

1. Agenda

Documents:

[CC AGENDA 10-11-2017.PDF](#)

2. Meeting Materials

Documents:

[CITY COUNCIL MINUTES.PDF](#)
[09-13 COUNCIL GOALS WITH SHEPHERDING TASKS.PDF](#)
[09-13-17 CITY COUNCIL MINUTES.PDF](#)
[2017 CAPEPERPETUA INTERCEPTSURVEY V3.PDF](#)
[ACTIVITES DEVELOPMENT DIRECTOR.PDF](#)
[ADMINISTRATIVE POLICY NO. 6.PDF](#)
[IT REPORT OCT 2017.PDF](#)
[OCEAN VIEW DRIVE ENCROACHMENT ISSUE 10.11.17.PDF](#)
[OCEAN VIEW DRIVE MAP10.11.17.PDF](#)
[ORD 348 FORMULA BUSINESS REGULATIONS DRAFT.PDF](#)
[PROCLAMATION - AJC.PDF](#)
[PROCLAMATION - DOMESTIC VIOLENCE 10-11-17.PDF](#)
[PW REPORT SEPTEMBER 2017.PDF](#)
[RESOLUTION 2017-10-001- VACATION RENTAL FEES 1.PDF](#)
[YACHATS PUBLIC LIBRARY.PDF](#)
[YACHATS VC Q BUDGET REPORTS 2017.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, Oct. 11, 2017 at 6:00pm

AGENDA

- I. Announcements, Correspondence and Proclamations
 - A. Introduction of Dr. Lesley Ogden – new CEO for Samaritan Pacific Communities Hospital
 - B. Cape Perpetua Communications Coordinator – Tara Dubois
 - C. Ocean View Drive – county to city proposal - Lincoln County Counsel & Public Works Director
 - D. Proclamation in support of Angell Job Corps – Max Glenn
 - E. Proclamation – Domestic Violence Awareness Month – My Sisters' Place
- II. Public Comment (topics not listed on the agenda: 5-minute limitation per person)
- III. Minutes and Accounts Payable
 - A. Minutes: 09/06/17 Work Session & Regular; 09/13/17 Regular Meeting VOTE
 - B. Accounts Payable for Approval VOTE
- IV. Reports
 - A. Council Reports
 - B. Department Reports: Public Works, Visitors Center, IT
- V. Business

Second of two public hearings on Ordinance 348 and Resolution 2017-10-001

 - A. Ordinance 348 – Yachats Municipal Code - Formula business amendments VOTE
 - B. Resolution 2017-10-001 – Providing for increase in fees for Vacation Rentals VOTE
 - C. Administrative Goal #6 – Request of City Staff/Contractor Time VOTE
 - D. Request for Funding Activities Development Director VOTE
 - E. Library Name Change – Request by Library Commission (Yachats Public Library) VOTE
 - F. Council Shepherding Goals – review matrix
- 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 October 10, 2017

CITY OF YACHATS

CITY COUNCIL WORK SESSION AND REGULAR MEETING

September 6, 2017

Minutes

Mayor Gerald Stanley called the September 6, 2017 work session and regular meeting of the City Council to order at 9:30 am in the council room of the Yachats Commons. Council members present: Mayor Gerald Stanley, Barbara Frye, Jim Tooke, Max Glenn, Greg Scott. Staff present: City Manager Joan Davies. Audience: 28.

Work Session Discussion Topics

A. Vacation rentals and proposed changes to Code

Manager Davies explained the difference between the two versions of the vacation rental (VR) ordinance presented to Councilors, noting she deleted the 135 total VR number as there are now 145 including pending applications (n=14). Version 1 was what was voted on at the July Council meeting. Version 2 reflected what Manager Davies and the City Attorney worked out based on input from the public and what the work committee discussed since the last vote. Manager Davies explained the City Charter requires posting the ordinance a week ahead of a vote, in order to only have one vote. If it is not posted, two votes are required. Councilor Frye indicated she has suggestions and wanted to know when to comment. Councilor Glenn stated he wished the Council had addressed the matter in 2014. Councilor Scott believed discussion of Frye's issue should be prioritized. Councilors discussed clarifications about public input during the work session.

Mayor Stanley told the audience they could ask clarification questions following the Councilors' discussion. Manager Davies assured the audience that current applications would be processed.

Frye summarized her amendments as follows:

Effective September 6, 2017, a pilot project would be implemented to include all elements of the July 29, 2017 proposal and:

- a. Deleting the section 4.1 requirement to have a professional property manager manage the property.
- b. Establishing a cap at 125 beginning [date to be specified]. Once the number of VRs drops below the cap, licenses would be issued on a first-come/first-serve basis.
- c. Processing all applications in process.
- d. Establishing a moratorium on new applications until [date to be specified].
- e. Requiring a quarterly report from the City Manager to the Council be provided, including:
 - i. the number of current licenses
 - ii. complaint history (number, nature of, location)
 - iii. number of licenses requested and denied
 - iv. identifying homes using Air BnB and VRBO for rentals for periods of less than 30 days.

Frye presented justification for the pilot program because the Council needs time to evaluate the proposed changes before they become permanent. A moratorium would allow time to observe and assess the impact of improved administration and enforcement.

Mayor Stanley asked for clarification on the moratorium. Manager Davies explained 30 days are required before any ordinance can be put into effect.

Glenn stated he was in favor of dropping the requirement for a professional property manager, citing examples of existence of poor performance by professional property managers and of

1 property owners having success at managing their own properties. Scott explained the original
2 intent of the property manager component was to attain better updating to of local contacts.

3
4 Manager Davies noted it would not be a burden to issue monthly reports on VR data. Councilors
5 leaned toward receiving quarterly reports.

6
7 Stanley asked the Council to consider cap to be 135 rather than 125. Scott believed 125 was a
8 reasonable number, especially given Yachats is well above percentages of VRs in other Oregon
9 cities. Frye concurred with Scott. Glenn noted the two-year pilot program would give the Council a
10 chance to evaluate the impact on the City. Mayor Stanley noted, as there have been more active
11 vacation rentals than they were previously aware of, 135 may more accurately reflect the current
12 status.

13
14 Mayor Stanley stated he was hearing a consensus to move forward with Frye's proposal. Glenn
15 and Frye emphasized existing licenses would not be impacted by a moratorium.

16
17 Glenn asked if Frye's changes were included in the revised changes ordinance. Manager Davies
18 noted she had highlighted three options for language that Councilors need to address. Option 1
19 stipulated a cap of 125 with renewals taking precedence and open licenses being accepted first-
20 come/first-serve. Option 2 added language about a moratorium, including an expiration date and
21 handling of incomplete license applications. Scott noted Option 1 specifically mentions a number
22 for a cap while Option 2 does not mention a specific number. Scott explained without a specific
23 number, no new licenses could be issued. Commissioners agreed to combine Option 1 and 2.

24
25 Davies noted the Council needed to vote separately on the amendment and administrative policy.

- 26
27 1. Morgen Brodie (258 W 2nd St) was curious about how the first-come/first-serve system would
28 work.
29 2. Wayne Connor (420 W 2nd St) wanted to know if current license on his newly acquired home
30 was in effect and if his current application would be considered. He also asked about
31 monitoring VRBOs. Scott noted VRBOs are required to be licensed. Connor stated City Hall
32 had failed to inform him of restrictions. Manager Davies indicated at no time had anyone
33 from the City failed to tell him those.
34 3. Pat Armstrong (190 W 2nd St) wanted to know about timing of home purchase closure and
35 getting a license.
36 4. Todd Korgan (665 Hwy 101) asked if Council would consider transferring licenses with home
37 sales.
38 5. Jamie Michele (665 Hwy 101) wanted clarification on the queue and how people would be
39 informed new licenses were available.
40 6. Todd Korgan (665 Hwy 101) asked if the Council considered doing something about VRs that
41 are inactive.

42
43 Manager Davies did not want staff to have to maintain a waiting list for a long period. Councilors
44 discussed whether applications would remain on a wait list in perpetuity or whether a pool of
45 applicants would be collected during each available license period. Scott noted this topic was a
46 policy issue that should be addressed at a later time.

47 Scott reported his analysis of rental income indicated 48% of rentable months produced no income
48 or income under \$100, and suggested the vacancy rate is really a demand problem (i.e., when
49 people want to come to the coast). Scott expects some attrition of the unused rentals, given
50 increases in license fees.

