



## CITY OF YACHATS

### CITY COUNCIL WORK SESSION & REGULAR MEETING

April 3, 2019

#### Approved Minutes

#### **WORK SESSION**

##### **I. Meeting Call to Order**

Mayor W. John Moore called the April 3, 2019 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: W. John Moore, Max Glenn, James Kerti, Jim Tooke, and Leslie Vaaler. Absent: none. Staff present: City Manager Shannon Beaucaire and Water Plant Lead Rick McClung. Audience: 12.

##### **II. Work Session Discussion Topics**

###### **A. Single Use Plastic Ban**

Councilor Kerti favored proceeding with development of a single use plastics ban on plastic bags, and possibly for plastic straws if considerations for people with disabilities was considered. Councilor Vaaler was not opposed to this work but asked if there were more important issues to pursue first. Councilor Tooke stated the City should do something with a single use plastic bags ban at some point in time. Councilor Glenn was in favor of developing a draft ordinance. Councilors noted the State might be developing a policy. Mayor Moore noted Council will know by the end of June if they were going to take up this issue. Mayor Moore indicated he was inclined to wait to see what the State decides. Kerti concurred with waiting but wanted to get feedback from businesses on their opinions.

Chuck Lerwick with Dahl Disposal stated he did not like the word “ban” and preferred “stand.” He noted issues with bags blowing away when the bins were dumped into the trucks and problems plastic bags create at the sorting plants. He noted the bags clog the machinery and require shutting down to remove them with knives. He also explained the bags can get into the drive mechanisms and radiators of the big earth-moving equipment in the landfills.

Lerwick also reported Dahl is up to 100,000 pounds of yard debris since the beginning of the curbside debris bin program, noting they have not had the heaviest spring season. Lerwick suggested people look at the video of the sorting plant on Dahl’s website.

Tooke asked what Dahl was doing with Styrofoam. Lerwick stated drivers had many complaints about Styrofoam. Tooke noted there was a plant in Portland that recycled Styrofoam.

1  
2 Vaaler suggested two Councilors could get together to start drafting a document on single use  
3 plastics ban. Tooke indicated he had been reading ordinances, and he and Kerti agreed to create  
4 a draft for the next meeting.  
5

#### 6 **B. Appoint Committee Re: Visitor Amenities, Off-Season Tourism, Chamber**

7 Mayor Moore recalled they had discussed possibilities of getting businesses more involved in  
8 planning and possibly revising the Chamber of Commerce. Vaaler recalled they had discussed  
9 who might be on this committee. She wanted clarification on whether there would be one group  
10 or groups for each of the topics. Mayor Moore shared how he had seen Chambers operate in  
11 other small cities. Manager Beaucaire reported she recently spoke with Jessie Dolan of Travel  
12 Oregon who has been contacting Chambers along the coast to develop a regional strategy for  
13 coastal communities. Glenn wanted there to be a focus on creative ideas for bringing tourists to  
14 Yachats in the winter months.  
15

16 Kerti raised the question of the parameters under which this committee would operate and how  
17 that would impact the membership. Manager Beaucaire indicated that any group that makes  
18 recommendations to a policy making body was subject to public meeting laws. Tooke noted a  
19 committee would need to take minutes and post meetings.  
20

21 Drew Roslund (Overleaf) recalled the Chamber used to be active and had a lot of involvement  
22 from real estate agents. He noted adding the marketing element now with the Visitor's Center  
23 had changed how the Chamber operates. He also noted that Jesse Dolan was with the Oregon  
24 Coast Business Association. Mayor Moore suggested he meet with Bev Wilson who has been  
25 doing the marketing work and report back. Tooke suggested Caroline Bauman as a potential  
26 resource. Roslund indicated he would talk to Bauman about her interest. Glenn emphasized the  
27 importance of having a working relationship with the Chamber of Commerce.  
28

#### 29 **C. Council Rules**

30 Section 2.3: Mayor Moore stated the Council had left off at section 2.3 in the Council Rules  
31 addressing written notice of meetings. Vaaler recalled she and Kerti were simply wanting to  
32 ensure Councilors were contacted in an efficient manner. Kerti read from language from the  
33 League of Oregon Cities that indicated notices would be made by phone or email. Kerti  
34 suggested stating, "by phone and email." Council concurred.  
35

36 Section 2.4.2: Vaaler suggested the section as written was difficult to understand. She suggested  
37 rephrasing to read, "Representatives of the news media shall be allowed to attend Executive  
38 Sessions to the extent mandated by Oregon State law." Mayor Moore suggested they keep the  
39 final sentence as well. Council concurred.  
40

41 Section 3.1.1: Vaaler indicated she was concerned about having a quorum in order to compel  
42 attendance. Council agreed to leave as is.  
43

44 Section 3.1.6: Vaaler noted while this item was technically correct, she believed it could be  
45 omitted. Council agreed to leave as is.  
46

1 Section 3.2.5.1: Vaaler noted seating capacity of the room should be posted. Manager Beaucaire  
2 noted it was posted outside the room.

