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CITY OF YACHATS

CITY COUNCIL REGULAR MEETING

August 9, 2017

Minutes

Mayor Gerald Stanley called the August 9, 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. Absent: Greg Scott. Staff present: City Manager Joan Davies. Audience: 40.

I. Announcements, Correspondence and Proclamations

Mayor Stanley announced that comments regarding vacation rentals would occur on the Agenda under section V.F Ordinance 349 Vacation Rental Licenses.

Leon Sterner announced Karen Heere will talk about the eclipse on Sunday, August 13, 2017 at 2 pm in the multipurpose room.

II. Public Comment - none

III. Minutes and Accounts Payable

A. Minutes

Councilor Frye moved to approve the July 5, 2017 regular Meeting, July 12, 2017 Joint Meeting with the Library Commission, and July 25, 2017 Special Meeting minutes: Aye – 4; No – 0.

B. Accounts Payable for Approval – Councilor Scott absent

IV. Reports

A. Council Reports

Frye reported:

1. The Library Relocation Committee (2+2 Committee) had their first meeting on planning the move for the Library to the 501 Building. She noted they have set a meeting schedule and have begun research.
2. The Lincoln County Health Center is working on a timeline for establishing a clinic in Yachats. 3. There is no news to report on the Yachats-Florence bus service.

Councilor Glenn reported:

1. Two meetings of the Emergency Planning Committee. Glenn reminded everyone to register for the County emergency alert system for their cell phones.
2. There will be an Emergency Steering Committee Table Top meeting at 8:30 on August 10, 2017, where the county will call and alert them to an emergency situation (e.g., tsunami or eclipse) and test their response system.
3. Jobs Corps will have their annual open house and community meal on Thursday, August 10, 2017 (11 am at Angell Jobs Corps). Manager Davies noted people need to RSVP.
4. Glenn and Mayor Stanley attended a Jobs Corps Community Relations Council meeting.
5. There will be a meet and greet for four new City Manager candidates on August 27, 2017 at 4:30 – 6:00 pm in the 501 Building. The City will be taking comment cards.

1
2 Councilor Tooke:

- 3 1. Attended the Library Relocation Committee meeting.
4 2. Attended the Mid-coast Water Advisory Council meeting. He noted there is a discussion
5 beginning on installing a pipeline from Seal Rock to Waldport.
6 3. Reminded people the water supply to the south end of town is supplied by a pipe under
7 the Yachats Bridge, warranting the construction of a south tank.
8

9 Mayor Stanley:

- 10 1. Attended the Lincoln County Public Safety Coordinating Committee meeting on a justice
11 reinvestment proposal for the state, a State grant to aid in transitioning inmates out of
12 incarceration.
13 2. Toured the new the 22-bed apartment complex in Newport for men recently released from
14 jail, funded by \$575,000 from the State. He noted plans for next year to fund a
15 women's transition unit.
16 3. Attended South Lincoln County Pollinator Habitat meeting. Mayor Stanley noted the pilot
17 project where the State has not sprayed from the south of end of the Newport bridge
18 to the south county line has ended. There is a proposal to make that section a
19 habitat for pollinator bees, which would result in a continued absence of spraying.
20 ODOT has stated they no longer want to partner with private agencies.
21

22 **B. Department Reports**

23 City Manager: Manager Davies read into the record her report included in the meeting packet.
24

25 Public Works: Report included in meeting packet
26

27 Code Enforcement: Report of violations in meeting packet
28

29 IT: Councilor Scott absent
30

31 Visitors Center: Glenn highlighted the comparative statistics from 2014 to 2017 and noted
32 logged visitor count was up 5.6% (n=4,247).
33

34 **V. Business**

35 **A. 804 Trail and Ocean View Drive project**

36 Joanne Kittel explained the 804 South Trail project involves Ocean View Dr from Marine Dr to
37 the Landmark building, where the trail is in various states from non-existent to gravel that people
38 do not like to walk on. The area involves State Parks, Lincoln County, and the City. The Trails
39 Committee had retreat in June and set priorities, one of which was to jump-start this section of
40 the 804 Trail. The Trails group consulted with City Planner Larry Lewis who has extensive
41 knowledge of the history of the project.
42

