CITY OF YACHATS
CITY COUNCIL WORK SESSION AND REGULAR MEETING

June 7, 2017

Minutes

Mayor Gerald Stanley called the June 7, 2017 work session and regular meeting of the City Council to order at 9:30 am in Room 1 of the Yachats Commons. Council members present: Mayor Gerald Stanley, Barbara Frye, Jim Tooke, Greg Scott and Max Glenn. Staff present: City Manager Joan Davies, City Clerk Kimmie Jackson, Water Treatment Lead Rick McClung. Audience: 15.

I. Work Session Discussion Topics

Mayor Stanley welcomed the audience and noted the meeting room has been painted.

A. 501 Building – uses and proposals

Wendy Weimer (35 E Eckman Creek, Waldport) distributed a handout on her proposal to buy the 501 Building. Weimer stated she has been a realtor since 2007 and is ready to expand her business. Weimer had discussed with Vicki at the Visitor's Center about space availability. Her vision is to have three sections with each business having its own exterior entrance. Weimer's understanding was that the property was purchased for parking. Mayor Stanley clarified it was purchased for both parking and a potential new bank. Weimer is willing to put an easement in place for city use parking. Weimer highlighted the transaction would result in monthly income, remove the burden of maintenance, and provide additional space for businesses.

Councilor Glenn noted it was too late to accept an offer and was insulted at the offer of $100,000 on a property the city paid $500,000 for. Councilor Tooke believed the offer price was very low. Councilor Frye reviewed that the Council has spent much time on exploring uses for the building and appreciated the proposal.

Mayor Stanley noted the City is looking at two alternatives of selling the building or having the library move into the facility. Glenn did not recall the Council was considering selling the building. Glenn noted their two options as being to lease to EIP or to use for the library. Frye was open to an offer for the building if it was significant.

Tom Bedell asked if the Council had considered a bank for the space. Councilor Scott stated Glenn has done extensive research on banks going into the space.

Weimer noted her price her price was based on her using 20% of the property, and she is willing to discuss leasing. Mayor Stanley stated Weimer could present another offer to the Council.

B. Vacation Rentals – policies and proposed changes

Scott recalled he was expecting a Public Hearing in July on this topic and was not expecting the topic to be on the agenda. Manager Davies clarified she included the topic as there were persons at the last meeting who did not know they could comment. Mayor Stanley apologized for not welcoming comments from the audience at the last meeting. Scott believed the last meeting was for the Council to discuss the topic, not to collect public input. Frye commented that she did not understand the meaning of a work session until she was on the Council and suggested they educate citizens on what work sessions are for, perhaps at the beginning of

meetings. Glenn understood the last meeting was for the Council to give feedback to the work group who had developed the proposal.

Manager Davies explained the photo she had distributed from a property owner who indicated this family was an example who used her house.

Frye asked Scott where the input process stood. Scott indicated the Public Hearing is set for July 12, 2017.

Mayor Stanley clarified his position on not being in favor of people buying homes in the city for the sole purpose of using as an investment vacation rental (VR) with no intention of living in Yachats. Frye asked Mayor Stanley why he was opposed to caps on VRs. Stanley stated he is not convinced capping the VRs would result in more affordable housing being available, noting many of the VR homes are high cost properties. Stanley noted an exception of a recent home conversion to a VR that had been a long-term rental and had low sales price (est. $150,000). Stanley wanted to avoid the adversarial situation that occurred in Lincoln City around VRs. Stanley believed there should be more discussion about how to manager the rentals.

Frye referred to her past work with Sandy Dunn in assessing what makes Yachats a special, livable, and unique place to live. Her research indicated volunteers are crucial to quality of life and having VRs as neighbors is a detriment to quality of life. Frye believed there is urgency to address the cap issue.

Scott took exception to the Mayor's statement that they do not have a handle on which VRs are available. He noted the current system does not allow for the City to withdraw a VR license because of inactivity. Scott noted the work group purposefully tried to take a balanced approach in examining the pros and cons.

Glenn recalled that the previous mayor and councils have had a long-time consensus that there would eventually need a cap. Glenn believed now is the time to create a cap as the number of VRs has stabilized in the past few years. Glenn did not see that Yachats was in the same circumstance as Lincoln City and their controversy.

Tooke stated he recalled the Mayor's concern about a cap and expected push back on the matter from citizens. Tooke wanted more input on the topic. Tooke emphasized the importance of enforcement to make any system work.

Manager Davies noted there are five vacation rental licenses pending since last month.