- 1 7. Duke Tracey (178 Yachats Ocean Rd) asked how one avoids bias in how available licenses
2 are announced and granted. Manager Davies noted the point should be addressed.
3 8. Linda Hetzler (Drift Inn) wanted to know if licenses have an end date.
4 9. Rhonda Moran (214 Coolidge) asked why there was uncertainty on the “not transferrable”
5 language in the policy.
6

7 Frye stated owners need to be more attentive to renewal notices. Glenn noted the proposed
8 changes put more responsibility on the owner. Tracey asked if the Rock Park Cottages were
9 licensed individually as a single unit. The property manager indicated each unit has a separate
10 license. Hetzler asked if there were still a rule that an individual could only have one license.
11 Manager Davies stated she would look into the matter.
12

13 **B. Proposals for the inspection, analysis and recommendation of options for a**
14 **treatment program regarding conditions at the Little Log Church & Museum and**
15 **Library relocation project**

16 Manager Davies summarized how she came to interact with Jonathan Pincus. Pincus submitted
17 proposals to identify the scope of work and estimates for repair work for both the LLC&M and 501
18 Building. Scott asked why this issue was before the Council, as he believed the issue was the
19 purview of the Library group and Parks and Commons Commission. Pincus stated he was present
20 because Manager Davies asked him to be. Davies said both the Library group and P&C
21 Commission already knew about the proposal. Tooke suggested Mr. Pincus go to the Library
22 Relocation Committee meeting later that afternoon at 2pm.
23

24 **C. South Tank site update**

25 Matt Wadlington from Civil West Engineering reported they had hired a contractor to grade the site
26 and build a retaining wall. Their plan is to work on the drainage line on Crestview in the spring.
27 There has been one change to move the tank 10 feet up the hill. The additional clearing and
28 grading cost \$27,000. Frye wanted to know why this change was needed. Wadlington noted the
29 oversight came in how the pictures taken during original assessment were translated by the
30 computer, and they could not identify the correct slope until the area was cleared. He did not
31 expect much of a net change in visibility, except during construction phase when it will be more
32 visible. He noted there might be additional costs with required changes in the retaining wall.
33

34 Dean Shrock stated he was stupefied by this announcement as he presented to the Council photos
35 identifying the slope issue. He noted he had visited the site with Rick McClung, John Moore, and
36 others. Shrock questioned who should be responsible for the costs. Frye noted a visual inspection
37 had made the steep slope situation obvious. Mayor Stanley was concerned about the failure to
38 identify the issue and about the low estimate of what this change would cost. Frye expressed
39 concern over why this change was being approached with such nonchalance. Scott noted the
40 Council made a decision to outsource engineering decisions to Civil West when they opted to
41 eliminate the Public Works Director position. Scott asserted, in the big picture, this change is minor.
42

43 Shelly Shrock asked about the delay until spring to put in drainage. Wadlington noted drainage is
44 currently routed to existing drainage routed under Crestview. Shelly Schrock noted this area was
45 where the road washed out last year. Dean Shrock was seriously concerned water was going to
46 drain straight down rather than through the path of the theoretical design. Dean Shrock asked that
47 someone accompany him to the property to assess potential water runoff. Tooke asked what
48 guarantees Wadlington could make about drainage. Wadlington could not make any guarantees.
49

50 Mayor Stanley asked Councilors if anyone wanted to take action to delay acceptance of the current
51 adjustments. Frye indicated they need to move ahead with the project. Tooke and Wadlington

1 agreed to look at the site with the Schrockes after the Council meeting. Hetzler noted some
2 contractors incur overages more than others as part of the bidding strategy and asked if the
3 Council had looked at that factor in choosing a contractor.

4
5 Mayor Stanley indicated the Council would move forward with the project.

6
7 **D. Proposal for training in using Keesey's Parliamentary Procedures**

8 Frye suggested having a training on Keesey's Parliamentary Procedure, as it is unfamiliar to most
9 people. She reported she has a friend who is a parliamentarian who is willing to conduct a training
10 in Yachats in October or November, for \$250 for a 2-3 hour class. Glenn wanted the training to be
11 held after the new City Manager arrives. Mayor Stanley asked for the status on deciding on using
12 Keesey vs Roberts. Other Councilors reported the matter had been decided in favor of Keesey.

13
14 **E. Review of contracts for Friends (Support Manager) and Visitors Center (Operations)**

15 Manager Davies noted the Friends of the Commons currently manage the User Support Manager
16 contract. The question before the Council was whether they want to put this contract under the
17 jurisdiction of the City. Parks and Commons Chair John Moore noted the User Support manager
18 currently reports to the Treasurer of the Friends, which is not the most efficient way for the City
19 Manager to interact with the User Support person. Moore noted the undue burden on the Friends
20 to operate with a paid employee. Glenn asked Moore what his understanding of the Friends' role
21 was. Moore noted they are to support the Commons. Frye thanked current User Support Manager
22 Leon Sterner for his work.

23
24 Mayor Stanley asked Manager Davies about the legalities of paying a non-profit to hire an
25 employee to do what is actually City work. Manager Davies reported the City Attorney had
26 indicated that, while it is not illegal, it is a better policy to pay contractors directly. Manager Davies
27 also noted the contract could be expanded to include miscellaneous duties that arise occasionally,
28 but currently do not fall under any position.

29
30 Sterner was in favor taking the burden from the Friends and having the City manage the contract.

31
32 Visitors Center contract: Manager Davies reported she had highlighted the elements in the Visitors
33 Center contract that the Council should address. Scott asked Manager Davies to summarize the
34 main issues with this contract. Manager Davies indicated:

- 35 a. This contract provides for a review of the Visitor Center books and accounting and requires a
36 review by independent CPA each year, which has never been done.
- 37 b. An authorized representative of City shall be entitled to inspect books, records and accounts,
38 an activity, which currently is not performed.
- 39 c. The City pays \$64,765 to the Visitors Center to operate and hire a contracted person.
40 Manager Davies noted she has never received a quarterly report on time, in the 15 months
41 she has been working here. She suggested having the City's quarterly payment to the Center
42 be tied to receiving the quarterly report.

43
44 Glenn asked about the role of recruiting and training volunteers as indicated in the contract. He
45 noted the volunteer base is down, and he wants to see something to help boost volunteerism.
46 Hetzler indicated she would help with volunteer recruitment. Mayor Stanley reported the Visitors
47 Center did not yet hire a part-time assistant this year, and this money remains in the budget.

48
49 Scott asked Manager Davies about City staff acting as an accounts payable clerk. Scott thought
50 the Visitors Center should assume that responsibility. Frye had concern over the existing contract
51 and suggested the new City Manager revise the contract.

1 Scott expressed concern over the expectations on the new City Manager. Frye disagreed with
2 Scott's suggestion that this issue not be a top priority for the new City Manager. Davies reminded
3 the Council that the VC contract is in effect through December. Hetzler asked to sit down with
4 Manager Davies to work out details for a new contract. Scott noted Manager Davies had done her
5 due diligence in reviewing the contracts.
6

7 **F. Pollinator program update – City's commitment or level of participation**

8 Mayor Stanley summarized the history of the County actions on spraying. ODOT requested they
9 get a letter of intent from a government agency, rather than a private organization to continue the
10 program. The new project focused on planting bee-attracting plants. Mayor Stanley suggested the
11 City highway planting areas be included as part of the project. Mayor Stanley noted that Newport
12 and Waldport, Lincoln County, and a private group have signed on.
13

14 **G. Approve agenda for September 13, 2017 City Council meeting at 6:00pm**

15 Manager Davies noted the addition of a review of bids for the purchase of a backhoe.
16

17 Mayor Stanley adjourned the work session at 11:52am.
18

19 **REGULAR MEETING**

20 Mayor Stanley called to order the regular meeting of the City Council at 12:04pm.
21

22 **I. Formal vote to hire new City Manager (Shannon Beaucaire)**

23 Glenn moved to hire Shannon Beaucaire as the new City Manager to begin October 1, 2017, per
24 the signed contract: Aye - 5; No - 0.
25

26 **II. Ordinance 347 – Amendments to Yachats Municipal Code: Vacation rentals**

27 Frye moved to amend Yachats Municipal Code 4.08 to include the July 29, 2017 vacation rental
28 proposal to be effective October 15, 2017. (Opened for discussion)
29

30 Manager Davies read into the record the changes to the July 29, 2017 vacation rental proposal,
31 Section 4.08.040C, as included in the meeting packet.
32

- 33 1. Todd Korgan (665 Hwy 101) wanted to be on the record that the City's actions will cause
34 property values to go down and will limit the ability of middle class people to buy second
35 homes. Scott noted he believed Korgan misinterpreted his statistics about demand.
- 36 2. Lane Connor (420 W 2nd St) expressed concerned over changes in property laws affecting
37 home purchases.
- 38 3. Duke Tracey: suggested looking at VR rental on month-by-month basis to assess demand.
39 He also asked to make occupancy rates on month-by-month basis available.
- 40 4. Tom Lauritzen (204 Shell St) appreciates the efforts of the Council to create this policy. He
41 noted VRs on his street have decreased his property value and wanted the Council, again, to
42 address existence of businesses (VR) in a residential zone.
- 43 5. Jamie Michele (665 Hwy 101), Sweet Homes Property Management, reported no less than
44 four potential buyers have backed out of transactions.
45

46 Glenn requested Frye's proposal be included in the minutes. Manager Davies noted the proposal
47 was included in the meeting packet and is accessible online. Tooke stated he does think VRs are
48 businesses and should be treated as such. Manager noted the City Attorney had instructed her to
49 remove the word, "moratorium."
50

51 Vote on motion: Aye - 5; No - 0.

1 **III. Training for Keesey's Parliamentary Procedures**

2 Frye moved to have the City provide a training on Keesey's Parliamentary Procedure open to all
3 elected and appointed persons: Aye - 5; No - 0.
4

5 **IV. Approve analysis of LLC&M and 501 Building**

6 Manager Davies explained she scheduled Mr. Pincus to come before the Council so that all parties
7 know that this process is being followed. No vote taken.
8

9 Manager Davies clarified Clerk Jackson did send electronic VR license rental renewal notices
10 twice. She reported response rates by licensees are very low and paper notices work better.
11

12 **V. Pollinator Program – City's commitment or level of participation**

13 Scott moved to authorize the Mayor to sign a letter of intent with ODOT to approve support of
14 pollinator program: Aye - 5; No - 0.
15

16 **VI. Contract for Friends (Support Manager) and Visitors Center (Operations)**

17 Frye moved, per the Parks and Commons Commission request, to notify the Friends of the
18 Commons that the City is ending the contract with them for User Support and reestablishing a new
19 contract for that position as a City contract: Aye - 5; No - 0.
20