43 A July 17, 2017 meeting was attended by:
44

45 Wayne Belmont, Lincoln County Counsel

46 Jeff Wagner, Operations Engineer, State Parks and Recreation Department (SPRD)

47 Al Friedenthal, Central Coast Supervisor, SPRD

48 Preston Phillips, Central Coast Manager, SPRD

49 Vince Comfort

50 Roy Kinion, County Roads Manager

51 Molly Manion, Coast Archeologist, SPRD

1 Joanne Kittel, Yachats Trails
2 Wally Orchard, Yachats Trails
3 Loren Dickenson, Yachats Trails
4

5 The group discussed:

- 6 1. Repairing and resurfacing portions of the road. The area has a lot of archeological
7 material and would require extensive digging and sampling, which means every 20
8 meters an archeological site evaluation is necessary. If the archeologist finds
9 something significant in the 20-meter digs, there must be a more comprehensive site
10 evaluation.
- 11 2. Establishing a paved trail, which would require the 20-meter archeological site
12 evaluations. However the path could be covered with gravel more suitable to
13 walking.
- 14 3. The County wants the City to make the decision on road directionality, as their intention is
15 to turn the road over to the City. Kittel noted if go one way, they could just resurface
16 the road and use part of it as paved trail. If keep two ways, they will incur much
17 greater costs because of archeological monitoring.
- 18 4. Kittel noted the county is willing to pave Ocean View with 2 inches of asphalt, but the City
19 wants more extensive repairs. She asked the Council if the City could use 804
20 mitigation funds for the repairs if the County cannot afford it.
- 21 5. The section between the former Landmark and the Pub has no trail. The State has
22 mandated that the 804 Trail be completed. That section will require three site
23 archeological evaluations which would not be covered by State Parks, mitigation
24 funds, or Lincoln County. She suggested the option of securing grants, noting Travel
25 Oregon has created new grant and the Oregon Coast Trail is one of their priorities.
26

27 Tooke stated the City taking over Ocean View Rd is not in the City's best interest as it would be
28 a long-term money drain. Glenn agreed with Tooke about not wanting to take over the road.
29 Glenn suggested separating the trail completion from the jurisdiction of the road. Kittel
30 suggested letting the county know the City's intentions as they are assuming the City will take it
31 over. Frye noted the road transfer was condition upon having the road fixed. Frye believed the
32 city was in a good position to negotiate with the county on properly repairing Ocean View.
33

34 Kittel noted if the City were to not take responsibility, the county has no incentive to repair the
35 road beyond resurfacing. Mayor Stanley noted the future of the Landmark is not certain and
36 might impact how the road is managed. Kittel asked the Council to make a decision about the
37 one-way flow sooner than later. Frye did not want to start the project until al new City Manager
38 is in place.
39

40 **B. Evans/Betz property project**

41 Andrea Scharf reviewed the Evans/Betz Property Acquisition project history. Scharf highlighted
42 the difficulty in securing funding. Potential grants would require matching funds, which would
43 amount to \$200,000 from the City. She noted the roles of View the Future and Parks and
44 Commons Commissions. Parks and Commons Commissioners toured the north parcel and
45 were impressed with potential uses. Scharf noted Google maps has recently updated their
46 images and interested parties can now get a better view of it.
47

48 Scharf recently talked to the Finance Committee, and the Finance Committee expressed
49 informal support of the project and discussed the potential use of Visitor Amenities funds to
50 back it. Scharf noted the City has discussed having a raw water storage area and this parcel
51 would give the City an access point to the area.

1
2 Scharf explained there is a Shamrock Lodgettes cabin on the south parcel which could be sold.
3 Tammy Gagne (365 E 3rd St), a realtor, noted the cabin would likely sell for at least \$200,000.
4

5 Glenn asked the Council if the Parks and Commons Commission could develop a proposal and
6 present to the Council. Mayor Stanley asked Parks and Commons to pursue the matter.
7

8 An audience member (370 Hill Court) asked where the remaining funds would come from to
9 purchase the million-dollar property. Scharf noted that difference would be covered with grant
10 monies.
11

12 **C. Emergency Planning Committee Appointment – Courtenay**

13 Marc Courtenay (900 Hanley Dr) stated he has had experience on a Certified Emergency
14 Rescue Team (CERT) in Salem and believed that experience to be a good fit with the
15 Committee. Glenn asked about Courtenay's experience in Emergency Response. He indicated
16 they go through varied scenarios and drills that simulate the trauma caused by the event and
17 noted emergency preparedness is partly about managing the emotional side of the shock.
18 Glenn moved to appoint Marc Courtenay to the Emergency Planning Committee: Aye – 4; No –
19 0.
20

21 **F. Ordinance 349 – Vacation Rental Licenses**

22 Highlights from audience members:
23

24 1. Todd Korgan (Sweet Homes Rentals): Sweet Homes manages 60 properties, 26 in City
25 limits. Korgan asserted ordinance would decrease property values, bring economic hardship,
26 and not address affordable housing issues. Korgan testified, "no one knew about this [meeting]"
27 and expressed displeasure at this issue arising during the busiest time of their season.
28

