

CITY OF YACHATS

CITY COUNCIL WORK SESSION

August 2, 2017

Minutes

Mayor Gerald Stanley called the August 2, 2017 work session 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, Max Glenn, Greg Scott. Audience: .

Mayor Stanley noted the work session is generally for discussion among Council members. However, public input on Vacation Rentals will be taken.

A. South Tank Site

Dean and Shelly Shrock submitted a letter dated July 27, 2017 regarding the siting of the South Water Tank. The project engineer Andrea Stancliff responded to the Shrock's concerns about the location and number of trees that would be removed. She noted the actual elevation of the tank would be lower than where the stakes currently sit and backfill will be required on one side. Stancliff reported the City would reexamine the site after construction to determine if additional trees need to be planted. Stancliff stated there was discussion on moving the tank back so as to require less vegetation to be removed. Moving the tank would require the retaining wall to go from 14.5 feet to 20.5 feet. Additionally, the current positioning is ideal for the site elevation, soil composition, and access. Manager Davies noted the tank could not be located in the existing easements.

Dean Shrock thanked Manager Davies, Rick McClung, and Stancliff for responding to their letter. Shrock noted it could take 15 years for trees to grow large enough to hide the tank and, given the deciduous nature of the trees, the tank will be exposed for half of year. Shrock believed the cover would be much more effective if the tank were moved to the east. Stancliff stated it could be difficult to visualize the site given the amount of excavation that will occur.

Mayor Stanley asked about the stability of the area where the tank will be benched down. Stancliff indicated the soil in that area has been examined and is substantial enough to remain stable.

Shrock argued that the current positioning of the stakes indicate the tank will overhang the western back and that moving the tank to the east would be better. Stancliff noted they do not have geotechnical information on the soils to the east and would need to do further analysis to entertain such a move. Stancliff did not believe the cost of additional analysis and design changes to move the tank a few feet back was warranted to save a few trees. Councilor Frye clarified that the addition of trees would be advantageous to the neighbors' views.

Stancliff recalled the challenges of finding a site that met all of the requirements of building a tank and noted the current location is the most ideal.

Councilor Glenn posited that the tank being visible might have a positive impact on the community as it indicates the town has water. Glenn did not believe tank visibility was negative. Shrock asserted residents of Yachats place great value in preserving the view shed and more

1 people would rather look at trees than a tank. Michael Hempen suggested there was a
2 disconnect between what Shrock was seeing on site and the images presented in the proposal.
3 Councilor Scott was satisfied the engineers had done their due diligence.

4
5 Councilors agreed the City should invest in planting trees to help shield the tank after the
6 building is completed.

7
8 **B. Vacation rentals and proposed changes to Code**

9 Mayor Stanley opened the floor for public input.

10
11 1. Cedric "Duke" Tracey (178 Yachats Ocean Road): Tracey asked: a. Does Yachats have a
12 comprehensive affordable housing plan? b. What percentage of city revenues go to support
13 affordable housing? c. Under current city ordinances, are vacation rental licenses transferrable
14 to a new owner? d. Does the proposal require that the professional property manager be local,
15 different from the local contact person? e. Is there other quantifiable data on vacation rentals
16 the Council used in making their recommendation that has not been made publically available?
17 The Council answered: No. None. No. No. Scott indicated Newport has 135 VRs (population
18 10,300/1.29%), Lincoln City has 473 VRs (population 8,700/5.5), Yachats has 133 VRs
19 (population 700/19%).

20
21 Mayor Stanley asked Councilors to try to reach consensus on the sections of the VR proposal
22 before making motions for amendments or a motion to vote on the proposal.

23
24 Scott noted recent changes in the draft proposal including establishing a cap based on current
25 licenses and pending applications that through attrition would drop to 125, changing the
26 licensing fee based on the number of beds, adjusting language based on city attorney
27 recommendations, and removing proposed target dates. Scott summarized his assessment that
28 input at the public hearing was largely about economic interests in written testimony and about
29 neighborhoods/quality of life issues in the oral testimony. Manager Davies clarified that State
30 Law stipulates an ordinance will go into effect 30 days from the date it is passed, and the City
31 can ask for emergency status to cause the effective date to be immediately upon passage.

32
33 Frye asked if licenses would be dropped for inactivity and when applicants would be granted a
34 new license in the event one becomes available. Councilors discussed situations where
35 licenses would become available. Frye and Mayor Stanley had reservations about the 125 cap
36 if the initial cap was above that number.

37
38 Councilor Tooke raised the possibility of having licenses be based on conditional use, which
39 would allow for neighbors to have input in issuing the license.

40
41 Glenn summarized what he heard from the public hearing to be the impact on neighborhoods is
42 important, a need to clarify code to make regulations enforceable, a need to have better follow
43 up on complaints, and more people wanting a cap than not wanting a cap.

44
45 Mayor Stanley stated he was expecting the licensing fee to drop for the smaller VR units, not
46 raised for the larger units. Scott responded the existing fee levels are not close to covering staff
47 costs of administering the process and did not believe operating costs should not be recovered
48 through fines.

1 Frye asked where the fine levels were explained and would like to see a clearer reference to
2 fine amounts in this proposal. Manager Davies indicated the four levels of fines are in the City
3 Code.

4
5 Glenn emphasized the need to have an actual name and phone number for 24-hour response to
6 complaints.

7
8 Mayor Stanley asked about the differences in required standards for vacation rental homes as
9 opposed to owner/occupied homes. Scott concurred regulations are more stringent on vacation
10 rentals.

