CITY OF YACHATS
CITY COUNCIL WORK SESSION AND REGULAR MEETING

April 5, 2017

Minutes

Mayor Gerald Stanley called the 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, Wastewater Department Lead David Buckwald, Facilities Manager Leon Sterner. Audience: 7.

I. Work Session Discussion Topics

A. Council Retreat

Mayor Stanley thanked Manager Davies, Councilor Glenn and Councilor Frye for their work on organizing a council retreat. Councilor Scott stated he doesn't believe the proposed approach will solve the problem. Scott asserted:

- His recollection of the previous meeting where the topic was discussed was that a workshop on communications would be voluntary
- The current proposal represents more
- The proposed retreat is for management, not the council
- He is stressed and insulted over how the proposal evolved
- He is not in favor of hiring a consultant
- He believes the nuances of government such as the state limiting the councilors interactions outside of meetings does not fit the proposal approach

Frye stated her recollection of the previous meeting was different from Scott's, elaborating that the councilors are not always clear in their intentions. She recalled that the arguments for having a retreat arose from the recognition of the councilors that they have difficulty with how they communicate, how they make decisions, and how well they know each other and that who could be a facilitator was deemed to be important. Frye stated her belief that the council has significant communication issues that slow their work down and how she is frustrated with their current decision-making process. Frye argued this approach with the paid facilitator addresses communication between, will increase their efficiency if resolved, and will be an investment in how the council.

Based on his previous experience with group trainings, Glenn asserted goals cannot be achieved without an outside facilitator. Glenn's recollections of the last meeting were there was a consensus that a retreat was needed and an outside facilitator was necessary. He found the proposal to be professional and included the necessary topics. Glenn argued that the problem the council has had in getting a retreat set up is proof that a retreat is needed. Scott stated there had been no discussion of a paid facilitator.

Councilor Tooke recalled the decision to have retreat with facilitator to be definitive and believed the current proposal to be on target. Tooke thought as long as councilors do not deliberate, there is no violation of public meeting laws.

Stanley stated he believed the concept of a retreat with facilitator was effective idea. He was surprised at current costs of facilitator. Stanley argued a more informal setting would be ideal.

Stanley asked Scott to clarify what he believes to be the root problem. Scott believed a candid conversation about communication might be helpful, but the training as planned is a complete waste of time. Frye asked Scott if he was comfortable with the way the council communicates and makes decisions. Scott replied the process is what state law prescribes. Scott stated his belief that the council does not need a training session but instead needs to grapple with what is really bothering them.

Frye and Scott agreed the councilors need to do better job of stating their intentions and goals. Scott stated he does not believe the retreat will do anything to help clarify intentions.

Glenn would like to see a statement from each councilor at the beginning of the retreat as to what their expectations of the retreat are and what will make them happy followed by the facilitator reading back anonymously the statements so they all know the group expectations.

Glenn asked the mayor and councilors to not quote what another councilor has stated when they talk to one another outside of meetings because of individual biases in how they take in and repeat information. Mayor Stanley concurred with this concept but wanted to ensure they do not overly direct the facilitator.

Manager Davies suggested a compromise of having the start of the retreat being a short open discussion without the facilitator. Scott stated he was in favor of Glenn's suggestion about the opening statements.

Frye noted the current discussion was a healthy sign indicative the council's desire to work better together and elaborated on the anticipated benefits of a retreat. Mayor Stanley agreed with Frye's arguments and noted he would not be comfortable not having a facilitator. Tooke stated he was looking forward to the learning experience of such a retreat.

Councilors set a date of April 17, 2017 from 10:00 am to 2:00 pm (3:00 pm if have lunch) at the Overleaf Event Center for a Council Retreat.

B. 501 Building

Glenn reported there is a revised copy of the subcommittee report of potential uses for the 501 building. Glenn noted he as not recently heard citizen comments on getting a bank to move back into the building and concluded citizens had adjust to not having a full bank in town. He would still like to have an ATM. Glenn specifically mentions the subcommittee's recommendation that no renovations should be done in the building until the permanent use is determined.

Scott asked Glenn if the subcommittee had considered Linda Hetzler idea for an events center. Frye's recollection is that Hetzler idea was for a temporary usage. Glenn wanted to emphasize the report is for informational purposes only and is not a definitive recommendation. Mayor Stanley asserted that the used of the building as an events center is no longer an option and reported he has heard significant talk about the facility being used for a library.

Scott said he was an early advocate of moving the library to the 501 building, but he is not the one behind the current conversations. As the shepherd of the library, Frye reported from her recent meeting with the library group their goals to have additional storage, to expand the children's section, to have a more private worktable area, and to do other improvements requiring more space. Frye stated the Library Commission needed clarification on their role and responsibilities around decision making and funding of projects so she, Manager Davies, and the Nicki from the library met to advise the commission. Frye noted the urgency of the commission to act soon because of the budget cycle.

