CITY OF YACHATS
CITY COUNCIL REGULAR MEETING

January 12, 2017

Minutes

Mayor Gerald Stanley called the regular meeting of the City Council to order at 2:00 pm 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, Water Department Lead Rick McClung, Wastewater Department Lead David Buckwald, Facilities Manager Leon Sterner, Code Enforcement Officer Don Niskanen. Audience: 28.

I. Announcements and Correspondence

Mayor Stanly welcomed the audience and reviewed some of his background that is relevant to council work. He then opened the floor to other announcements.

A. Announcements

1. Agate Festival on January 14-15, 10:00am-4:00pm (Sterner)
2. Talk by Greg Scott on January 16, 2:30pm, Room 8 (Scott)
3. Lions Club Crab Feed on January 28 is sold out (Glenn)
4. Movie sponsored by the Friends of Yachats Commons on February 5, 2:00pm (Sterner)
5. Women's March on January 21, noon, Newport (Frye)
6. Ladies Club 90th Anniversary Celebration, January 29, 2:00-4:00pm (Stanley)

B. Correspondence

A. Lincoln Co. Board of Commissioners – Joint Session March 15 in Yachats

Mayor Stanley reported the Lincoln County Board of Commissioners is meeting in Yachats in March and welcome input from councilors and citizens.

II. Citizen's Concerns (topics not listed on the agenda)

Mayor Stanley told the audience that this section is for items not on the agenda. He asked speakers to keep their comments to five minutes. Mayor Stanley wanted councilors to each make an opening statement before engaging in council discussion. Citizens will have a final opportunity to comment. Once the council makes a motion, the topic is tabled for this meeting.

Councilor Tooke suggested that the council not deliberate on the issues raised by citizens at this time. Councilor Glenn reported how citizen concerns were handled in the past. Councilor Frye wanted to have more time to research issue, receive input from staff, and discuss with other councilors prior to making any decisions.

The council discussed the role of the agenda in meetings. Mayor Stanley stated he removed "Sanctuary Cities" from the agenda because he had a misunderstanding that putting an item on the agenda meant he was advocating for that item. He stressed that this issue is one he hoped citizens would discuss.

A. Robert Barrett, 260 Jennifer Dr.: Asked the council to consider his request to place the Diversity Coalition's "safe" signs in windows of city buildings to allay fears of minority groups not being welcome. He reported incidents in Newport of hate crimes, including

painting swastikas on buildings. Mayor Stanley asked Manger Davies to summarize what was discussed at council work session. Davies reported the council had approved posting the sign on bulletin boards but not officially "posting" in city buildings.

II. Consent Calendar

Minutes from 12/02/16 Council Work Session and 12/08/16 Council Meeting; Bills for Approval
Scott made and withdrew motion to approve minutes. Scott stated corrections on the minutes are typically reported to city manager prior to council meeting. Frye stressed importance of accurate minutes. Scott made motion to approve minutes: Aye – 3; No – 0; Abstain: Mayor Stanley, Tooke (not on council during those meetings).

III. Reports

A. Council

1. Frye reported:
    a. She had attended meeting with Lincoln County Transit where they assessed needs for next twenty years.
    b. She will be meeting with Lane County Transit at the end of the month about transportation between Yachats and Florence. Lane Transit has received a one-year grant to provide transportation.
    c. She met with group from the Lincoln Community Health Center about providing health care in Yachats (Stanley is president of the group). The group is committed to getting local healthcare. She noted Yachats has been designated as an underserved city in terms of healthcare. The plan is for LCHC to own and manage the clinic. Inadequate healthcare is a significant reason residents leave Yachats.
2. Glenn reported he is working with Lincoln County Land Trust on new models for affordable housing and the Angell Job Corps.
3. Scott elected to delay his report to later in the meeting.
4. Tooke reported he agreed to serve in six areas identified in the Shepherding Goals Matrix.
5. Mayor Stanley reported he had learned much from a meeting with mayors of Lincoln County and had a productive meeting with the Chamber Marketing Committee.

B. Department Reports

Mayor Stanley confirmed the council has received monthly reports from the Administrator, Code Enforcement, Public Works, Emergency Planning, and Events.