3  
4 Section 3.3: Vaaler noted there was a second edition of Keesey. Council agreed to add “the  
5 current edition” to this statement.

6  
7 Section 4.3: Vaaler wondered whether the requirement to have a complete meeting packet  
8 posted online by the Friday before the meeting should be modified, noting this action does not  
9 always happen. Mayor Moore noted there had not been a packet for the audience as the  
10 statement requires. Glenn was satisfied with the intent of the policy and noted humans will not  
11 always be perfect. Council agreed to leave as is. Vaaler suggested there could be one packet for  
12 the audience to share. Council agreed to have this packet for the audience.

13  
14 Section 6.5: Vaaler questions whether they should keep the stipulation that Councilors shall not  
15 make edits to resolutions during the meeting.

16  
17 Mayor Moore indicated they would resume the discussion with Section 5.1 at the next work  
18 session.

## 19 20 **REGULAR MEETING**

### 21 **I. Announcements, Correspondence and Proclamations - none**

### 22 23 **II. Public Comment – none**

24  
25 Drew Roslund (Overleaf Lodge) handed out a history of the Transient Lodging Tax in Yachats.  
26 He also handed out an article from the New York Times on Air BnB’s and other rental  
27 companies. He explained some people will advertise a short-term rental in an area where rentals  
28 are allowed, but then use that location only to provide a key to the actual facility that is in an area  
29 where short-term rentals are not allowed. He noted the fine for a first-time violation of this  
30 nature was \$20,000. Roslund explained he was not previously aware of how these third-party  
31 rental companies were only providing lump sum revenue information. He indicated he was  
32 investigating how to get better transparency in tax collections.

33  
34 Tooke added that the article also noted that some people were renting apartments and converting  
35 the apartments to vacation rentals.

36  
37 Bob Bennett (196 Shell Street) announced Clean Sweep will take place on June 20-23, 2019. He  
38 noted the event has been staffed by Public Works and Streets Commissioners, but wanted to  
39 invite anyone to work a 4-hour shift. Mayor Moore clarified the shifts would roughly be 9:00 am  
40 to 1:00 pm or 1:00 pm to 5:00 pm. Bennett asked people to give their names to either to the  
41 Public Works Commission or to City Hall. Mayor Moore encouraged Councilors to all take a  
42 shift at Clean Sweep.

43  
44  
45 Alice Beck (YYFAP Director) and Michelle Korgan (YYFAP Board President) handed out  
46 information on the program. Beck noted the program has been going for over 24 years and  
47

1 reviewed the various components of the program. She thanked the City for its support, which  
2 enables them to get funding from other granting agencies. Korgan added that one of her greatest  
3 concerns about living in Yachats was having some program for her kids, both for their social life  
4 and for being able to work at her restaurant. She noted how much the program has grown and  
5 how thankful she was for the City's support. Beck added that community partnerships have also  
6 been invaluable (e.g., Quiet Water, the Lions Club, and the Presbyterian Church).

7  
8 Korgan announced that their main fundraising event will be on May 3, 2019 and will feature  
9 local musicians and a catered surf and turf dinner from Ona Restaurant.

10  
11 Craig Berdie (319 E 3<sup>rd</sup> Street) recalled that someone at the meeting on the transient lodging  
12 taxes claimed that Yachats was the only municipality charging the tax on ancillary services such  
13 as the cleaning fee. His research indicated these services clearly should be taxed.

14  
15 Linda Johnson (21 Catkin Loop) wanted the Clean Sweep to be more inclusive. Mayor Moore  
16 suggested Johnson address the Public Works and Streets Commission as they set the rules for the  
17 event.

18  
19 **III. Consent Agenda – none**

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21 **IV. New Business**

22 **A. Financial Software**

23 Manager Beaucaire recalled she has been educating the Council on the issues with the City's  
24 current financial software. She reported she has negotiated an agreement with Springbrook to  
25 provide software that was cost-neutral to the existing software. She added that she has managed  
26 to get the setup costs greatly reduced. She noted the implementation costs were valued at  
27 \$70,000 and were negotiated to \$12,800. Manager Beaucaire indicated several example reports  
28 were included in the meeting packet. Mayor Moore noted there would be a substantial labor  
29 savings with the Springbrook software. Kerti clarified the cost-neutral portion was for the  
30 annual costs.

31  
32 Kerti asked Manager Beaucaire to explain where the funding for the implementation cost would  
33 come from. Manager Beaucaire explained there was approximately \$15,000 in the IT CIP and  
34 \$18,000 in contingency funds for City Hall.