21 Glenn moved to request the City Manager and President of the Chamber of Commerce meet to
22 clarify and strengthen the existing contract, to specify language for the new contract, and to have
23 the City Manager write a letter to specify enforcement for the existing contract: Aye - 5; No - 0.
24

25 **VII. Award contract for code enforcement to begin 10/01/17 (Driftwood Consulting)**

26 Glenn emphasized the City's need for strong code enforcement, noting this issue was raised at
27 every meeting on vacation rentals. Glenn noted the new City Manager had been fully advised, and
28 was in favor of this contract.
29

30 Glenn moved to approve a City contract for Code Enforcement services with Driftwood Consulting
31 to begin October 1, 2017: Aye – 5; No – 0.
32

33 Mayor Stanley adjourned the regular meeting at 12:38 pm.
34
35

36 _____
GERALD F. STANLEY, Mayor

37
38 ATTEST:
39

40 _____
41 Joan Davies, City Manager

_____ Date

COUNCIL GOALS WITH SHEPHERDING TASKS - 2017

DATED 08-02-17

Page 1	GOAL: Provide for the effective governance of the City of Yachats			
	OBJECTIVES	TEAM ASSIGNED	SHEPHERD	PROGRESS
1	City management of State Park facilities: Yachats State Park, Smelt Sands, Yachats Ocean Road, 804 Trail		J Tooke	
2	Appropriate uses for Visitor Amenities Funds (public arts/facilities/marketing)		G Stanley	
3	Housing development for all levels; incentives	Glenn/Stamley	M Glenn	
4	Diversify revenue opportunities: grant writing, utility fees, franchise fees, street fees. Coord w/Finance Com		J Tooke	
5	Continue development of emergency planning and resilience preparedness		M Glenn	
6	Communicating programs/activities/policies/topics/processes to citizens		M Glenn	
7	Library Commission strategic plan, including operations/location/funding/bequest		B Frye	2-2 Committee meeting to develop plan for remodeling and moving Library
	GOAL: Improve administrative processes to maintain and surpass previous high standards			
8	Database and IT capabilities development		G Scott	
9	Develop/implement satisfaction survey		G Scott	
10	Marketing committee leadership		G Stanley	
	GOAL: Improve City infrastructure			
11	Increase parking in core business area		B Frye	

Page 2	OBJECTIVES	TEAM ASSIGNED	SHEPHERD	PROGRESS
12	South Reservoir project - construction oversight		J Tooke	Construction ongoing
13	Work with County to complete upgrade and repairs to Ocean View Drive and 804 Trail South		G Stanley	
14	South Gate creation and placement (city limits)		B Frye	Funded - need placement and design
	<i>Provide/facilitate opportunities for self-growth, education and participation in programs/projects to enhance quality of life</i>			
15	Health care services program for Yachats		B Frye	
16	Transportation options south to Florence		B Frye	
17	Formula business models ordinance		B Frye	
18	Visual appeal of City; remove "blight"; facilitate the public display of art, especially kinetic		M Glenn	
19	Vacation rentals issue	All council	G Stanley	Changes proposed, second vote 09-13
	<i>Foster "Seventh Generation" thinking</i>			
20	Encourage alternative energy projects		G Scott	
	Explore EIP wind energy project			
21	Raw water storage long-term development		J Tooke	
22	Dark Sky Community certification		G Scott	
23	Wastewater bio-solids: work with other governments on more effective uses		J Tooke	
24	Banking services for the community		M Glenn	

STANLEY: 2, 10, 13, 19; SCOTT: 8, 9, 20, 22; FRYE: 7, 11, 14, 15, 16, 17; GLENN: 3, 5, 6, 18, 24; TOOKE: 1, 4, 12, 21, 23

CITY OF YACHATS
CITY COUNCIL REGULAR MEETING
September 13, 2017
Minutes

Mayor Gerald Stanley called the September 13, 2017 regular meeting of the City Council to order at 6:00 pm in the multi-purpose room of the Yachats Commons. Council members present: Mayor Gerald Stanley, Barbara Frye, Jim Tooke, Max Glenn, Greg Scott. Absent: none. Staff present: City Manager Joan Davies. Audience: 42.

I. Announcements, Correspondence and Proclamations

Mayor Stanley recommended the audience examine the history of Yachats summarized on the walls around the multi-purpose room. Sterner noted the associated pictures would be on display at the Little Log Church & Museum within a few months. Sterner announced the electric car demonstration is this weekend and the banner auction is September 23, 2017.

A. Dr. Leslie Ogden, new CEO for Samaritan Pacific Communities Hospital

Dr. Ogden postponed to next month because no screen was available for her presentation.

B. Roxie Cuellar, Manager of the Port of Alsea

Cuellar wanted to clarify that the Alsea Port District extends well beyond the city of Waldport. A newsletter was sent to Yachats residents about the Port's activities. They have added a Kayak Launch site to their Capital Facilities Plan. She explained they need a partner to provide for a public access location. There will be a bond measure up for vote in the next election. The bond measure supports repair of the existing docks. The existing tax assessment is \$3.33 for each \$100,000, and the bond would raise that to \$16.00-20.00 per \$100,000 for 25 years.

C. South Lincoln Aquatic Center Steering Committee

Craig Berdie (319 E 3rd St.) reported this group is exploring the possibility of building a swimming pool in the South Lincoln County area (from Ten Mile to north of Waldport). Berdie cited numerous reasons why an indoor pool would be a desired asset, including teaching swimming to children, senior exercise, tourism, and health education. The steering committee is looking for a statement of support from the Council. Councilor Glenn asked where it would be located and was told it was yet to be determined. One option is the ball field or at the high school in Waldport. Councilor Frye added the committee wanted preliminary assessment of general interest. Mayor Stanley stated there was a consensus among Councilors for supporting the project. He nominated Frye as the Council representative to the committee.

D. US Navy Notice of EIS for training and testing off Oregon shore

Mayor Stanley received notice from the US Navy that explosives testing is scheduled offshore for this area. After discussion, the Council's consensus was that they did not support of this program and Manager Davies was directed to generate a letter to the Navy, stating so.

II. Public Comment

Nan Scott (480 Combs Cir) raised the issue of the recommendation from the Planning Commission on regulating formula businesses. She noted the City Attorney had issues with their language. Manager Davies explained she has not worked on the proposal for two months because of other City priorities. Frye expressed frustration with the attorney communication process. She objected to letting Commissions talk directly to the attorney because of costs. Frye suggested this item be a priority for the new City Manager. Nan Scott asked if the

1 Planning Commission could address the questions the attorney asked. Greg Scott asked if any
2 councilors would object. Mayor Stanley indicated the Council would return the issue to the
3 Planning Commission. Nan Scott noted in the past, the City Planner could talk with the
4 attorney. Sherry Secreast (490 Lemwick Lane) stated this issue has been on her mind in part
5 because of the seven properties along Hwy 101 currently for sale.
6

7 **III. Minutes and Accounts Payable**

8 **A. Minutes**

9 Glenn moved to approve the August 2, 2017 work session and regular meeting minutes as
10 presented: 5-0. Glenn moved to approve the August 9, 2017 regular meeting minutes as
11 presented: Aye – 4; No – 0; Abstain – 1 (Scott was absent for that meeting).
12

13 **B. Accounts Payable for Approval**

14 Scott moved to approve the accounts payable; Aye – 5-0.
15

16 **IV. Reports**

17 **A. Council Reports**

18 Frye reported:

- 19 1. The Library Relocation Committee has been meeting to explore ideas. They received 30
20 “dream library” sketches from volunteers who were given blank floor plans and asked to
21 generate ideas. The group has visited five libraries. Frye noted she has been posting
22 updates on Facebook. The Committee hopes to be done by the spring of 2018.
- 23 2. She and the head of Health and Human Services have been examining the old library
24 building as a potential site for the South Lincoln Health Center. SLHC is preparing a
25 second MOU that will include a timeline.
- 26 3. Manager Davies has contacted the sign maker for the south portal sign.
27

28 Councilor Scott reported:

- 29 1. A copy of his IT report is in the document library.
- 30 2. He has hired a new database programmer.
- 31 3. The programmers are about 80% done with user interface programming.
- 32 4. He has included in the document library geotech reports provided by the City Planner.
- 33 5. He is reviewing specifications for complaint system.
34

35 Glenn reported his major task has been coordinating the recruitment and hiring of a City
36 Manager. Shannon Beaucaire will arrive on October 1, 2017.
37

38 Mayor Stanley reported:

- 39 1. He met with the Director of Development of Oregon Coast Aquarium, who is starting a \$5
40 million improvement program.
- 41 2. The Tri-County Regional Mayors group reported more eclipse-related challenges than
42 Yachats had. They were frustrated by the limited funds the State Legislature had
43 earmarked for cities to use for roads.
44

45 **B. Department Reports**

46 City Manager: Manager Davies read into the record her report included in the meeting packet.
47 Scott asked about ODOTs request for changes on curbs on 6th St. Manager Davies explained
48 ODOT is holding up final payment until all work is completed.
49

50 Public Works: Report included in meeting packet. There were 0.26 inches of rainfall in August.
51 Scott noted the Public Works report was the best he had ever seen.