Mayor Stanley asked Code Enforcement Officer Niskanen about situation on King St.
[ANDERSON CANNOT HEAR WHAT NISKANEN IS SAYING]

Frye asked Manager Davies for an update on the Dollar General store. Manager Davies wrote letter to Cross Development as a follow up to the town meeting. The most recent news from Cross is that they are still planning to build. Davies noted the DG in Philomath had a border fence, and after contacting their Mayor, she learned DG has a positive working relationship with the city. Davies met with City Planner Lewis and reported back to DG on Yachats' building code regulations, including building height, setbacks, signage, lighting, parking, and accommodating pedestrians.

Frye asked about plans for light poles in the highway construction project. McClung reported there will be 18 poles that are weather resistant, black in color, approximately 14 feet tall, led,

and dark sky qualified. Davies noted Waldport's light are 20-25 feet high and Newport's lights are 14 feet.

Chamber Marketing Committee chair Robert Rubin reported on recent events, including five new events: three outdoor summer concerts, a Mystery Game during the Celtic Music Festival, and a Maria Muldauer concert. Future plans include a September Plug In as part of National _____ Electric week and events around a total eclipse. Rubin hopes to create an "Escape Room" in 501 building, a room in which a person enters and must solve puzzles to escape from. Rubin stated the Escape Room is now an international phenomenon. Ruth Bass has organized an art quilt show on March 10-12 though Polly Plumb Productions.

IV. Business

A. Council President – nomination and discussion. Glenn nominated Greg Scott. Frye expressed praise for Scott and his leadership. Scott stated he hoped to incorporate more mentoring into the position. Motion to appoint: Aye - 5; No - 0.

B. Resolution 2017-01-01 Setting Recreational Marijuana Tax Rate: Manager Davis read the resolution. Scott clarified the 3% contribution to the city does not increase the existing state tax. Scott moved for approval: Aye - 5; No – 0.

C. Ordinance 346 Amending MJ Tax Ordinance 345: Manager Davis read the ordinance. Glenn moved for approval: Aye – 5; No – 0.

D. Resolution 2017-01-02 Department of Revenue Intergovernmental Agreement for Collecting Recreational Marijuana Taxes: Manager Davis read the resolution. Frye moved for approval: Aye – 5; No – 0.

E. Council meeting and work session days: Manager Davies reviewed discussion on meetings at council work session. She presented a new option to have both meetings be regular meetings with the option to insert a work session during the regular meeting. Frye asked for clarification on meeting flow. Scott requested that work session occur during first part of meeting. Glenn wanted to be clear that the agenda for the second monthly meeting be set at the first monthly meeting. Scott was not in favor of taking Citizen's Concerns at the first work session meeting. Frye reminded the council that citizens can request items on the agenda for a work session so their opportunity to contribute is not hindered. Scott suggested the decision be made in three parts: meeting days, work session component, and time of day.

1. Scott moved that council have two meetings each month on the first and second Wednesday: Aye – 5; No – 0.
2. Frye moved that the first meeting of the month be a work session followed by a meeting in which motions can be made: Aye – 5; No – 0.

Regarding meeting times, Scott argued that local citizens do not like to come to evening meetings. Frye and audience member Jan Hogen believed people do want evening meetings. Stanley pointed out the audience addressed at the last meeting excluded did not include people who could not come to daytime meetings. Frye posed that people need time to learn about and adjust to new meeting schedules so a trial period of six or more months is necessary. Scott argued that council should learn from history of people not showing up for evening meetings. Frye believed Scott's argument neglects allowing people to learn the new system. Glenn suggested that they assess survey results before moving the meeting time. Audience member Betty Perman stated that not having an evening meeting is a statement from the council that working people and business owners are not invited. Sterner stated his experience indicates lower attendance at evening meetings and suggested having evening meetings only when there

are agenda items of particular interest to businesses. Frye reiterated her belief that the council should make itself as available as possible to constituents and an evening meeting creates more opportunity. Niskanen believed meetings that start at 7:00pm run too late into the evening. Rubin suggested season (darkness) and weather impacts likely attendance.

Mayor Stanley requested a ten-minute break at 3:31pm. Meeting resumed at 3:50pm.

V. Council Shepherding Goals – changes and assignments

Mayor Stanley announced the vote on Shepherding Goals is an annual vote on agreed-upon goals. Scott and Frye agreed that goals should be assigned a priority level to occur at future work session. Glenn asked Manger Davies to read the goals.

1. Provide for the effective governance of the City of Yachats
2. Improve administrative process to maintain and surpass previous high standards
3. Improve city infrastructure
4. Provide/Facilitate opportunities for self-growth, education, and participation in programs/projects to enhance quality of life
5. Foster "Seventh Generation" thinking

Glenn moved that the council approve these five goals with the objectives and shepherding assignments: Aye – 5; No – 0.