29 2. Chantelle Charpentier (Vacasa, 1806 Dolphin Lane, Waldport): Vacasa manages 50 units.
30 Charpentier asserted vacation rental companies offer much to the community, people who have
31 second homes do not want long-term renters, vacation rental homes employ many workers for
32 maintenance, gardening, and managing, and Vacasa does not want to be bad neighbors. She
33 asked people to call if there is a problem.
34

35 3. Peter Leer (33 Crestview Drive, Ocean Odyssey): Leer did not feel he is being heard and
36 does not think the City responds to complaints. He believed VRs helped the City through a
37 major recession. Leer wanted the VR license to transfer with the sale of a home, and believed
38 the only problem is the City's lack of responding to complaints.
39

40 4. Fran Morse (636 Marine Dr.) Morse thanked VR representatives for thoughtful responses.
41 Morse asserted long-term rentals and complaints are only part of the problem. Morse argued
42 for supporting the quality of the neighborhood, which is adversely affected by VRs.
43

44 5. Jamie Michele (Sweet Homes): Michele noted they have been in business for 8 years, ran
45 the laundromat for several years, purchased the old Miller's building, and employ 35 local
46 people. She does not believe her business can thrive in Yachats if a cap is put in place and
47 believes a cap would have a serious detrimental effect on the real estate market. She argued
48 the second homes would sit vacant if not used by VR renters. She asked people to call in the
49 middle of the night and they will come. She estimated one-third of homebuyers in Yachats are
50 wanting VRs.
51

1 Frye asked Michele about their growth expectations, noting she had three different renter
2 groups next door to her during the past week. Frye noted the “secret meeting” had 77 people,
3 VRs create a lot of traffic, residents buy houses to live in a neighborhood, and VRs are
4 businesses in residential zones. Frye argued this issue has been discussed for years.

5
6 Glenn expressed his displeasure for the email that was circulating calling him “sneaky, sleazy
7 and undermining.”

8
9 Lizzie Schloss (230 Windsong): Schloss indicated she wrote one of the emails. She has no
10 opinion about caps but was concerned about raising the fees.

11
12 Dean Shrock (121 Greenhill): Shrock agreed that this is not a new issue and stated his concern
13 was about the impact on community. He asserted Yachats has the highest percentage of VRs
14 in the state. He stressed the role of volunteers in the City and asserted VRs do not bring
15 volunteers to Yachats.

16
17 Quentin Smith (487 Lemwick Ln): Smith noted this is a problem for many towns. His street has
18 14 homes, two of which are large VR units at end of the street. He encouraged the Council to
19 help neighbors with complaints and to provide contact information for a local person to call
20 during late night infractions.

21
22 Carly Kerr (248 Lincoln Ave): A neighbor who had been renting a home on her street for \$650
23 per month was evicted so the house could become a VR. She reported the VR at 200 Cedar is
24 very problematic, noting an 82 year-old neighbor confronting the VR renters at 3 am being
25 called expletives. She rented a VR for her children but was unable to use the outdoor area of
26 property because of bees. She asserted she called Vacasa three times with no reply.

27
28 Qahira Lynne (4073 W 3rd): Lynne has lived in Yachats for 16 years. She was evicted from a
29 long-term rental after renting for 12 years and believed her landlord was harassed by a vacation
30 rental company to convert the property to a VR. She lives in fear of eviction. She believes
31 properties values are artificially inflated to encourage buyers to spend beyond their means via
32 using VR income as a way to finance.

33
34 Tom Lauritzen (204 Shell St): Lauritzen stated he lives in an R-1 zone and there are 8 VRs on
35 his street. Lauritzen argued the Yachats Municipal Code states businesses cannot operate in
36 R-1 zones and believed VRs are businesses. He suggested licenses be regulated as
37 businesses which would require conditional use permits. A conditional use hearing would give
38 neighbors a chance to provide input.

39
40 Tooke asserted a potential homebuyer should not be promised they can get a VR license
41 because the license does not transfer with property. He is in favor of conditional use permits.
42 Tooke noted an Ordinance brought before Council on VRs being classified as an outright use in
43 residential zones was adopted.

44
45 Mayor Stanley noted he had met with Vacasa and Sweet Homes representatives and noted
46 they do support the community. He reminded the audience the vote on this proposal was not
47 unanimous (3-2 in favor). Mayor Stanley argued all decisions are personal and subjective at
48 some level.

49
50 Manager Davies told Mr. Korgan she was never informed there was an email list for persons
51 interested in activities around VRs.

1
2 Frye asked Mayor Stanley to postpone the discussion on Ordinances 347 and 348 due to
3 meeting length.

4
5 Glenn recommended the Marketing Committee to be an official committee that reports to the
6 City Manager.

7
8 Mayor Stanley adjourned the regular meeting at 8:18 pm.
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14 _____
15 GERALD F. STANLEY, Mayor

16 ATTEST:
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20 _____
21 Joan Davies, City Manager

Date
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