1 Code Enforcement: Report of violations and actions in meeting packet. Manager Davies noted
2 residents have been very cooperative around requests to have their overgrown lots cut back.
3

4 **V. Business**

5 **A. Evans/Betz property project**

6 Andrea Scharf and Jim Adler acknowledged the View the Future members present in support of
7 this project. Scharf reported the Finance Committee and Parks and Commons Commission
8 unanimously recommended the \$200,000 commitment by the City. Scharf noted the Oregon
9 Trust rules do not allow the City to consider the sale of a cabin on the property as a source for
10 the \$200,000 commitment. It has to be actual funds. Glenn stated he was supportive of this
11 project, for both the expansion of trails and for the access it provides to an area of land that
12 could be used for raw water storage. Councilor Tooke asked for clarification on whether the
13 property was originally platted for 50 lots. Scott stated he had reservations about the settling
14 pond, and was unclear about the prospective location, but was thrilled with the recreational
15 component and protecting wetlands area. He was just nervous about use of Visitor Amenities
16 funds for this project. Scott felt a vote by Council was premature and suggested the issue be put
17 to a vote by the community. Adler responded to Scott about the long- and short-term ecological
18 advantages of having the water reservoir. Adler pointed out that if the project were delayed now
19 for a vote, it would be killed, because of the timing with grants and the negotiations with owners.
20

21 Frye clarified a public vote would be on the May 2018 ballot. Frye wanted input from the
22 Finance Committee on whether this project jeopardizes the City budget. Davies noted the
23 Councilors have had the information on the proposal since February. She also pointed out that
24 the Visitors Amenities Fund would not be involved at all with the sedimentation pond. She has
25 met with IFA about financing a sedimentation pond, and they are well aware of the tsunami
26 zone. Tom Lauritzen (204 Shell St) reported the Finance Committee voted unanimously to
27 support the project. He argued that a park is a fantastic fit for Visitor Amenities funds and it is a
28 significant advantage to have tourists pay for a great parcel. Lauritzen reported the City
29 currently has VA funding and cash flow is sufficient.
30

31 Manager Davies reported the City currently has \$338,827 in the Visitor Amenities fund. The
32 City is collecting over one million per year from visitors. Mayor Stanley noted he had discussed
33 with Scharf about educating citizens about how this project may benefit them. Scharf noted
34 VTF is responsible for outreach on this project.
35

36 Scott stated after hearing responses to his comments, he is supportive of the project.
37

38 **B. City Commitment to Evans/Betz project**

39 Glenn moved to amend the CIP to add the Evans/Betz project and to commit \$200,000 from the
40 Visitors Amenities Fund to the project: open for discussion
41

42 Dean Shrock (421 Greenhill Dr.) voiced strong support for the purchase of the property. Marc
43 Courtenay (900 Hanley Dr.), VTF Board member, explained VTF has put extensive work into
44 the project and is extremely supportive of it. Mike Guerriero (Eastline Rd.), also a VTF member,
45 reported he has had wonderful experiences boating on the serene Yachats River and hopes the
46 river remains pristine.
47

48 Call for vote: Aye - 5; Nay – 0.
49

50 **C. Ordinance 347 – Vacation Rental Licenses**

1 Manager Davies summarized the history of getting this Ordinance into its current form. This
2 vote is the second by Council on this matter, which will make the decision final. Mayor Stanley
3 noted copies of received emails were distributed to the audience. Mayor Stanley stated there
4 was an issue that needs addressing about removing some language. Manager Davies noted the
5 Council could remove a small part of the language without having to re-do the ordinance, if the
6 change did not create a material change to the intent.

7
8 The portion in question is 4.08.020 Definition of Vacation Rental, last sentence. Frye read the
9 sentence aloud, "The exchange of consideration not necessary to meet the definition of a
10 vacation rental if the dwelling otherwise is held out as available for occupancy for a period less
11 than 30 days." Scott explained that sentence was inserted because a property is being
12 operated as vacation rental without a license. The City was told by the owner that money was
13 not exchanged for others using the property. A question was raised about whether Home
14 Exchanges would fall under this criterion. Scott believed home exchanges are not part of this
15 definition. Dean Shrock explained the Home Exchange program consists of over 65,000 homes
16 around the world, whereby owners switch residences for a short period of time. Participants pay
17 \$150 annually for membership. Users contact people advertised on the site and ask if they
18 want to exchange homes. Frye suggested inserting an exclusionary clause for Home
19 Exchanges in the proposed ordinance language.

20
21 Mayor suggested moving forward with existing language, rather than adding an exclusion
22 clause now that might raise legal considerations. Manager Davies noted changes will be
23 needed again in the future, as there are other minor issues to be considered, such as requiring
24 a local phone number for complaints. When the attorney removed the "exhibits" from the current
25 Code, the requirement for a local phone number was inadvertently removed.

26
27 The Council firmly agreed the intent of the restriction on bartering for vacation rentals does not
28 include, nor should it impact programs such as Home Exchanges.

29
30 Todd Korgan (665 Hwy 101), Sweet Homes, advocates an amendment to allow the transfer of
31 license upon sale of a property; and when licensees don't use the license, they should have to
32 surrender them, to free up a spot for another property.

33
34 Steve Davies (91 Hwy 101) reported he has allowed people to use his property without
35 payment. He wanted to know why the Council is trying to limit licenses.

36
37 Craig Bertie (319 E 3rd St) argued that there is another side to VRs that reduces property value,
38 if you live around rentals.

39
40 Kerry Kemp (420 W 1st St) highlighted the portion of of his letter about VRs not being raised as
41 an issue in the 2006 survey. He suggested more research is needed before a cap is created.

42
43 Helen Anderson (77 8th St) stated the portion of her letter about not assessing a trend based on
44 four data points was not an argument that more data needed to be collected to make a decision
45 about VRs. She argued volunteerism would be impacted in the long-term because of artificially
46 -inflated property values.

47
48 Paul Thompson (1153 Driftwood Lane) has been complaining about VRs for the seven years
49 and believes the problem is about noise and parking. He asked that inspections prohibit parking
50 in road right-of-way.

1 Jamie Michelle (665 Hwy 101), Sweet Homes, doesn't believe the City should punish everyone
2 for the bad behaviors of a few.

3
4 Brad Webb (450 Lemwick Lane) believed a cap would have a permanent impact on his life. He
5 believed lack of parking and speeders are bigger problems for the City.

6
7 Dean Shrock (411 Greenhill) summarized how former Mayor Ron Brean got significant feedback
8 from the League of Oregon Cities as to how Yachats was able to get so much volunteer support
9 – from the retiree population. He argued VRs would negatively impact volunteerism.

10
11 Tom Lauritzen (204 Shell St) noted there were 83 VRs in 2006 and 77% of the growth in
12 licenses was for either owners who needed to rent their home to prevent foreclosure, or
13 investors buying foreclosures or short sales as investment properties. He noted hotels/motels
14 account for 70% of transient rental income, and asked again for a conditional use approach.

15
16 Tooke noted this proposal is a two-year pilot project, which gives the City a chance to analyze
17 the impact. Tooke argued personal rights to enjoy your property are just as important as rights
18 to for another to financially gain from the property. He emphasized this ordinance is a
19 compromise between “none” and “unlimited”. Scott noted cities have been regulating business
20 uses in residential zones for a long time. He stated R-1 owners have a right to protect their
21 expectations for the R-1 Zone. Scott believed this proposal was reasonable compromise. Frye
22 believed now is the time to take action as the matter has been discussed for years. Mayor
23 Stanley expressed his appreciation of arguments against this ordinance. He cautioned that the
24 predominance of “anti” emails and comments is not reflective of the larger community. Mayor
25 Stanley firmly believed this ordinance will benefit the City in the long run.

26
27 Frye moved to adopt Ordinance 347 on Vacation Rentals as presented: Aye – 5; No – 0.

28
29 Glenn added he is disturbed by what has not been said. He stated realtors are providing
30 misleading information such as guaranteed VR licenses, using VR income to cover closing
31 costs, and promising a dedicated parking spot at the Post Office.

32
33 Adjourned for 10 minute break.

34
35 **D. Amnesty Options for non-compliant vacation rental properties owners**

36 Scott explained this proposal was created to allow people to come into compliance.

37
38 Scott read into the record his proposal for the amnesty program. Frye reported she reviewed
39 online advertising sites like Air BnB and saw violations such as exceeding the occupancy rates.
40 Scott asserted it is not a matter of whether violators will be caught; it is a matter of when they
41 will be caught. Manager Davies noted Anderson has gone through Flipkey, Air BnB, and VRBO
42 and found two violations. Councilors discussed whether to vote on this issue at this meeting.

43
44 Mayor Stanley suggested the language of “permanently ineligible” was harsh. Scott argued the
45 point is to motivate people to get legal. Paul Thompson noted second to last item on the
46 amnesty proposal did not make sense as they were asking people who were previously
47 uncooperative to act in a manner contrary to their past behavior. Council had consensus to
48 strike the second-to-last bullet point: “Failure to complete all of these requirements the property
49 owner and family will agree to terminate all future rental activity and will be permanently
50 ineligible for a vacation rental license.”

1 Scott moved to adopt the amnesty plan as amended to remove the second-to-last bullet about
2 failing to complete the requirements: Aye – 5; No – 0.

3
4 **E. OLCC License Renewals**

5 Manager Davies explained this list is of current city business applicants for liquor licenses.
6 Scott said he thought Council had previously authorized the City Manager to approve OLCC
7 renewals. Tooke moved to accept the OLCC license renewals as shown: Aye – 5; No – 0.