35  
36 **Glenn moved to direct the City Manager to enter into a contract with Springbrook as per the**  
37 **quotes presented on April 3, 2019: Aye – 5; No – 0.**

38  
39 **B. Public Works and Streets Update**

40 Bob Bennett, Public Works and Streets Chair, and Rick McClung, Public Works, explained the  
41 resolution in the packet was to allow for an audit of the large water users to determine if rates  
42 were being assessed correctly.

43  
44 McClung reported Public Works had paving projects that were ready to be started. He reported  
45 W 1<sup>st</sup> Street was estimated at \$80,000 and around \$20,000 under budget. He noted both W 1<sup>st</sup>  
46 Street and E 2<sup>nd</sup> Street will need drainage work. McClung added that the E 2<sup>nd</sup> Street drainage

1 was designed to keep runoff from deteriorating adjacent areas. He estimated the cost for E 2<sup>nd</sup>  
2 Street was approximately \$100,000. He reported the RFPs were ready to be submitted, noting W  
3 1<sup>st</sup> Street could begin in August and E 2<sup>nd</sup> Street could begin after Labor Day. He added that  
4 getting the RFP out now would place Yachats higher on the contractor priority list and would  
5 enable bundling the two projects to save money.

6  
7 Vaaler asked if the issue on Horizon Hill was less of a priority given that they were moving  
8 forward with paving. McClung indicated that engineers would be installing devices next week to  
9 measure land movement on Horizon Hill, and that study could take a year. Manager Beaucaire  
10 reported the City applied for grant funding for both W 1<sup>st</sup> and E 2<sup>nd</sup>, but the grantor would only  
11 fund one project. She noted they could apply again in August 2019.

12  
13 Vaaler moved to direct Rick McClung to issue the RFP for paving W 1<sup>st</sup> Street and E 2<sup>nd</sup> Street:  
14 Aye – 5; No – 0.

15  
16 Vaaler moved to proceed with the large user energy audit: Aye – 5; No – 0.

#### 17 18 **C. Resolution: Emergency Operations Plan**

19 Bennett asked Council to proceed with approving the revised Emergency Operations Plan, noting  
20 it was critical to renewing the City's Storm Ready and Tsunami Ready status. Manager  
21 Beaucaire reported she had spent several hours with Bennett going over the particular items  
22 related to Yachats.

23  
24 Glenn moved to approve Resolution 2019-70 A resolution for replacement of previous  
25 Emergency Operations Plan: Aye – 5; No – 0.

#### 26 27 **D. Resolution: Budget Committee Reappointment**

28 Mayor Moore explained Brad Webb was inadvertently left off of the resolutions for Budget  
29 Committee Appointments.

30  
31 Kerti moved to appoint Brad Webb to the Budget Committee: Aye – 5; No – 0.

#### 32 **E. Approve April 17 Agenda**

33 Kerti clarified the meeting would be held in the Multi-purpose Room and focus on Ocean View  
34 Drive.

35  
36 Glenn moved to approve the April 17, 2019 City Council Agenda: Aye – 5; No – 0.

### 37 38 **V. Other Business**

#### 39 **A. From the Mayor**

#### 40 41 **B. From the Council**

42 Kerti appreciated the report from Beck and Korgan about YYFAP and asked if Visitor Amenities  
43 funds could be used to support YYFAP.

1 Tooke reported he attended a story-telling conference called, "The Hearth." He explained the  
2 program was designed to encourage community building and provided examples of activities  
3 going on in other cities. He indicated he would try to set up one of their events in Yachats.  
4

5 Glenn reported he attended the Oregon Cascades West Council of Governments quarterly  
6 meeting and was impressed with how they presented their annual budget. He indicated Manager  
7 Beaucaire was going to use that model for the City's budget.  
8  
9

#### 10 **C. From Staff**

11 Manager Beaucaire recalled someone suggested at a previous meeting that the City might not be  
12 following laws around intermediaries collecting transient rental taxes on the City's behalf. She  
13 reported the City has been following state law, the current legislature was discussing bills to  
14 require itemization of these taxes, and the 9<sup>th</sup> Circuit Court of Appeals upheld a ruling that a city  
15 could require third-party intermediaries to itemize these taxes.  
16

17 Tooke also noted SB-621 in the State legislature was still alive and people could reach out to  
18 their legislators to voice their opinion on the issue.  
19  
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21 With no further business before Council, Mayor Moore adjourned the meeting at approximately  
22 11:30 am.  
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27 W. JOHN MOORE, Mayor  
28

29 ATTEST:  
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32 \_\_\_\_\_  
33 Shannon Beaucaire, City Manager  
34

\_\_\_\_\_  
Date