cabaret tables and rolling cart
Black Vinyl chairs
Cloth "Bertolini" chairs and chair dollies
Movable partitions

Stage extension boxes
Movable stairs to access the stage

Room 8

Ceiling mounted High Definition Digital Projector
Wall mounted movie screen
Audio/Video cart
Window Blinds
Art Work suspension system

Room 3

Yoga bench
Carpeting

Room 6 - Pre-school room

Above counter cupboards
Counter top and sink

Room 1 - City council room

Chairs
Sound system
Carpeting

Hallway

Carpeting

Picnic Shelter - and outside area

6 heavy duty picnic tables
Skate park
Skate park mural
Electrical panel to interface the Emergency Generator with PUD

City Manager's Report

December 13, 2017

Dear Mayor Stanley and Councilors,

Based upon the importance of the public comment portion of the agenda that we were made aware of at the December 5, 2017 meeting I am keeping this report brief & limited to the significant issues impacting the City.

I. South Tank

- Along with finance committee members, I am meeting with the project manager, Civil West. I am concerned about the financial trajectory of the project and we are meeting to ensure that the City is aware of what the projected project costs are looking like and that the City is receiving the highest quality project. Once I have further information, I will update Council on specifics.

II. Public Safety

- On November 29, 2017 a gentleman was consuming alcohol in the picnic shelter. Upon discussion, the gentleman became very hostile. Although he left the shelter, I was very concerned about his hostility & had our team call the Sheriff's Department. The Sheriff was very responsive and ultimately told the individual that his behavior would not be tolerated in Yachats. The Sheriff stopped this individual in front of the library.

III. CODE ENFORCEMENT

To: Shannon Beaucaire, City Manager
From: Joan Davies, Code Enforcement
Date: 13 December 2017

CODE ENFORCEMENT REPORT

11/09-12/13/17

By the October 15, 2017 deadline, we had received 26 new applications for vacation rentals, making a total of 153 vacation rentals. All primary inspections, compliance reports, licensing and fee payments have been concluded.

Following a search of the most commonly used vacation rental websites, we found most of the listings involved legally-licensed vacation rentals. There were three businesses that were not licensed, and they were offered "amnesty" under the City Council's definition. All three have paid the 2017 taxes due, have been inspected, and became licensed for 2017.

Records reflect that there are 53 existing vacation rentals that need to be re-inspected now, under the long-established requirement of inspecting every five years. I have re-inspected more than half of those this month, and advised property managers and/or owners what compliance issues exist. We are withholding 2018 licensure until the deficiencies are corrected.

City Manager's Report

We have just this week received notice from three of the existing vacation rental licensees that they do not intend to renew. I will advise you in January of how many owners did not apply for 2018 licenses.

In addition to the vacation rental licensing and inspections, the following complaints were received:

575 W. 7 th Street	Chimney blown to edge of roof No sign in window with contact number for VR property manager
651 Ocean View	Garbage can/recycling receptacle knocked over/garbage across drive No bear-proof lid on garbage can (vacation rental)
E. 7 th Street and King	Another complaint about travel trailer and personal property Had to wait 30 days for code to take effect Awaiting printing of "Notice to Owner" tags required for impoundment
1750 Hwy 101 N	Complaint about storage shed being a blight to the community, as it is the first thing drivers see, entering from the north
3 rd Street	Property owners placing obstacles across driveways, on City right-of-way, to prevent cars from turning around in driveways
Hanley Drive	Construction equipment gouging pavement; referred to Public Works

IV. IT

- I've met with the Technology Services Manager of Oregon Cascades West Council of Governments. Based upon our meeting they will be developing a proposal and plan to assist us with our IT Needs.
- I have contacted the IT Manager from Lincoln City and we are working to meet to discuss our IT needs so that he can provide advice from a municipal perspective.
- I have meetings scheduled with a couple of vendors I met with at the ICMA conference to see what they offer and if it would be a benefit to the City.

V. PUBLIC WORKS

Date: December 8, 2017
To: Shannon Beaucaire, City Manager
From: Public Works

City Manager's Report

Re: November 2017 Public Works Report

Total Rain fall for the month of November 2017:	10.83 inches
Total Water production:	3,738,000 gallons
Total Wastewater treated:	7,190,000 gallons

Streets:

- Installed and removed U.S. flags for Veterans Day.
- Strung pole lights and hung new banners.

Water:

- Plant maintenance.
- Removed fallen trees on road to Reedy Creek headworks.

Distribution Sys:

- Fabricated valve cover at Blackstone Reservoir.
- Replaced water service at Dollar General.

Sewer:

- Plant maintenance.

Sewer & Water CIP:

- Purchased a 2007 International 5-yard dump truck in Portland. \$43,000
- John Deere backhoe is scheduled to be delivered the week of December 11th.

Collection Sys:

- Electrician repaired wiring issue at Quiet Water sewer pump station.
- Compiling letters notifying grease trap known owners of City inspections to begin after the new year starts.
- Working on the septic tank property location and sewer main extension map.

Storm Drainage:

- Compiled drainage cleaning list for 2017-18.

Parks & Commons:

- Picked up piles of brush for trails crew.

Public Works:

City Manager's Report

- Generator load testing by Contractor.
- Kubota tractor repair.
- Monitored P.U.D. power pole installation.
- Assisted roof inspection at the Commons.
- Purchased 1988 GMC bucket truck in Florence. \$6,000
- Vehicle maintenance.
- Shop maintenance.
- Street light location mapping.

Hwy 101 Project CIP:

- Backfilled the retaining wall on the West side of Hwy 101 N. between 3rd & 4th St.

Emergency Containers:

- Built floor dollies for portable water treatment boxes.



tesco

GEMINI



PUBLIC WORKS