8
9 **F. Bid award for backhoe**

10 Manager Davies opened the one bid for the backhoe. Papé Machinery from Tangent, OR
11 quoted \$90,030 for a new 2018 John Deere 310SL backhoe-loader. Davies noted this bid is
12 \$30,000 under what the City budgeted. Scott was concerned if this equipment was really
13 needed. Tooke asked Lauritzen if he believed leasing was a possibility option. Lauritzen
14 believed purchase was a better choice. Tooke moved to accept the bid for the purchase of a
15 backhoe for \$90,030 from Papé Machinery in Tangent OR: Aye – 5; No – 0.

16
17 **G. Council Shepherdding Goals**

18 Mayor Stanley noted some goals were covered in previous parts of this meeting.

19
20 Glenn reported the Emergency Planning Committee is at full capacity with Bill Watson as Chair
21 and Don Groth as Co-Chair. Betty Taylor will be providing information to incorporate into new
22 revision of the Yachats Emergency Operations Plan.

23
24 Tooke noted that City Hall has window signs available to residents from the Lincoln County
25 Emergency Management for use to indicate to first responders whether a resident needs help or
26 if they are okay. “Help” on one side; “Okay” on the other; the signs go into a window of homes,
27 in event of a disaster.

28
29 Mayor Stanley reported the Marketing Committee’s self-understanding is that they are an
30 independent committee, rather than a City committee. He noted the Committee understands it
31 will not rely on the City for operational expenses.

32
33 Frye noted that her friend, a registered parliamentarian will conduct a workshop on Keesey’s
34 Parliamentary Procedure on Monday, November 13, 2017 from 10 am to noon. Members of City
35 commissions and committees are welcome to attend, in addition to the Council.

36
37 Mayor Stanley adjourned the regular meeting at 8:52 pm.

38
39
40 _____
41 GERALD F. STANLEY, Mayor

42 ATTEST:

43
44
45 _____
46 Joan Davies, City Manager

47 _____
Date

2017 Cape Perpetua Visitor Survey

1. How many times have you visited the Cape Perpetua area before today? (**Circle ONE letter**)
 - A. This is my first visit
 - B. 1-10
 - C. 10-25
 - D. 26-50
 - E. 50+

2. When you visit the Cape Perpetua area, what is the **primary** activity you participate in? (**Circle ONE letter**)
 - A. Fishing
 - B. Water recreation (e.g., surfing, scuba, etc.)
 - C. Beach recreation (e.g., tide pooling, walking, etc.)
 - D. Wildlife viewing (e.g., birds, whales, sea lions, etc.)
 - E. Other (write response) _____

3. In what ways do you currently obtain information about ocean related issues? (**Check ALL THAT APPLY**)

☐ A. Newspaper ☐ B. Magazine ☐ C. Other print media ☐ D. Family / friends ☐ E. Science education ☐ F. Radio	☐ G. Internet ☐ H. Social media ☐ I. Television ☐ J. Other (write response) _____ ☐ K. I have not sought information on this topic
--	---

4. From the list in Question 3 (above), please **write the letter of ONE source** from which you would **prefer** to obtain information about ocean related issues.
Letter for source _____

5. From the list in Question 3 (above), please **write the letter of ONE source** which you found most valuable in deciding to visit the Cape Perpetua area.
Letter for source _____

6. Is your level of physical activity at Cape Perpetua more than, less than, or about the same as your level of physical activity in your day-to-day life? (**Check ONE**)
 - ☐ My physical activity is MORE at Cape Perpetua than my daily life.
 - ☐ My physical activity is LESS at Cape Perpetua than my daily life.
 - ☐ My physical activity is ABOUT THE SAME at Cape Perpetua as it is in my daily life.

7. Did your visit to Cape Perpetua result in any of the health benefits listed below in Q-8? (**Circle ONE**)
 - A. YES (Go to next question)
 - B. NO (Go to Q-9)

8. To what degree did this Cape Perpetua visit result in the following health benefits for you? (**Circle one number for EACH**)

	Not at all				A great deal
A. Reducing your stress.	1	2	3	4	5
B. Improving your level of physical fitness.	1	2	3	4	5
C. Improving your physical health.	1	2	3	4	5
D. Improving your mental health.	1	2	3	4	5
E. Reducing your anxiety.	1	2	3	4	5

9. Have you ever visited a marine reserve in Oregon? (**Check ONE**)
 - ☐ No
 - ☐ Yes
 - ☐ Unsure

10. To what extent do you disagree or agree with each of the following statements? **(Circle one number for EACH)**

	Strongly Disagree	Disagree	Neither	Agree	Strongly Agree
The needs of humans are more important than those of marine areas.	1	2	3	4	5
The primary value of marine areas is to provide benefits for humans.	1	2	3	4	5
Marine areas exist primarily to be used by humans.	1	2	3	4	5
Marine areas should be protected for their own sake rather than to simply meet the needs of humans.	1	2	3	4	5
Marine areas have value whether humans are present or not.	1	2	3	4	5
I would be offended or upset if there were more limits on human use of marine areas.	1	2	3	4	5
Marine areas should have rights similar to the rights of humans.	1	2	3	4	5
I object to fishing, harvesting, or collecting species from marine areas because it violates the rights of these species.	1	2	3	4	5
The economic values that marine areas provide for humans are more important than the rights of species in these marine areas.	1	2	3	4	5
It is important to take care of marine areas for the future.	1	2	3	4	5
It is important that healthy marine areas exist.	1	2	3	4	5
It is important that future generations can enjoy marine areas.	1	2	3	4	5

11. Were you aware that Cape Perpetua is a Marine Reserve? **(Check ONE)**

☐ No ☐ Yes

12. How well informed do you feel about the topic of marine reserves in Oregon? **(Check ONE)**

☐ Not Informed ☐ Slightly Informed ☐ Moderately Informed ☐ Extremely Informed

13. How knowledgeable do you feel about the topic of marine reserves in Oregon? **(Check ONE)**

☐ Not Knowledgeable ☐ Slightly Knowledgeable ☐ Moderately Knowledgeable ☐ Extremely Knowledgeable

14. Including yourself, how many people are visiting Cape Perpetua with you? **(Write ONE number for each)**

A. _____ Adults (18-64) B. _____ Youth (0-17) C. _____ Seniors (65+)

15. Is your group staying overnight on the Oregon coast during this trip? **(Circle ONE)**

A. YES (Go to next question) B. NO (Go to Q-19)

16. Which town(s) are you staying in? (Check **ALL THAT APPLY**)

- ☐ A. Lincoln City
☐ B. Depoe Bay
☐ C. Newport
☐ D. Waldport

- ☐ G. Yachats
☐ H. Florence
☐ I. Reedsport
☐ J. Other (write response) _____

17. How many nights will your group stay on the coast on this trip? (Write the number) _____ night(s)

18. Will your group spend money on the following items during your current trip to the Cape Perpetua area? (Please circle the correct letter and estimate the amount your entire group will spend.)

Estimated dollar amount spent

Grocery store purchases?	A. No B. Yes	\$ _____
Lodging?	A. No B. Yes	\$ _____
Restaurant dining?	A. No B. Yes	\$ _____
Fuel for a car or boat?	A. No B. Yes	\$ _____
Fees and licenses (day use, fishing, parking, etc.)?	A. No B. Yes	\$ _____
Items at a retail store (souvenirs, clothing, etc.)?	A. No B. Yes	\$ _____
Recreational gear rentals (kayak, bikes, surfboard, etc.)?	A. No B. Yes	\$ _____

19. Did you visit Yachats during your trip to the coast?

- A. YES (Go to next question) B. NO (Go to Q-22)

20. How satisfied or dissatisfied were you with your visit to Yachats? (check **ONE**)

- ☐ Strongly Dissatisfied ☐ Slightly Dissatisfied ☐ Neither Dissatisfied nor Satisfied ☐ Slightly Satisfied ☐ Extremely Satisfied

21. What could have improved your visit to Yachats? Please write your answer below. (Skip to Q23)

22. What could the community of Yachats do to convince you to stop next time? Please write your answer below.

23. Please list your state or country of residence and zip code (if available) below:

- A. STATE/COUNTRY _____ B. ZIP CODE _____

24. What is your age? _____ years

25. What is your gender? A. Male B. Female C. Non-binary

26. What is the **highest** level of education that you have achieved? (check **ONE**)

- | | |
|---|--|
| ☐ Less than high school diploma | ☐ 4-year college degree (e.g., bachelor's degree) |
| ☐ High school diploma or GED | ☐ Advanced degree beyond 4-year degree |
| ☐ 2-year associates degree or trade school | (e.g., masters, Ph.D., medical doctor, law degree) |

27. Is there anything else you would like to tell us about your visit to the Cape Perpetua area? Please use this space for your comments. We appreciate your cooperation.

ADMINISTRATIVE USE ONLY

1. ID No. _____
2. Date _____
3. Time _____
4. Sampling Location: _____



Yachats Area Chamber of Commerce & Visitors Center

241 Hwy 101 PO Box 728 Yachats, OR 97498

TOLL FREE 1.800.929.0477 LOCAL 541.547.3530 FAX 541.547.4930

EMAIL chamber@yachats.org WEBSITE www.yachats.org info@yachats.org

Dear City of Yachats Councilmembers,

Please find below our proposal and request for funding in the amount of \$20,000.00 from the City of Yachats Visitor Amenities Fund for an Activities Development Director. The person in this position would be responsible for the development, coordination and promotion of identified activities of special interest to Oregon coast visitors.