Davies reported she learned from the March minutes of the Library Commission they intended to buy more shelving but not if they are moving. She asked library managers, Janet and Janet, to clarify that intent. The Janets indicated they do not want to share the building space and do not want to use their bequest monies for a move. Since that discussion, she talked to several Library Commission members and gave them access to the 501 building. She advised the Commission to bring their ideas to the Council by the next meeting.

Tom Lauritzen summarized the financial issues around the 501 Building.

1. Since the library does not pay rent, moving the library to the 501 building would mean the 501 building is not revenue generating.
2. The city pays just over $17,000 each year to Fund 24 of the Parks and Commons for rent for their current office space and would be freed of that encumbrance if they were to move to the 501 building. Parks and Commons could rent the vacated City Hall space in the commons building to recoup the loss of rental income.
3. The space in the Commons building is more "rentable" than the 501 building.
4. The City could refinance the loans on the 501 building, but the opportunity to lock in 4% or 5% interest rate is disappearing as interest rates are predicted to continue to rise.
6. The current library space could be used to park expensive maintenance vehicles and equipment that are currently parked in open air.
7. The building, representing a $500,000 investment, has been sitting vacant for two years.

Buchwald clarified the current plans for moving the fence between the library and public works will only net one ten foot parking space.

The Mayor and council discussed other ideas for the facilities:

1. Frye believed the old library building would be a great space for a health clinic.
2. Mayor Stanley believed YYFAP would be a good fit for the 501 space
3. Mayor Stanley suggested if the 501 space did house the library, there would be room to implement other items on the suggested uses list such as a Native American Interpretive Center or display for trails committee.
4. Glenn suggested revisiting Steve Burkle's interest in establishing his EiP energy technology manufacturing plant in the 501 space. Glenn suggested, if Burkle is interested, the city should lease rather than sell the building to the Eip group and grow its returns by raising rent as the business grows.

Scott recommended the council have a special work session on this topic.

Mayor Stanley noted he was not aware EiP Technologies was still interested in the facility and wanted to delay making decisions about the use until more was known about EiP plans.

Manager Davies stressed the importance of getting the rolling equipment stock of public works into a protected building. Manager Davies noted in the current plan, there is 21 feet on the library side of the fence into which they could build an addition.

Manager Davies and the Council discussed settling the EiP prospect before further deliberation on other uses.

Lauritzen urged the council to not let the building sit empty for another year, citing a need to begin repayment of the existing loans on the facility. Scott stated he was under the impression from the former mayor that payments on those loans were in the budget for the next ten years. Lauritzen was not aware of that arrangement.

Tooke agreed that the council should set time parameters on making a decision about the building. Scott argued that the time constraint is artificial and that the decision needs to be more strategic.

Glenn and Scott agreed to meet with the EiP representatives to get clarity on their intentions and timetable.

C. Commission Appointees

Manager Davies reported both the Planning and Parks and Commons Commissions have asked that appointees for commissioner positions for expiring terms be considered in November. Manager Davies noted the recent delays the Planning Commission had around having a quorum because of term expirations. Lauritzen noted that commissions might want to elect officers before January to remove the possibility of not having officers when January begins.

D. Temporary Membership on Two Commissions

Manager Davies explained the need to have temporary positions on commissions to enable a leader to work with a commission on a temporary basis. Frye argued policy of not having ongoing dual commission membership is appropriate, but temporary appointments are sometimes necessary. Glenn and Frye debated whether to change the rule or waive the rule in the case of the Public Works Commission. Tooke was in favor of flexibility.

E. Parliamentary Procedures

Mayor Stanley asked councilors for their opinions of the currently used Keesey's Rules versus Robert's Rules of Order. Frye stated Robert's Rules is better known and no one appears to know Keesey's rules. Frye suggested that if the council sticks with Keesey, they get training on the procedure. Scott believed Robert's Rules are more complicated, someone who is very familiar with the procedures can dominate discussions, and Keesey's Rules are simple and efficient. Scott noted any council member who makes a motion gets up or down vote because of no need to second. Tooke had no preference. Mayor Stanley stated he would like to have more formal ways of deciding rather than simple consensus and would recommend switching to Robert's Rules. Frye stated whatever system is used, she just wanted to understand. Scott agreed the councilors need to understand procedure but stated he does not believe this particular issue is a priority for the council. Tooke asked if League of Oregon Cities had a person to conducting a training. Manager Davies offered to draft a comparison of methods for the next work session.