Paul Thompson (1153 Driftwood Lane) stated he has lived in Yachats for seven years and has complained numerous times about VR's. He was in favor of the proposal. Thompson agreed with Tooke that enforcement is a serious problem. Thompson noted that parking, garbage, and noise are the main problems, and there has not been enforcement around these issues. Thompson stated his neighbors have complained to no avail as well. Thompson argued there is right-of-way five feet from the road into the driveway and cars consistently park in this area. Thompson praised Manager Davies for her responses to his complaints. Scott stated there is a parking inventory in the city database, which Thompson could use to determine legal parking for each property. Frye believed enforcement has not been up to par, but there is a need to educate people that their complaints need to be formally filed with the city.

C. IT Program Budget Review

Mayor Stanley stated the Budget Committee had asked for more information about the IT Program. Scott noted his report to the Council. Scott argued that poor information access inhibits the Council and staff's ability to work and paper data systems are outdated. Scott believed there is a need for customized data work as off-the-shelf software products are not adequate. Scott noted many of the software programs are very expensive and the current City database does not replicate systems that already exist. Scott noted Yachats is unique with its online document library. Scott read the main components in the data system, referencing the improvements for business tax filing and the online room reservation system. Scott emphasized the net cost to the City is $1250 per month to maintain and develop the database.

Scott noted the largest gap in the data system is missing data. Scott noted Helen Anderson had previously cleaned up the tax lot information. Scott asked of the Council to:

1. Authorize Scott as city official to talk with Munibilling to get their data compatible. Scott stated the numbers in the database get inaccurate in February 2016 when the Munibilling system was implemented.
2. Designate the property inventory as the official record of property records.
3. Instruct staff to move away from the internal data system and start using the new data system.

Scott noted staff wants to be able to track payments and indicated he could provide that service.

Glenn stated after the Budget Committee meeting in May he realized there is a lot of information in the document library that is not being used. Glenn summarized his philosophy, "What people are not up on, they will be down on." Glenn's questions were: 1. What did we try to automate? 2. What is not yet working properly? 3. What more should be automated? Glenn met with staff to better understand their concerns. Glenn he and Manager Davies are having an automation specialist to review what has been done and what could be done. Glenn is pleased with the current website. Glenn would strongly recommend the Council not eliminate this component of the budget.

Frye was unaware of bringing in a systems specialist. Frye was impressed with all the work Scott has done. Frye was concerned about a conflict of interest in having a City Councilor be the IT Manager. Frye argued she never sees finished products and would like to see firm deadlines for completing tasks. Frye wants to see clearer planning and specific priorities and progress on those priorities. Frye and Scott debated the matter. Scott noted the City Manager provides the prioritization input.

Scott cited an example of the Parks and Commons Commission talking about room rentals. He reported he is providing a way to computerize that and is also computerizing the vacation rental complaint system. Scott indicated he has hired a third developer to help on the project to speed up progress. Scott indicated the new document library will go online within a week and will allow for "Google type" searching. Frye would like to see an IT person on staff.

Tooke stated he is not an IT expert but has an appreciation of what is involved in IT development. Mayor Stanley stated he is impressed with Scott's work, especially his latest written report.

Frye restated she believed the current system is not good and is not supportive of spending money on the work. Frye argued a good system is one that people can use, is accessible, is reliable, and people understand.

D. Award Bid for South Tank Project

Manager Davies reported they City had received four bids, the highest at $1.4 million and the lowest at $1.085 million. Public Works and the engineers have done their due diligence on ensuring the low bidder, Clackamas Construction, met all the project requirements.

Manager Davies read into the record the Notice of Award to Clackamas Construction in Boring, OR. Manager Davies noted by contract they have 300 days to complete the project, which would put the end in April 2018. This timeline is consistent with the financing requirements.

Scott asked if there were any reasons not to proceed with this contact. Frye asked about safety issues being adequately addressed. McClung stated he is confident with the safety of project.

E. Cape Perpetua Program Proposal – Paul Engelmeyer.

Paul Engelmeyer introduced project partner Charlie Plybon from the Surfrider Foundation. Engelmeyer reviewed the mission of the Cape Perpetua Foundation as presented in his written report and request for $10,000 of support. The Cape Perpetua Foundation partners with Discovery Northwest (Seattle) in facilitating education, visitor amenities, public-private partnerships, and conservation.

Plybon reported many nonprofits have been making investments in conservation and communication efforts in the Cape Perpetua area. Plybon stated they wanted to more formally establish a collaborative and would like to hire a coordinator to link to the City of Yachats. They would like for the City of Yachats to become a more active part of the collaborative.

Engelmeyer explained how the various efforts are moving forward (e.g. docents at lighthouse, docents at visitor center, whale watching program). He stated they need to prioritize their deliverables and hoped the Council would help with that. Engelmeyer noted several letters of support in the packet.