The Opportunity

In their most recent Oregon Coast Visitor Profile (2014/15), Longwoods Travel identifies touring and the outdoors as the top reasons for visitor trips. Yachats rewards visitors seeking these in abundance. Longwoods also identifies top activities of special interest to coast visitors that Yachats has the strong potential to better develop and promote. These include activities involving history, heritage and historic places; culture and the arts; culinary and brewery, food events, beer and wine tasting; family reunions; and ecotourism.

The Goal

The Activities Development Director would tap into the significant resources available in our community to develop, coordinate, and promote activities in these special interest categories.

The Vision

We envision many potential projects, including the following:

- development of an interpretive history piece employing 50-100 / Little Log Church Museum and indigenous history resources, and perhaps using a walking/audio history tour app
- development of an art classes series in coordination with the Yachats Arts Guild
- more formally coordinating with State Parks/Cape Perpetua/Cape Perpetua Marine Reserve/The Audubon Society to promote conservation and stewardship, knowledge of the local natural history, birding, the marine reserve, citizen science projects, nature walks and workshops
- development of a series of workshops by mycologists during the year, including culinary mushrooms cultivation, forays, and sustainable practices

- development of a series of culinary classes farm-to-table and perhaps cooking with wild ingredients - from fish to fungi; and healthful methods of foods preservation
- development of regular food, beer, wine and other tastings in coordination with local businesses
- development of a series of classes on small spaces and urban organic gardening (which is wide open in terms of subject potential)
- encouragement of nature photography classes, yoga in nature classes, writers workshops/readings/signings, music workshops
- development of fun activities for people here on family reunions, including perhaps scrabble tournaments, or skills acquisition through *Yes, Ya'can! - Learn How in Yachats* mini-workshops, from learn how to read a compass to learn how to ferment carrots.

The Objective

To increase local tourism revenue by putting Yachats on the map as both the place with the big outdoors, and the place that offers fun, meaningful and useful activities of interest to our visitors while employing local talent and resources.

We are excited about the potential benefits this position has to offer our village and its visitors, and we sincerely hope that council will approve funding.

Thank you for your time and consideration.

Sincerely,

Linda Hetzler, President

Yachats Area Chamber of Commerce

CITY OF YACHATS

ADMINISTRATIVE POLICY NO. 6

USE OF CITY STAFF

OBJECTIVE

To define the administrative procedures for requesting work by City Staff or individuals under contract with the City. The use of City Staff and Contract resources is in fact an expenditure of City funds.

WHO MAY REQUEST STAFF WORK/TIME

All contact with either the City Attorney or Municipal Court Judge must be authorized by the City Manager.

City Staff and Contract Resources – Only the City Manager is authorized to request work/time of City Staff or Contract Resources. This shall include, but not be limited to, data analysis, financial reports, budget comparisons, CIP projects, administrative support, copy services, typing, site inspection, telephoning, etc.

- The Mayor or Councilors shall not direct staff to initiate any action or prepare any report that is significant in nature, or initiate any project or study without the approval of the City Manager.
- Commissions or Committees shall not direct staff to initiate any action or prepare any report that is significant in nature or initiate any project without the approval of the City Manager.
- All other requests shall be considered public records requests and shall proceed as provided in Administrative Policy No. 14 – Public Access to Documents.

HARASSMENT OF CITY STAFF

The City Manager will be responsible for suspending contact with any citizen who is deemed by them to be impeding the staff from carrying out their duties or harassing a staff member. All such incidents will be reported to the City Manager.

COUNCIL INTERACTION WITH CITY STAFF

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

All Council members will respect the separation between the Council's role and the City Manager's responsibilities by:

- 1) Refraining from interfering with the day-to-day administration of City business, which is the responsibility of the City Manager.
- 2) Working together as a team within a spirit of mutual confidence and support.
- 3) Respecting the administrative functions of the City Manager and department heads by refraining from actions which could undermine their authority.
- 4) Limiting individual inquiries and requests for information from staff, contract resources, or department heads to those questions that may be answered readily as part of staff's day-to-day responsibilities. Questions of a more complex nature will be directed to the City Manager. Questions from individual Council members requiring significant staff time or resources (two hours or more) should normally require approval of the Council, although the City Manager may determine to follow up on requests from individual Councilors.
- 5) Councilors should never express concerns about the performance of a City employee or contract resource in public, to the employee / contractor directly, or other city employees, volunteers, commission members, committee members, or outside agencies. Comments about staff performance should only be made to the City Manager through private correspondence or conversation.
- 6) Nothing in this section precludes Council members from obtaining information and asking questions during Council meetings or from evaluating the performance of the City Manager.

ELECTRONIC COMMUNICATIONS BETWEEN COUNCILORS

City Councilors will be provided a City email specifically for City business. While Councilors can communicate amongst themselves via email, those emails may not include a quorum and may not be forwarded to others in a manner which creates a quorum. All emails must be copied to the City Manager for retention purposes.

October 11, 2017

- ♦ **Staff Task Scheduler** - The first draft of this project has been published. I will be working with the city manager to begin limited deployment of staff tasks this month. You should recall, the purpose of this application is to give the city manager a tool to both see all the periodic tasks staff need to complete and quickly determine the status of all recurring activities.
- ♦ **Vacation Rental Rate Changes** - The development team has started work on implementing the new vacation rental license & inspection rate structure. This work is expected to consume most of their time for October and November. The scope of work has been expanded to include a number of changes in the license request process and the invoicing areas. One of these changes is to move the License Request module to the YachatsOregon.org code base which is significantly newer and more flexible than the GoYachats code. This change is consistent with long term plans to move all of the traditional city business tools from GoYachats to the city's main web site. Doing it now will save developer time when we migrate the remaining administrative tools.
- ♦ **Data Integrity** - This area has consumed the bulk of my time this past month. After considerable review, Mark and I have identified a number of changes that need to be made to "harden" the system. In other words, the objective is to eliminate the potential for human error or omission. Elements to achieve this include additional data validation; tighter integration with the property inventory; system invoice generation upon city manager approval and access to the new on-screen help popup service.
- ♦ **Invoice System Enhancements** - This is related to the data integrity topic. During the system review of the License Request and Invoicing, we identified a need for better tools for managing pending invoices. For example, when staff check a box for an organization that says they need a license, the system looks at the current year to determine if a license has been issued. If it hasn't, it becomes a pending invoice. The current process requires staff to manually initiate the initial license invoice. While this works most of the time, there are instances when this doesn't happen. Mark and I believe this is a failure of system design and we see two ways to address this issue.
 - ♦ **Manage Invoices** - Anytime this module is accessed by staff, the system now checks for any pending invoices for the year selected. When there are pending invoices, a warning button is displayed. When clicked, the button provides information about the organization, the latest license year, and about the last time the account was modified. A button to retire the organization is included as well as a link to the organization to make other changes. The **Missing Invoices** page also includes text outlining the three options to resolve the pending status. All of these changes have been deployed
 - ♦ **Invoice Generation** - I recommend that we minimize as much as possible manual generation of invoices. We already do this for tax invoices and license renewals. I propose this practice be extended to Commons rental and initial city license requests. All the rate information is already in a database table. The license application process already includes multiple staff review steps. The city managers approval simply signifies that the staff work is complete and once the fees are paid, a license should be issued.

OCEAN VIEW DRIVE ENCROACHMENT ISSUE

Issue:

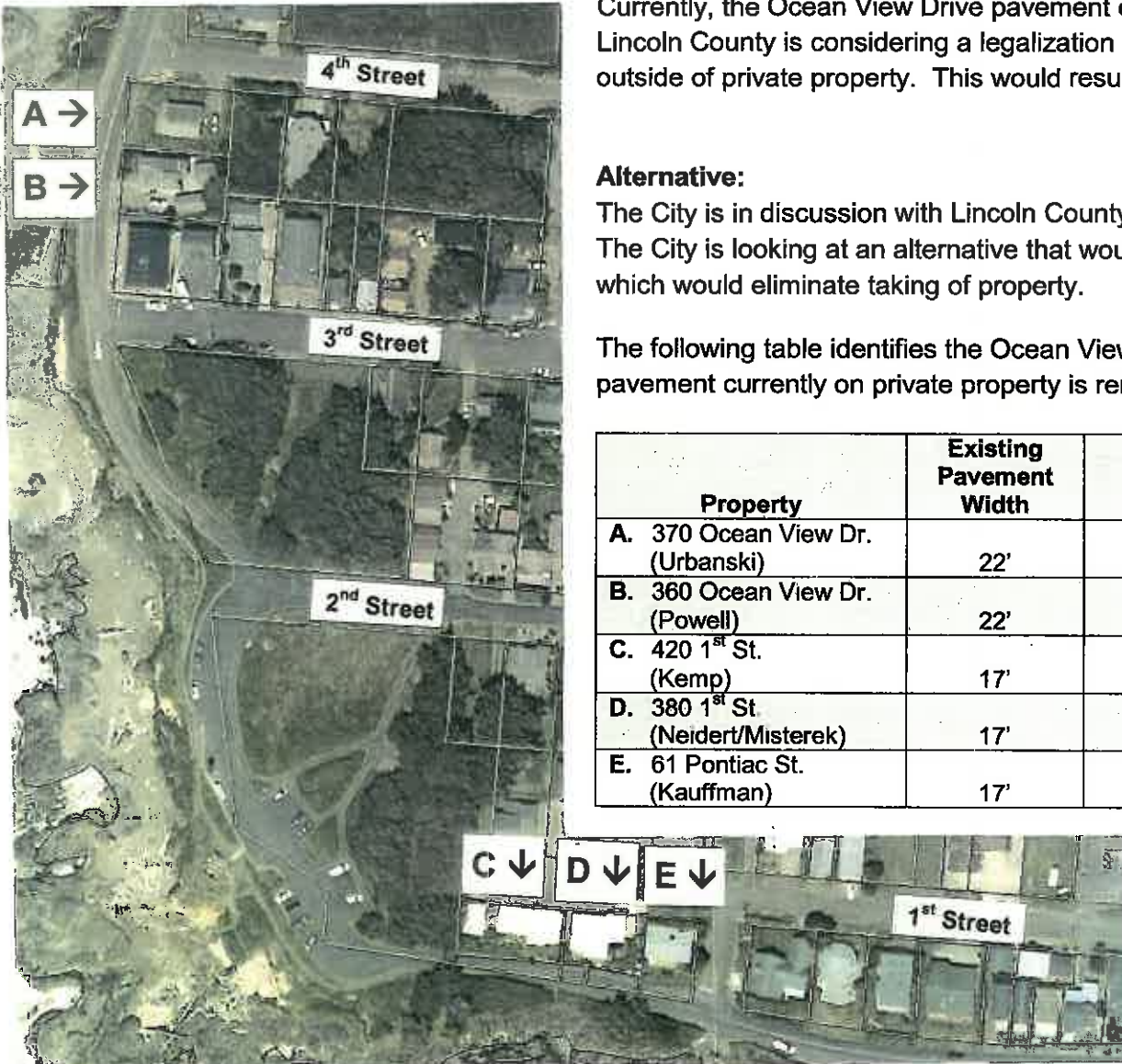
Currently, the Ocean View Drive pavement encroaches on to some private property. To correct this, Lincoln County is considering a legalization procedure that would enable the road surface to be outside of private property. This would result in five properties having a reduced square footage.

