CITY OF YACHATS

CITY COUNCIL WORK SESSION & REGULAR MEETING
November 7, 2018

Approved Minutes

Mayor Gerald Stanley called the November 7, 2018 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: Gerald Stanley, Barbara Frye, Craig Berdie, and Max Glenn. Absent: Jim Tooke. Staff present: Clerk Kimmie Jackson, Waste Water Treatment Plant Lead Dave Buckwald, Water Treatment Plant Lead Rick McClung. Audience: 8.

Mayor Stanley congratulated John Moore, James Kerti, and Leslie Vaaler on their election wins. Mayor Stanley thanked Councilor Barbara Frye, Ann Stott, and Derek Ojeda for their willingness to volunteerism. He especially thanked Frye for her service as a dedicated Councilor over the past five years.

Councilor Tooke was away on a family emergency.

I. Work Session Discussion Topics

A. Proposed Draft Ordinance to Ban Single Use Plastic Bags, Straws, and Styrofoam

Mayor Stanley explained the draft ordinance is based on the City of Ashland ordinance. He had the following comments:

Page 1: the second “Whereas:” “Styrofoam” should be added

Page 2, item M: remove “or plastic straws”

Page 3, Item O: move “plastic straws, and styrofoam

Regarding the ordinance title, Mayor Stanley noted the Attorney and City Manager decided to put this section under Title 5.

Page 4, section 3: Mayor Stanley believed “designee” would reference the City Manager.

Councilor Berdie asked for clarification on “ bag pass-through,” and Frye indicated this referred to the charge for a paper bag. Frye had concern that there was a required fee for paper bags.

Berdie noted Styrofoam was a trademark term and the generic term was “expanded polystyrene foam.” Councilor Glenn suggested one of the two terms be added parenthetically.

Glenn noted he found that in 2005, form Mayor Brean had discussed banning plastic bags, the businesses at that time were in favor of the regulation, and Council voted to move forward with that ban. Mayor Stanley noted Styrofoam and plastic straws were not in that discussion.

Frye suggested adding “ocean” after “negatively impact the local environment and ocean…”

Berdie asked for more clarity on exemptions.

Frye wanted clarification on why the paper bag fee was mandatory. Consuela noted she had seen the item as optional but thought ten cents was high. Berdie did not believe the statement was necessary at all.

Leslie Vaaler reported she has lived in two cities there there was a fee because they wanted the citizens to think more carefully about using reusable bags.

Mayor Stanley indicated he heard consensus to change “shall” to “may” and changing the fee to “a reasonable amount” and to take public input on November 14, 2018 and December 5, 2018. He added that a Councilor could make a motion during the regular meeting to remove the section altogether. Glenn indicated he would make a motion under New Business.

B. Potential Amendments to Yachats Charter

Council discussed how to proceed with this discussion.

Chapter III: Mayor Stanley suggested eliminating “and committees” from the text, as the Council does not appoint committees. Frye did not want to make this change.
Chapter VII: absent not absences
Chapter VII, Section 24:
Frye raised the issue of changing the Council term to two years.
Stanley wanted to add section 8 from model ordinance on City Manager, City Attorney, and Judge.

Council noted that the City’s attorney is a contracted position. Mayor Stanley indicated they might include the City Manager under Appointed Officers and decided about the Attorney and Judge.

Frye wanted clarification on the intent of Section i on page 11 stating “coerce.” Frye wanted to clarify that coerce did not preclude asking questions. Glenn noted the reference in footnote 59.

Mayor Stanley noted Chapter VIII in the current Charter would become Chapter IX. He recommended leaving Section 33 as is. He noted footnote 64 on page 13 of the model ordinance allows to give power to the City Manager to address merit and fitness. Mayor Stanley suggested changing “council” in Section 35 to “City Manager.” Frye summarized this arrangement would mean that the Council would oversee the City Manager position and the City Manager would be in charge of other positions.

Mayor Stanley noted that Section 39 should be eliminated. Berdie indicated he saw a different version of the Charter that already this section eliminated.

Mayor Stanley indicated he would work with the City Manager to create a draft with the changes indicated today.

C. Finance Committee Recommendation to Increase Transient Lodging Tax

Mayor Stanley stated this topic should have a public meeting. Frye wanted to have some information from the Finance Committee about their reasoning for raising this tax. She also wanted more history on tax increases. Berdie agreed that they need to re-examine the state of vacation rentals to ensure they were collecting all the revenues that were appropriate. Frye had questions about the timing of the increase.