11 12 **C. Traffic flow on E 2nd St and Prospect Ave**

13 Manager Davies explained the current traffic issues on E 2nd St:

- 14 1. In order to access the trash receptacle for the Drift Inn, Dahl must enter 2nd St from
15 Hwy 101, which is opposite to designated traffic flow.
- 16 2. Ideally, Prospect and 2nd St would be two-way streets to allow for most convenient
17 access to stores, hotels, and restaurants; however the streets are not wide
18 enough to accommodate two-way traffic.
- 19 3. The hope had been there would be money from the Hwy 101 project to pave 2nd St
20 but there was not; the City can come up with money, but is paving what the
21 Council wants to spend the sizeable amount of money on.

22
23 Mayor Stanley noted he was originally in favor of a reversal of direction on 2nd St but no longer
24 believes the change to be necessary. Scott suggested the topic is better addressed through
25 Public Works. Bette Perman (E 2nd St resident) reported she, Frye, and Linda Hetzler walked
26 the area and observed traffic patterns. They concluded E 2nd cannot accommodate two-way
27 traffic, Prospect could have two-way traffic, and entry from the side street onto Hwy 101 is
28 safest coming out of Prospect onto the Highway. They strongly suggest paving of 2nd St and
29 painting lines for the angled parking along the south side of 2nd St. McClung recommended
30 paving 2nd St, noting paving would help protect the shallow water line in that area.

31 32 **D. Non-resident participation on commissions and committees**

33 Mayor Stanley noted there are already non-residents on commissions. Manager Davies
34 reported the Library Commission handbook did not allow for a non-resident to be on the
35 Commission, but the Council passed an ordinance in 2005 allowing for that commission to have
36 one non-resident. She noted Parks and Commons has one non-resident, and recently had two
37 non-residents apply for open positions, but only one was allowed to join. Davies stated statute
38 requires the Planning Commission to only have residents. She asked the Council to make a
39 decision about Public Works and Streets. She reported volunteers are often in shortfall, and
40 opening up the positions to the community at large. John Moore indicated his support for the
41 policy of having one non-resident on commissions.

42 43 **E. Making Committees official in City policy and procedures and Code**

44 Manager Davies reported none of the Committees that support the Council are addressed in
45 any documentation. She identified four committees: Trails, Emergency Planning, Little Log
46 Church, and Marketing.

47
48 Frye pointed out the Trails Committee was a subcommittee of Parks and Commons.
49

1 Glenn noted the Emergency Planning Committee works with Public Works and Streets. Mayor
2 Stanley suggested that Emergency Planning be elevated to Commission status. Glenn did not
3 see that the scope of work before Emergency Planning to justify status as a Commission.
4

5 Manager Davies stated the Council needs to officially establish these groups as four long-
6 standing committees. The next step would be to link them to a Commission.
7

8 Manager Davies noted the Little Log Church has a board, but there is no City recognition of
9 them as a Board or Committee. Leon Sterner indicated the Board meets monthly and there is a
10 Friends of the Little Log Church group. Scott saw the Little Log Church to be similar to the
11 Library. Frye did not believe they had enough information to make a decision about establishing
12 the Little Log Church as a Committee. Mayor Stanley asked if the gardens around the Little Log
13 Church were a City park. Sterner believe the Little Log Church should have some recognition
14 as an entity. Bette Perman suggested the Little Log Church is part of the City campus and thus
15 would fall under Parks and Commons.
16

17 Scott expressed hesitation about granting the Marketing Committee full status as a City
18 committee. Frye and Scott suggested the Marketing group is an ad hoc interface between the
19 City and the Chamber of Commerce. Mayor Stanley stated he is the shepherd for the Marketing
20 group and does not believe it should be a City committee. Manager Davies did not believe the
21 group is ad hoc. Scott did not know what the Marketing group does for the City. Glenn was in
22 favor of recognizing the group, as it is a collaboration between the City and the Chamber.
23 Manager Davies noted the group does not report to either the City or the Chamber. Perman
24 suggested the Council as a "collaborative committee" and have them report to the Council in six
25 months with a recommendation as to how they want to exist.
26

27 **F. IT Report**

28 Scott noted his report in is the meeting packet. He noted they made changes to document
29 library, the principle one being having documents open in a new window. Scott reported Glenn
30 had asked for documentation on the availability of the code developer to fill in for Scott should
31 he become incapacitated. Scott reported he is looking for another developer. Scott indicated
32 he is working on getting the reservation system into the data system. Scott reported he has
33 created a draft of an online complaint system, which he will have the new coder work on.
34

35 **G. Council Shepherding Goals**

36 Glenn noted the Planning Commission's report on tiny houses and summarized some of the
37 Emergency Planning Committee's work. Glen believed communication is improving. There will
38 be a meet-and-greet for the City Manager applicants on August 27, 2017 at 4:30 in the 501
39 Building.
40

41 Frye reported the joint Library Commission-Council Committee will be meeting next week. She
42 reported she and Manager Davies are still working on the formula business code.
43

44 Mayor Stanley reported the legislature did not extend the alternative uses of Visitor Amenities
45 Funds. He indicated he would talk with Manager Davies about how to proceed
46

47 Tooke attended the Mid-Coast Water Planning Partnership meeting in Newport. They are
48 planning a visit to the Yachats area in September.
49
50

51 **H. Approve Agenda for August 9, 2017**

1 The Council consented to the August 9, 2017 Agenda.

2
3 With no further business to discuss at this work session, Mayor Stanley adjourned the work
4 session at 12:05 pm.
5
6
7
8
9

10 _____
11 GERALD F. STANLEY, Mayor

12 ATTEST:
13
14

15 _____
16 Joan Davies, City Manager

Date