Alternative:

The City is in discussion with Lincoln County to transfer jurisdiction of Ocean View Drive to the City. The City is looking at an alternative that would eliminate intrusion of pavement on private property which would eliminate taking of property.

The following table identifies the Ocean View Drive pavement width and ocean side shoulder width if pavement currently on private property is removed and the property boundaries remain the same.

Property	Existing Pavement Width	Min. Pavement Width Excluding Private Property + Ocean Side Shoulder Width = Total Available Width
A. 370 Ocean View Dr. (Urbanski)	22'	$17' + 9' = 26'$
B. 360 Ocean View Dr. (Powell)	22'	$22' + 9' = 31'$
C. 420 1 st St. (Kemp)	17'	$14' + 5' = 19'$
D. 380 1 st St. (Neidert/Misterek)	17'	$17' + 5' = 22'$
E. 61 Pontiac St. (Kauffman)	17'	Min. $10' + 5' = 15'$



302

200
36.18 AC

OCEAN

ORDINANCE NO. 348

AN ORDINANCE AMENDING THE CITY OF YACHATS ZONING AND LAND USE ORDINANCE AND ESTABLISHING SPECIAL CONDITIONAL USE REVIEW CRITERIA FOR FORMULA BUSINESSES

WHEREAS, as described in the Comprehensive Land Use Plan of the City of Yachats, adopted in June 2008, the City's identity as a small-town, coastal community plays a direct role in attracting the City's main industries: retirement, travel, and recreation. Yachats has become a special destination among Oregon coastal cities because the City emphasizes the natural beauty and resources of the ocean, bay, river, and surrounding forests and mountains, rather than commercial development.

WHEREAS, the City finds that an increase in formula businesses within the City's commercial area, if not regulated, would frustrate the City's goals of retaining and enhancing its small-town, Oceanside character, which in turn supports the economic viability of the City as a retirement, travel, and recreation destination. The community prefers a rural and natural environment over an overly commercialized one. The amendment adopted in this ordinance will ensure that formula businesses that choose to locate in the City are as compatible as possible with existing development and surrounding natural resources, thereby preserving or enhancing the City's identity.

WHEREAS, the City's Comprehensive Land Use Plan is largely dedicated to establishing policies and goals that work to preserve and enhance the City's natural setting along the Oregon coast. The Introduction to the City's Comprehensive Land Use Plan provides that:

The City's comprehensive plan is intended to not only address statewide planning goals, but to take into account local land use planning needs and issues and respond to the desires, needs, and aspirations of the citizens of Yachats.

Land use policies, procedures, and applications shall complement the natural beauty of Yachats' location and its environment, which has led to Yachats' long-standing reputation as "The Gem of the Oregon Coast."

The construction and maintenance of public, commercial, professional, and residential buildings, their siting, design materials, and landscaping, within reasonable variation, shall enhance rather than detract from the quiet coastal ambiance of the City as noted above.

This plan includes background and analytic sections that support recommendations for the protection of natural resources, recreational opportunities, control of urban growth and form, and providing for economic growth, adequate public facilities, housing, transportation, and other functions.

WHEREAS, Goal G. Control of Urban Growth and Form includes the following mandatory policies:

6. *The City shall, through development regulations, ensure that new development shall be of an appropriate scale to retain and enhance the small-town, oceanside character of the Yachats community.*

7. *The City shall encourage improvement of the community's visual character.*

WHEREAS, Goal H. Provide for Economic Growth includes the following mandatory policies:

1. *The City shall maintain and enhance the economic stability of the City without diminishing the livability of the area.*

4. *The City shall, through development regulations, ensure that new businesses shall be of an appropriate scale to retain and enhance the small-town, oceanside character of the Yachats community.*

WHEREAS, as of the date of this ordinance, there are only two formula businesses located within the City. One is still in the construction phase. The other is a long-standing grocery store. The majority of the businesses located within the City and within the C-1 Retail Commercial Zone are small, one-story buildings that were constructed pre-1970s. Some businesses within the City have been converted from residences.

WHEREAS, in compliance with the goals and policies of the Comprehensive Plan, the City desires to regulate formula businesses in the City by creating a new conditional use within the C-1 Retail Commercial Zone and new review criterion.

WHEREAS, on November 15, 2016, the Planning Commission held a public hearing on an amendment to the Yachats Zoning and Land Use Code to include Formula Business regulations. One resident submitted a written letter in opposition to the amendment; one non-resident, who operates a business in the City, verbally testified in opposition. The Planning Commission voted to forward the proposed amending language to the Council for adoption.

WHEREAS, on October 4, 2017 and October 11, 2017, the City Council held public hearings on the ordinance amending existing Code ...

NOW THEREFORE, THE CITY OF YACHATS ORDAINS AS FOLLOWS:

SECTION 1. The following definition is added to Section 9.04.030 Definitions:

“Formula Business” means a business that is required by contractual or other arrangement to adhere to prescribed standards and features, particularly for exterior color schemes, signs or architectural design.

“Business” means a commercial enterprise carried on for profit.

SECTION 2. The following is added to Section 9.28.020 Conditional uses:

V. Formula Business and any accessory use to a Formula Business for:

- 1. Motel or resort on a minimum of 1.0 acre with direct access provided from U.S. Highway 101 only and with accessory commercial uses.*
- 2. Automobile service stations with direct access to U.S. Highway 101.*
- 3. Retail stores and shops such as food, drug, apparel, hardware, furniture and similar establishments.*
- 4. Financial institutions.*
- 5. All other conditional uses listed in this section that are also formula businesses.*

SECTION 3. The following section is added to Chapter 9.28 – C-1 Retail Commercial Zone:

Section 9.28.040 Prohibited uses.

Except as provided in Section 9.28.020 Conditional uses, all formula businesses are prohibited in the C-1 Retail Commercial Zone.

SECTION 4. The following is added as a subsection to Section 9.72.050 Standards and procedures governing conditional uses:

F. Standards for Formula Businesses

- 1. An approved formula business shall only be for one of the uses listed in Section 9.28.020 V.*
- 2. A formula business must demonstrate compliance with the criteria listed in this subsection in addition to all other applicable conditional use criteria contained in Section 9.72.050.*
- 3. The applicant shall demonstrate in its application materials that:*
 - i. The building has been designed to be consistent with and to preserve the City's small-town, coastal community character.*
 - ii. The building scale as compared to surrounding development is compatible.*
 - iii. Precautions have been taken to minimize adverse impacts of development and operation on the natural setting and abutting properties; and*
 - iv. The business meets the goals of the City's Comprehensive Plan, as*

applicable.

SECTION 5. SEVERABILITY. Any provision of this Ordinance which proves to be invalid, void, or illegal shall in no way affect, impair, or invalidate any other provision of this Ordinance, and the remaining provisions of this Ordinance shall remain in full force and effect.

SECTION 6. EFFECTIVE DATE. This ordinance shall take effect on the 30th day after its adoption.

ADOPTED by a vote of 4 aye; 1 nay (Scott, Frye, Glenn and Tooke, aye: Stanley, nay)
on October 4, 2017 and on October 11, 2017.

DATED this 11th day of October, 2017.

Gerald F. Stanley, Mayor

ATTESTED TO:

Shannon Beaucaire, City Manager

City of Yachats
PROCLAMATION

PROCLAIMING OCTOBER 15-22, 2017 AS “ANGELL JOB CORPS” WEEK

WHEREAS, in 1965, the Job Corps was funded and established by President Lyndon B. Johnson, with a mission of serving disadvantaged youth by developing their trade and education skills; and

WHEREAS, in July 1965, Angell Job Corps was one of the first five such centers to be built in the nation, beginning with an all-male population of disadvantaged youth from ages 16 to 24; and

WHEREAS, in coordination with the U.S. Forest Service, Angell Job Corps has spent 52 years partnering within the South Lincoln County community in a multitude of activities benefiting the community directly, as well as giving the AJC students – now co-ed – opportunities for hands-on training in a trade of their choice; and

WHEREAS, Angell Job Corps offers automotive, plumbing, urban forestry, carpentry, masonry and painting (and culinary arts, in the recent past) which has been used to benefit the greater Yachats community by providing students who serve food at fund raisers, labor on developing and maintaining the many trails utilized by residents and visitors, assistance in moving furniture and equipment for offices and many other projects. Most recently, the Angell Job Corps Carpentry Team collaborated on designing and building a beautifully-crafted fence along the west border of the Prospect Trail and Prospect Garden in Yachats.