John Moore, Finance Committee Chair, reported several months ago the Finance Committee examined options for raising revenues. He indicated the Committee researched and found that Yachats was charging less than areas immediately outside of Yachats in the county. He indicated a 1% increase would make Yachats the same as the adjacent areas. He noted it would generate an additional $115,000, of which 70% would go to Visitors Amenities. Frye noted how the public reacted to raising fees in the Commons. Moore noted the Commons fees were not increased as waivers were eliminated. Berdie did not have objections to the increase. Glenn stated it made sense to come up to parity.

Tom Lauritzen clarified that Yachats' rate was currently 9%.

Berdie suggested that both issues that impact local businesses be discussed with the public at the same time.

D. Approve agenda for 11/14/18 Council meeting

Mayor Stanley noted he was removing Resolution 41 from today's agenda and added it to the November 14, 2018 meeting. Clerk Jackson noted they could provide the meeting materials after the agenda was approved. Frye wanted to see the rental rates included with packet. Glenn asked to add IT to the agenda. Frye wanted clarification on the financial report item. Clerk Jackson indicated Clerk Richter was working on a report. Berdie questioned whether they should address the supplemental budget before hearing the finance report. Moore noted the projects in the supplemental budget had already been approved. Glenn noted the financial report would be in the packet prior to the meeting for Councilor review.

Council consented to the agenda.

REGULAR MEETING

I. Announcements and Correspondence

Mayor Stanley noted "Asbestos Update" would not be part of Resolution 40.

Mayor Stanley announced:

1. November 17, 208 45th Annual Restoration Pow Wow at Chinook Winds Casino in Lincoln City.
2. November 9-11, 2018 is the Celtic Festival in the Commons
3. November 15, 2018 is the Annual Land-Sea Symposium from 5:00 – 8:00 pm in the Commons.

II. Public Comment/Citizens Concerns - none

III. Resolutions

A. Resolution 37: Finance Committee Membership

Mayor Stanley explained that the City Council passed a resolution to create the Finance Committee. Council passed an ordinance in 2011 establishing the Capital Improvement Subcommittee. He noted the Finance Committee has practically focused on CIP work. Mayor Stanley noted Resolution 37 clarifies the distinctions within these documents.

Tom Lauritzen recalled the Finance Committee Subcommittee initially worked well but then membership dwindled. He indicated the Finance Committee has assumed the CIP planning role since 2011. Lauritzen believed eliminating the subcommittee was a good idea. Moore concurred with Lauritzen and added they have sought out members with a financial background. He added that adding representation from the Commissions would be appropriate and helpful. Moore suggested adding "Commissions" to the identification of membership.

Lauritzen clarified that the State requires a five-year outlook for the CIP.

Frye wanted for this Committee have greater visibility to the public. Frye also wanted to discuss appointment of persons to Committees.

Lauritzen asked if management of capital reserves was covered in the duties. Suggested adding language:
Makes recommendations to the city council regarding capital reserves generation, utilization lat and adequacy of reserve balances.

Mayor Stanley suggested adding a duty of:
Develop the Capital Improvement Plan.

Anderson noted Council would need to pass an ordinance to update the Yachats Municipal Code Chapter 3.10.

Mayor Stanley asked to change the language on Member ship to state, "Members will include one individual from each Commission, Budget Committee, Council and the City Manager's Office

Mayor Stanley noted that previously there was a requirement to have one citizen at large. Berdie noted there were already citizens at large as part of the membership of the Finance Committee.

Glenn moved to adopt Resoultion 2018-37 as amended: Aye - 4; No – 0.

B. Resolution 38: Termination of Water Shortage Emergency

Glenn moved to approve Resolution 2018-38, a resolution terminating Phase I water restrictions: Aye – 4; No – 0.

Berdie asked that people continue to recognize water conservation

C. Resolution 39: Administration Policy 22

Glenn moved to approve Resolution 2018-39, a resolution modifying Administrative Policy 22: Aye – 4; No – 0.

D. Resolution 40: Dahl Service Addition

Glenn moved to approve Resolution 2018-40, a resolution memorializing changes to Dahl's services: Aye – 4; No – 0.

E. Resolution 41: EEO/Affirmative Action Policy Update

Postponed to November 14, 2018.

IV. Reports

A. Library Commission Update on Library Move

Marv Wigle, Library Commission Chair, reminded Council that after the cost estimates of over $750,000 to move the Library to the 501 Building, Council reconvened the 2+2 Committee to review options for both moving to the 501 and expanding the current facility. The 2+2 Committee and the City Manager engaged and architect to render conceptual drawings and provide cost estimates for both options. Wigle reported the cost estimates for each ranges from

$650,000 to $750,000, which far exceeds the current budget of $375,000. Wigle reported the Commission discussed rejected options to: (a) abandon the project, (b) engage a different architect, (c) value engineer both facilities for both options, and (d) to value engineer only options for the 501 Building. The Commission decided to recommend value engineering only for the current facility.