F. Resolution 2017-04-01 – Amend IFA agreement for South Reservoir Loan

Manager Davies reported the existing safe drinking water revolving loan needs revision because of change of location of water tank and her getting a $15,000 grant for the project. Manager Davies read the proposition into the record.

G. OLCC License Renewal

Manager Davies reported the city gets list from the OLCC so the city can report complaints. Manager Davies noted the previous recorder had the council address the review via a formal resolution. Manager Davies stated this matter could be handled by the City Manager.

Scott noted the Sea Perch is not within the city limits. Manager Davies asked if The Wine Place still had an active license given the physical store has been closed. She will investigate the license status of The Wine Place.

H. Council Shepherding Goals

Tooke reported:

1. He has contacted State Parks Department representative Preson Phillips, subordinate to Dennis Comfort, but has not heard back from him.

Frye reported:

1. They are getting a new south gate sign
2. Lincoln County is still interested in a health clinic in Yachats and plans are moving forward.
3. She has been working with the Lane County transportation group on grant-funded bus route between Yachats and Florence. The bus will start July 1, 2017. The committee is still working out stop locations. The buses will have bike racks. Frye recommended the bus stop in Ten Mile and at state parks.
4. The Lincoln County Transit group is working on a 20-year plan. She noted LCT plans to install signs to designate stops, and LCT is looking into bus shelters. Mayor Stanley noted Planet Yachats, the current bus stop, does not want a shelter and would likely not want another bus stopping there. Frye would like to find a stop in Yachats where riders can sit. The Post Office and sewer plant were identified as possible stop locations.

Glenn reported:

1. The emergency planning committee had received invitation to an open house at county emergency operations center on the April 22.
2. Manager Davies has begun process of getting old building west of the Doyle property removed.
3. He has asked City Planner Lewis to investigate safety issues in the Yachats Municipal Code regarding unfinished construction, especially around dangers posed to children, pointing to the unfinished condominium project on the east side of Highway 101.
4. The city got the abandoned vehicle on the Nessel's property moved. However, he is still getting complaints on decaying building.
5. Frye asked Glenn to look into old Landmark as an unsightly and dangerous building. Mayor Stanley asked Glenn to contact Landmark owners.
6. His committee will get more into art as highway project nears completion.
7. Audience member Rhonda asked what could be done about properties with uncontrolled weed growth. Glenn state the city's weed abatement program can request the owners mow the property, and if they do not, the city will mow and

charge the property owner. The council encouraged people to submit a complaint with Manager Davies to start the abatement process.

Scott reported:

1. The coders have started work on document library migration project.

Stanley reported:

1. He sees a need to have a general discussion on how to use the visitor amenities funds.

Glenn wanted to receive an update on what the fund is and how it used at a future work session before making decisions. Manager Davies noted pending legislation at the state which could affect this fund.

2. Manager Davies skillfully handled a vacation rental complaint during the previous week.

I. Approve Agenda for April 12, 2017 City Council meeting

The council moved this item to the end of the meeting

Council recess from 11:25 to 11:34 am.

REGUALR MEETING

A. Commission Appointees

Scott made a motion for the council to authorize the City Manager to make a change in the policy to allow for earlier considerations for appointments to replace retiring commissioners: Aye – 5; No – 0.

B. Commission Membership

Frye made a motion to direct the City Manager to change the policy to allow the City Council to appoint a person to an additional commission for no more than one year if the best interests of the city are served: Aye – 5; No – 0.

C. Parliamentary Procedures – no motion

D. OLLC License Renewal

Glenn made a motion to approve the OLCC licenses except for the Sea Perch and The Wine Shop which the City Manager will investigate: Aye – 5; No – 0.

E. Resolution 2017-04-01 – Amend IFA agreement for South Reservoir Loan

Tooke made a motion to approve Resolution 2017-04-01 to amend the IFA agreement for the south reservoir loan: Aye – 5; No – 0.

F. Revisiting Approval of Council Agenda for April 12, 2017

Manager Davies noted Resolution 2017-04-01 will be removed.

Mayor Stanley noted the Library Commission would be making a presentation at the meeting and asked if the councilors need to have additional discussion on the 501 building. Scott wanted to start a discussion focusing on priorities. Glenn would not be ready to take action in a week, but supported discussion without a vote. Frye asked the council to clarify who has authority to make decisions about the library location and facilities sharing. Scott stressed the importance of getting volunteer input on the library decision. Stanley asked if other contenders would have an opportunity to present their case at the meeting. Glenn recommended the council proceed with the information on hand rather than opening the meeting to new ideas from citizens. The council discussed uses to be considered, future public input, and the urgency of reaching a decision.

The meeting was adjourned at 12:00 pm.

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GERALD F. STANLEY, Mayor

ATTEST:

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Joan Davies, City Manager Date