WHEREAS, in addition to providing training and direction to hundreds of youth for over 50 years, AJC is also a significant factor in the employment of Lincoln County residents. Over 60 staff members and contractors work at AJC, assisting in a variety of positions that include a very successful education program.

NOW, THEREFORE, the City of Yachats proclaims October 15-22 as “ANGELL JOB CORPS WEEK” and the heartfelt thanks of hundreds of local residents.

DATED this 11th day of October, 2017.

GERALD F. STANLEY, MAYOR

GREG SCOTT

MAX GLENN

BARBARA FRYE

JAMES TOOKE

ATTEST:

SHANNON BEUCAIRE, City Manager



City of Yachats

PROCLAMATION

Proclaiming October 2017 as “Domestic Awareness Month”

WHEREAS, the crime of domestic violence violates an individual’s privacy and dignity, security and humanity, due to systematic use of physical, emotional, sexual, psychological and economic control and/or abuse; and

WHEREAS, domestic and sexual violence crosses all levels of the socio-economic strata, race and ethnicities, ages, gender identities, sexual orientation, physical and mental abilities;

WHEREAS, the impact of domestic violence is wide-ranging, directly affecting individuals and society as a whole, here in this community, throughout the United States and the world; and

WHEREAS, a coalition of organizations has emerged to directly confront this crisis. Advocates and those involved with shelters and hotline services, law enforcement officials, health care providers, the clergy and other concerned individuals are helping in the efforts to end domestic violence.

NOW, THEREFORE, in recognition of the important work done by My Sisters’ Place, Siletz Tribal Violence Against Women Act Program, Lincoln County District Attorney, and the Lincoln County Domestic Violence Council, the members of the City Council of Yachats do hereby proclaim the month of October 2017 as **Domestic Violence Awareness Month** in Yachats, and we urge all citizens to work with these invaluable community agencies to help alleviate this problem in our community.

DATED this 11th day of October, 2017.

City of Yachats

GERALD STANLEY, MAYOR

GREG SCOTT

BARBARA FRYE

MAX GLENN

JAMES TOOKE

Date: October 5, 2017
To: Shannon Beaucaire, City Manager
From: Public Works
Re: September 2017 Public Works Report

Total Rain fall for the month of September 2017:	1.70 inches
Total Water production:	4,394,500 gallons
Total Wastewater treated:	3,691,000 gallons

Streets:

- Communication with home owner on Horizon Hill concerning right-of-way trees.

Water:

- Repaired a water service on King St.
- Read meters.
- Hauled 40 yards of rock for the Driftwood Water Line CIP.
- Started work on the Driftwood Water Line CIP.

Distribution Sys:

- Hauled 40 yards of rock for the Driftwood Water Line CIP.
- Started work on the Driftwood Water Line CIP.

Sewer:

- Wastewater Plant Maintenance.

Sewer CIP:

- Searching for a 5yd dump truck.

Collection Sys:

- Installed screen at Parkside generator.
- CCTV'd 140 feet of sewer collection pipe on Surfside Drive.
- Assisted the generator repair crew with the removal of the stator (rear end) of the Parkside Generator.

Storm Drainage:

- Completed installation of 180 feet of storm drain pipe and the fabrication of two catch basins in the drainage area North of the ball field.
- Repaired a culvert on King St.
- Located a storm drain culvert on Shell St.

Parks & Commons:

- Picked up pile of brush for the trails crew.
- Assisted inspectors at the Little Log Church.
- Repaired toilet handle and cleaned gutters at the Little Log Church.

Public Works:

- Assembled bookshelf at Library.
- Equipment maintenance—Mini Excavator, Backhoe for trade in value.
- Sent the 10yd dump truck to Florence for repairs and maintenance.
- Installed a 92-gallon diesel fuel tank in the F-250 service truck. Used for fueling equipment.
-

Hwy 101 Project:

- Assisted contractors using equipment and six-man hours working on sidewalks.

Emergency Containers

- Moved 18 boxes of blankets from the Commons to the Emergency Containers. Nine each.
- Place hand tools in both containers.

CITY OF YACHATS
RESOLUTION NO. 2017-10-001
A RESOLUTION AMENDING RESOLUTION 2014-01-01 BY SETTING
FEES FOR VACATION RENTAL LICENSE, INSPECTION AND RE-
INSPECTION FEES AND VIOLATION PENALTY

WHEREAS, the City has invested time and money to establish a means by which to license, administer and monitor properties offered as vacation rentals; and

WHEREAS, in an effort to streamline the application and renewal processes by transitioning to an electronic system, contracting for code enforcement and developing a data base to improve the monitoring Code violations, license renewals and tax payments; and

WHEREAS, the fees charged have not been adjusted since 2014, under Resolution 2014-01-01;

NOW THEREFORE, the City of Yachats resolves to set the annual vacation rental license fee, inspection fee, re-inspection fee and violation penalty as follows:

Section 1. License Fees.

- A. All vacation rental fees shall be determined by resolution of the City Council.
- B. Annual licensure rates, due by December 29 of any given year shall be as follows:
 - 1. \$200 per year for two bedrooms or less
 - 2. \$250 per year for three bedrooms
 - 3. \$300 per year for four bedrooms
 - 4. \$400 per year for more than four bedrooms (grandfathered only)
- C. Inspection fees and re-inspection fees shall be as follows:
 - 1. \$100 for first inspection
 - 2. \$50 for any additional trip required to conclude inspection
 - 3. \$50 for subsequent years (every five years, according to Code)

Section 2. Penalties.

- A. Violation of any provision under Yachats Municipal Code 04.08 (Vacation Rentals):
 - 1. A penalty of \$1,000 per violation, per day may be imposed upon property owner (YMC 1.12.Civil Infractions).
 - 2. Failure to register and obtain a license, or to provide a tax return shall constitute such a violation. (YMC 3.08 Occupancy Tax).
 - 3. Any apparent vacation rental for which there is no documented exchange of value shall pay to the City a \$30 per day fee, in lieu of tax, if no license was obtained. This includes non-cash exchanges of value, including barter.
 - 4. Within any 12-month period: first violation of any type, property owner receives a written warning; second violation of any type, property owner is cited with a penalty of up to \$1,000 per incident, per day; third violation of

any type, property owner's vacation rental license is suspended for a full year. Renewal of the license after one year is subject to available licenses below the 125 imposed cap.

___ **PASSED AND ADOPTED** this 11th day of October, 2017.

THIS RESOLUTION IS EFFECTIVE ON OCTOBER 15, 2017.

Gerald F. Stanley, Mayor

Shannon Beaucaire, City Manager

From the Library Commission

Yachats Public Library

The suggested name is appropriate because:

- Public libraries are understood to welcome everyone. The public library originated in this country (thank you Benjamin Franklin) and is familiar to all of us.
- In the summer, many of the library's users come from other places. They recognize a public library as a place they will be welcome.
- This library does serve people from this area who live outside the city limits. Some years ago, they were given the chance to create a district library for which they would be taxed. They voted no.
- The library continues to serve the larger community and the city should be recognized for that in the name of the library.

YACHATS VISITORS CENTER 2017 QUARTERLY BUDGET REPORTS

Submitted
10/04/2017

BUDGET ITEM	2017 BUDGET	Quarter 1 Jan - March	Quarter 2 Apr - June	Quarter 3 July - Sept	Quarter 4 Oct - Dec	YEAR TO DATE
FACILITY						
Rent	6,500.00	1,575.00	1,575.00	1,575.00		4725.00
Repair & Maintenance	400.00	15.00	62.25	0.00		77.25
VC & Restroom Cleaning	1,050.00	170.00	220.00	310.00		700.00
VC Office Equipment & Supplies	1,200.00	143.20	0.00	132.31		275.51
Bookkeeping	500.00	0.00	0.00	0.00		0.00
PERSONNEL						
Contract Director	37,850.00	9,462.48	9,462.48	6,308.32		25233.28
Admin. Assist. (in season)	7,590.00	0.00	720.00	499.00		1219.00
Events Coordinator	20,000.00	4,998.00	4,165.00	0.00		9163.00
Training/Volunteer Training	400.00	0.00	0.00	0.00		0.00
PROMOTION						
Yachats Brochure/2-year surplus	1,750.00	0.00	0.00	0.00		0.00
Printing/Design: Lists/Cards/Publications	2,550.00	572.80	552.25	2,137.00		3262.05
Postage: Information/Mail-outs	1,500.00	505.75	0.00	872.74		1378.49
Oregon Events Calendar – Events Listings	200.00	0.00	200.00	0.00		200.00
Telecommunications	2,525.00	621.03	726.76	630.23		1978.02
Memberships, OFEA/OCVA	500.00	100.00	0.00	400.00		500.00
Travel OR Welcome Ctr Brochure Program	250.00	0.00	312.80	0.00		312.80
TOTAL	84,765.00	18,163.26	17,996.54	12,864.60		49,024.40