Berdie asked if the Commission believed they could get the costs down to the established budget. Wigle indicated the 2+2 Committee and the Commission believed they could make significant improvements within the budget. Frye recalled the structural engineer's report that indicated the current facility was structurally sound.

Mayor Stanley asked Wigle about the possible Council involvement on pursuing the ideas presented by the architect. Wigle indicated the 2+2 Committee wanted to meet again with the architect to review what ideas could be affordable. Berdie asked what the $375,000 included. Wigle indicated the amount was comprised of $50,000 from the City, monies from the Hall Bequest, grants, and fundraising by the Friends of the Library. Wigle noted the Friends would work with the granting agencies to determine if the allocations were still available.

Glenn thanked Wigle, the Commission, and all the volunteers for their hard work on this project.

Glenn moved to accept the report and recommendation from the Library Commission: Aye – 4; No – 0.

B. Visitor Center Report

Glenn moved to accept the first quarter report from the Visitors Center: Aye - 4; No – 0.

C. IT Report

Mayor Stanley read Manager Beaucaire's summary of the IT RFP update.

Berdie indicated he and Manager Beaucaire talked on the phone with Civic Plus. Berdie indicated he did not see the search capability to be an improvement on what the City currently has. He elaborated on his concerns on the search function. He noted they have a very good navigation system. He thought the navigation system worked better than the search system.

Berdie noted Civic Plus does not develop its own applications but acquires these functions by applications. He noted they have a 3200 customer base from whom they could garner feedback. He noted the i-frame capability does not scale well to mobile devices.

Glenn reported he studied the material and spoke with Richard from Civic Plus about staff time required for migrating data from the old to the new system. He indicated his concerns were alleviated. He reported they were looking at migrating three years of data. Glenn stated he was ready to ask the City Manager to move forward with a contract.

Frye was hoping Manager Beaucaire would walk the Council through the documents. Her major concern was who would be in charge of the transition. Clerk Jackson reported she understood that the IT people from COG would be involved in ensuring the systems operations worked well. Jackson explained she has worked with implementations in the past.

Mayor Stanley asked for clarification from Berdie about the search function. Berdie indicated he was only stated the function would not be a significant improvement.

Heather Hoen, Facilities Manager, reported the current reservations system was failing and causing significant problems for her work. She asserted they need a new program for facilities reservations. She noted how much time she and Clerk Jackson put into the current system, and staff would welcome putting more time into a system that actually worked. Hoen she noted Manager Beaucaire likely has a plan to address time for implementation.

Frye wanted clarification on whether there would be costs beyond the $27,000 for the website and $5,000 for the Civic Rec module.

Clerk Jackson explained her positive experience in working with COG and the frustrations of working with the existing system.

James Kerti stated Civic Plus would be great for consumer use. He deferred to Jackson and Hoen on the usability of the current system and was convinced Civic Plus would be an improvement.

Berdie suggested they pursue functionality of the business processes.

Berdie moved to have the City Manager to begin negotiations of Civic Plus and Civic Rec : Aye – 4: No – 0.

V. New Business

A. Dahl Disposal – Asbestos Policy

Chuck Lerwick reported that DEQ would be issuing new policy in December on asbestos regulations. He indicated that Dahl was strengthening its regulations on safety around asbestos. He also noted they will be keeping signed statements on the content of demolition loads taken to the transfer station. Lerwick noted the county and waste agencies are working together the coordinate handling of materials, especially smaller quantities. He also reported there are local contractors who are looking into getting certified to be site inspectors.

Lerwick suggested the City adopt some demo permit system to ensure proper inspections and control of materials. Berdie asked if the regulations were state or federal. Lerwick believed they were at the state level.

B. EPA Sustainability Application

Mayor Stanley reported he talked to the EPA who indicated it would take 1.5 hours for each staff in interviews and five hours of training. Councilors were not in favor of pursuing this program.

Berdie moved to not participate in the EPA Sustainability Application program: Aye – 4; No – 0.

Frye moved to hold a public hearing on December 5, 2018 to receive input from business and the community on this proposed ordinance: Aye – 4; No – 0.

Glenn moved to accept the recommendation to accept the Finance Committee's recommendation 3-1 (Frye).

VI. Other Business

A. From Mayor

B. From Council

C. From Staff - none

Mayor Stanley adjourned the meeting at 1:34 pm.

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GERALD STANLEY, Mayor

ATTEST:

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Shannon Beaucaire, City Manager Date