VI. Council Rules Handbook and Matrix – continuing review of changes

Manager Davies presented copy of Council Rules with highlighted sections to be addressed.

A. Recommended asking council meeting times less specific to state as the charter, "the council will meet once each month and can meet more often" (pg. 4, item 2.2)
B. Noted work session meetings needs to be updated with new meeting information (pg. 5, item 2.5)
C. Suggested work session subjects section as written is too specific and lessens options (pg. 5, item 2.5.1). Frye suggested including a definition of work sessions. Glenn wanted to retain the finalizing agenda item.
D. Suggested softening language on citizen discussions (pg. 6, item 3.1.6). Glenn stressed importance of citizens stating name and address for the record. Frye wanted instructions to be state in the positive form. Mayor Stanley stressed the importance of allowing citizens to comment on actions of the council.
E. Asked why the Rules of Order item is in the guide (pg. 8, item 3.3). Frye would like to see parliamentary changed from Keesey to Roberts Rules of Order. Scott asked to table this discussion for this meeting and to discuss in a work session.
F. Noted the order of business section is limiting and includes items the council does not currently do (pg. 8, item 3.4). Davies was asked what items were not addressed. She pointed to Consent Agenda, stating is a more common practice to refer to this item as, "Consent Calendar" and identified "Resolutions memorializing actions taken by previous meeting," "Resolutions not requiring further action by council," and "Other actions not requiring further discussion by council and those actions outlined in council rules" as not having been addressed since her tenure as City Manager. Frye asked if this document was rule or a guideline. Frye suggested changing language to indicate suggestion or example rather than requirements.
G. Noted the Rules referenced the adoption of an "Exhibit A – Mayor and Council Duties" when an "Exhibit A – Hearings/Procedures for Land Use Matters" already existed in the document (pg. 22). Suggested making the Mayor and Council Duties, Exhibit B.

Manager Davies reported former Mayor Brean said the decision to use “City Administrator” instead of “City Manager” was a choice and not based on legal matters. Glenn moved to change the City Administrator title to City Manager: Aye – 5; No – 0.

Mayor Stanley asked if his position as described in the Matrix as “political head of the five-member of the city council” implies he is also political head of the City of Yachats. Manager Davies cited the City Charter stating the mayor is political head of the City of Yachats and thus the statement should be amended to reflect the charter.

Mayor Stanley asked evaluation of the City Manger should be included under Council Duties. Frye and Glenn are in favor of this addition. Scott stated evaluations of the City Attorney, Judge, Engineer, and Auditor. Scott said Manager Davies supervises the City Planner.

Mayor Stanley would like to review the list of meetings to be attended by the Mayor as indicated under City Charter Provisions.

Manager Davies noted the duties need to include the City Manger is to supervise contracted people.

Manager Davies stated she will make indicated changes and bring back to the council for a vote.

VII. Other Business

A. Mayor’s Report: Mayor Stanley commented he is still learning procedure. Mayor Stanley revisited the issue of posting “safe” signs. He clarified while posting on bulletin boards is allowed, posting the sign as an official city statement is not warranted. Frye wanted to generate a statement on the justifications for this decision. Manager Davies noted Bob Barrett wanted to be told the rationale for denying his request.

B. From the Staff: None

C. From the Council:

1. Frye expressed dissatisfaction with the reading of Biblical passages at the start of the meeting. Mayor Stanley explained his action was intended to reflect on his believes and perspectives. Frye wanted to go on record of stating religion has no place in civic meetings. Scott observed people in the audience who were uncomfortable as was he. Glenn welcomed the statement as introduction to the Mayor but objected to the practice to be continued.

2. Due to technical difficulties, Scott was unable to make his video presentation on technological updates. Scott pointed to the following new features of the website

- ability to edit menus without the assistance of the proprietary coders
- water date integration is complete
- addition of color-coding to identify categories
- plans to work on water consumption reports by month, by year, by filtered category
- work on water loss reports with assistance of McClung
- wants to create a master list of city activities done on an annual basis, such as sending out business license renewals in November. Frye noted scheduling program exist.
- new web developer will begin at the end of the month.

Meeting was adjourned at 5:00pm.

_____ _____

Gerald Stanley, Mayor Date

Attest:

_____

Joan Davies, City Manager

Minutes prepared by H.H. Anderson on February 23, 2017.