Scott asked if there was anyone on the Council who does not support this proposal. Mayor Stanley asked about the title, “Coordinator,” and whether ”Liaison” would be more appropriate. Engelmeyer clarified the Coordinator covers more than just Yachats. Stanley was in favor of a more active role for Yachats and would like to see regular progress reports. Frye asked what the $10,000 request would cover. Plybon explained funds are needed to cover the gap until a formal system is in place and agreed clarifying expectations are important. Marc Courtenay stated he previously served in this same capacity in the Santa Barbara area. Courtenay would like to volunteer as the “warm body” to work with Engelmeyer’s group.

Glenn wanted clarification on how the group would communicate with the Yachats Visitor’s Center. Plybon noted Cape Perpetua gets 143,000 visitors each year, and the collaborative wanted to help make those people aware of Yachats.

F. Job Listing for City Manager – review Prothman recruit

Mayor Stanley stated the Council needs to select a liaison who will coordinate the City Manager search with Prothman. Glenn volunteered. Frye asked for clarification on what the liaison will do. Manager Davies noted Prothman had candidates write a statement and interviewed candidates via Skype prior to giving the City its recommendations. Prothman is working with the League of Oregon Cities. Glenn would like to see a meet and greet with prospective candidates as was done last time. Councilors reviewed how the process worked for the previous hiring of City Manager.

G. Open Contracts – Code Enforcement Officer and Commons Custodian

Manager Davies summarized the open positions of Code Enforcement Officer and Commons Custodian. She reported Sterner had submitted his resignation as custodian and Don Niskanen had resigned earlier in the year. Davies noted she has advertised in the newspaper but cannot advertise the positions on the city website because these are contracted positions. She noted there is a private security company in Waldport she will contact. Manager Davies summarized her recruiting efforts to date. Bette Perman suggested posting the openings on Facebook and the Oregon Coast Craigslist.

Glenn noted that the previous Code Enforcer had contacted owners of vacant lots that are overgrown around this time of year. Davies indicated she has been sending notices and asked the Council about how they have handled private lots that have never been cleared. The current code does not differentiate between never-cleared lots and lots in more developed areas. Davies suggested adding multiple definitions to the code to allow for keeping never-developed lots as is. Scott agreed with Glenn in wanting to keep the town green. Scott noted Quiet Water requires lot maintenance and the homeowner's associate maintains them. Stanley asked Manager Davies for a recommendation on new language for the code. Scott asked Davies to consult with Wally Orchard for his perspective on how to manage the situation.

H. Council Shepherding Goals - reports

Frye stated:

1. She would like parking put on the agenda. Frye wants the council to be more aggressive in finding additional parking now that the Highway Project is coming to an end. Frye believed the Council needs to address the future of the ball field.
2. The Library Commission has completed a strategic plan and will have a Public Hearing on the document. Scott noted the document is not really a strategic plan.
3. The MOU for the Health Clinic was approved by Lincoln County. Frye noted many people came to the Lincoln County Health table at the Yachats Pride picnic.
4. The Florence bus service has been delayed to August.
5. Davies and Frye have been working with City Attorney to get the Planning Commission's draft on formula businesses in more usable form.

Glenn stated:

1. He has been monitoring community pages on the discussions of the 101 Project. Glenn commended the efforts of Jason Klohk from Pac Ex to address issues citizens raise.
2. Work with the Emergency Planning Commission is continuing.
3. He is still planning to convene a workgroup on public art and removal of blight.

Stanley stated:

1. He and Glenn attended a meeting with the county Economic Development Alliance and would like for Glenn to continue working with this group. Stanley noted the EDA's highest priority was housing. Glenn stated he would follow the housing study and Alliance's recommendations to see what can be brought to Yachats.

Scott stated:

1. He has been in contact with Steve Berkle of EiP. There are action items at this time.
2. The new streetlights are dark sky compliant. Scott noted some businesses would like to put lights on the new posts that are part of the retaining wall in front of the

stores in the C&K pavilion. Scott indicated he told shop owners the lights must be dark sky compliant.

Tooke stated:

1. He discussed with Dave Buchwald what grants are available for removal of aging septic tanks and other projects. Tooke noted an overriding plan is needed before applying for grants.
2. Projects with the State Parks are inactive at this time.
3. He will be working with McClung on the South Tank Project.

Stanley

1. He is still waiting on information from the State legislature on the Visitor Amenities Fund.
2. The Marketing Committee will meet soon on plans for the 50/100 City Anniversary.

Frye noted last week was first Yachats Pride event, and it was well organized, well attended, and enormously successful. Stanley stated the picnic was wonderful and set a high standard of what a picnic should be.

G. Approve Agenda for June 14, 2017 City Council meeting

Glenn would like to add a proclamation for the 37th and final year of the Music Festival. He would like to see the Mayor read the proclamation at the beginning of the festival.

Frye would like a more formal update on the Highway 101 Project. Frye reported installation of the art banners was delayed because a truck had run over the banners when they were drying. Stanley noted there would be American flags flying on the other side of the streetlights by July 4th. Glenn asked about requirements for placement of the American flag.

The Work Session concluded at 12:03 pm.

REGUALR MEETING

II. Business

A. Award Bid for South Tank Project

Glenn moved to authorize the City Manager to award the contract for the South Tank Project to Clackamas Construction of Boring, OR for $1.085 million: Aye – 5; No - 0.

B. Cape Perpetua Program Proposal

Scott moved to approve and award $10,000 from the Visitor Amenities Fund to Tourism and Conservation at the Cape Perpetual Visitor Center: Aye – 5; No - 0.

The council indicated consensus to partner with the Cape Perpetua Collaborative.

C. Approve Applicants to Public Works and Streets Commission

Marc Courtenay stated he had been looking for ways to be of service to the community and to the Council. His experience included being a liaison and an advocate. Courtenay came to Yachats to be of service. Scott liked the idea of having a generalist and non-technical person on the Commission. Courtenay stated he has been noticing changes in surface areas on

sidewalks and streets and would be willing to address issues that arise over this change. He attended last month's PWS meeting.

Glenn moved to appoint Marc Courtenay to the Public Works and Streets Commission: Aye – 5; No - 0.

Tom Bedell (25 E Windy Way) stated he has spent his life in public works and is familiar with the wholesale supply process to water and sewer treatment plants. Bedell noted he was the longest serving member of the Plumbing Heating and Cooling Contractors Association, was on the Executive Board of the PHCC for the eleven Western states, and was appointed by the Governor to the Oregon State Plumbing Board. He attended last month's PWS meeting. Glenn appreciated that Bedell might have expertise in understanding major equipment purchases.

Frye noted some Commissions are in a transition regarding their roles in city operations and providing vision. Bedell stated he was willing to remove his application if the Council believed his expertise would interfere with staff work. Frye clarified her comments about the commission-staff relationship and noted she thought it was fabulous to have a person with Bedell's background on the Commission. Scott reinforced the position that their needs on the Commission are not about the details of how work is conducted but instead about vision to determine if a project makes sense for community.

McClung stated he believed these new applicants would be great addition to the Commission.

Scott moved to appoint Tom Bedell to the Public Works and Streets Commission: Aye – 5; No - 0.

III. Other Business

Tom Lauritzen asked to make a comment on the IT Program. Lauritzen stated he initiated the conversation at the Budget Committee meeting to review funding for IT. Lauritzen was concerned about a lack of implementation of the elements of the IT system and unfinished components still needing "tweaking." Lauritzen argued most of the system components are not used to their capacity or design. Lauritzen noted the amount of time staff is using on trying to use and implement system components, specifically on the reservation system, the transient rental tax system, and the property inventory and water data. He noted there needs to be more clear explanations on how the components are to be used. Lauritzen believed there are solutions that do not require more development but instead focus on fixing the implementation and user interface. Lauritzen asserted that if not implemented correctly, money spent on the system is wasted.

Frye thanked Lauritzen for expressing more eloquently her frustrations with the system. Frye raised the issue of hiring a consultant to evaluate the IT functionality. Manager Davies and Glenn explained the reasons for reaching out to a consultant, most notably their own lack of technical expertise. Lauritzen posited that the qualifications of the proposed consultant were not a good fit with addressing the implementation problems.

Scott clarified the Munibilling data problems are a result of Munibilling sending "bad" data, while Lauritzen argued Munibilling is no longer responding to staff calls due to frustration. Scott believed staff were resistant to learning the new system.

Glenn moved to authorize Scott to talk to Munibilling about errors in the data for water consumption, to designate the property inventory as the official city property database, and to

instruct the City Manager to transition away from internal database (Access) and transition to the property management system by the end of September 2017: Aye – 4; No – 1 (Frye)

Stanley wanted to clarify with Manager Davies that when the Council votes on the budget at the next meeting, the IT budget would be included. Davies affirmed the inclusion of funds for the IT program.

With no further business before the council, Mayor Stanley adjourned the meeting at 12:58 pm.

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GERALD F. STANLEY, Mayor

ATTEST:

_____ _____
Joan Davies, City Manager Date

Minutes prepared by H. H. Anderson on June 12, 2017.