

CITY OF YACHATS

CITY COUNCIL MEETING

April 11, 2018

Approved Minutes

Council Preside Greg Scott called the April 11, 2018 meeting of the City Council to order at 6:00 pm in Room 1 of the Yachats Commons. Council members present: Barbara Frye, Jim Tooke, Greg Scott, and Max Glenn. Absent: Mayor Gerald Stanley. Staff present: City Manager Shannon Beaucaire. Audience: 35.

I. Announcements, Correspondence, Proclamations, and Public Comment

A. Alcohol Awareness Month

President Scott recalled his experiences with alcoholism in families and read the proclamation into the record. Andrea Summerlin, Substance Abuse Counselor for Angell Job Corps, thanked the Council for the proclamation, introduced the eight students in the room, and noted Jobs Corps has an alcohol and drug-free program and campus.

The Council moved to join the National Council on Alcoholism and Drug Dependence in proclaiming April 2018 as Alcohol Awareness Month in Yachats: Aye - 4; No - 0.

B. Correspondence on Geocaching

Scott thanked Bob and Karen Bennett for their work on the Geocaching Tour in Yachats.

C. Public Comment

Doug O'Connor (490 Lemwick Lane) was not satisfied with the City's response to his concern over a hedge to the west of his house. O'Connor asked that the City review its policy to allow eight foot fences. He asked the Council to review view protection in the code.

Russ Baldwin (Lincoln City), candidate for Circuit Court Judge in Newport (position 3), announced he is running on a platform of making civil court hearings more timely, making explanations of rulings clearer, and having the ability to fulfill a full six-year term.

II. Minutes

A. March 7, 2018 Work Session and Regular Meeting

Page 6, Lines 6-7: remove sentence beginning, "Councilors indicated numbers..."

Page 5, Line 46: replace "might" to "need" in the sentence, "Mayor Stanley noted they might need to rescind one of the conflicting votes."

Page 6, Line 9: Change "Frye was concerned about the status of the RFP" to "Frye was concerned about what impact this would have on the RFP"

Page 6, Line 15: - have recorder recheck the sentence, "Mayor Stanley stated she should provide information about whether there are spaces in the Commons building that cannot be used." Frye indicated she had listened to the recording and heard Mayor Stanley state the opposite of this statement.

Motion to approve postponed until clarification obtained.

B. March 14, 2018 Meeting

Tooke moved to accept the March 14, 2018 minutes: Aye – 4; No – 0.

1
2 **IV. Reports**

3 **A. Council Reports**

4 Councilor Glenn reported the Community Relations Council at Job Corps met, and he is pleased
5 with the progress of Jobs Corps and the plans they have. He and Planner Larry Lewis will be
6 attending a work session in Newport on March 8, 2018 on housing in Lincoln County.
7

8 Frye reported there was an announcement in the paper about the bus service from Florence to
9 Yachats, but the work group she worked on had not been told about the plans.
10

11 Councilor Tooke attended the MidCoast Water Planning Partnership. He also attended the
12 Water District meeting in Seal Rock where the Oregon Kitchen Table group discussed how to
13 do community outreach.
14

15 Scott reported he had incorporated feedback from the public on the document library. The
16 coder is working on a document library landing page, which will give users one-click access to
17 documents and meeting packets. He hopes to have it live by the next Council meeting.
18

19 **B. City Manager Report**

20 1. South Tank Project Update: Manager Beaucaire read a summary provided by Clackamas
21 Construction regarding the delay in getting a tank installation crew. She highlighted the
22 contractor will be working six to seven day weeks in order to complete the tank in 2½ to 3
23 weeks. She reported the ODOT permit for the water line crossing Highway 101 has been
24 obtained. The water line installation along Crestview has begun, Rick McClung will be handling
25 most of the inspections with Civil West inspecting weekly, and the City is waiting on bid for the
26 sewer line work. Manager Beaucaire added there was a change in the project manager at
27 Clackamas.
28

29 Frye asked if the delay would have a financial impact on the City. Manager Beaucaire noted
30 there have been changes from the original bid, and the City is exploring its financing options
31 with components such as the IFA loan. She is pushing for weekly reports. She noted
32 contractor indicated they could work to extend loan date, but Manager Beaucaire indicated it
33 was more important to complete the project on time.
34

35 2. Ocean View Drive: Manager Beaucaire reported the County wants to transfer the road by
36 July 1, 2018. She and Planner Lewis met with the impacted homeowners, and she will be
37 working with the City Attorney on drafting language to protect the property owners land.
38

39 Manager Beaucaire noted the Public Works and Streets Commission has begun discussion on
40 traffic flow along Ocean View. The Commission is having special public meeting on May 6,
41 2018 to solicit feedback on several options. The Commission plans to develop a proposal at
42 their May meeting for the Council to review.
43

44 Representatives from the County and City will walk the road to identify what work needs to be
45 addressed before the transfer.
46

47 3. Commissions: The Planning Commission is continuing work on the sign ordinance. Manager
48 Beaucaire has asked the City Attorney to indicate how best to handle minor changes to code
49 such as updating City Recorder to City Manager. Public Works and Streets will host clean
50 sweep on June 15-17, 2018. The Emergency Preparedness Committee is working to update
51 the Emergency Operations Plan. Parks and Commons is proceeding with the south sign

1 installation. The Friends of the Commons, Polly Plumb Productions, and One of Us are
2 partnering to get led lighting for the stage. Manager Beaucaire added that the men's bathroom
3 urinals have been installed, and the Little Log Church Board is grateful for the Commission's
4 help on addressing repairs. The Library Commission is working to clarify lines of communication
5 with various entities. Manager Beaucaire has been working with the City Attorney on the RFP.
6

7 4. Commons: Manager Beaucaire reported:

8 - The fire alarms are operational.

9 - The Facilities Manager is having to tape down some planks on the floor in multipurpose room
10 as edges are rising and causing tripping hazards. She noted the flooring was a collaboration
11 between the Friends and the City.

12 - The structural engineer has reported the current floor joists in the basement are not sufficient
13 to support the load of City Hall. He has recommended installing a new beam with nine support
14 posts.

15 - Work on the Picnic Shelter doors has begun. There has been graffiti and damage to picnic
16 tables and shelter. The Sheriff has been called multiple times to address persons drinking or
17 being unruly in the shelter. The Sheriff is willing to work on his reports at City Hall in order to
18 provide a "presence" in the area.

19 - The structural engineer has requested that all flooring in the 501 Building be removed so that
20 all cracks can be assessed. His initial analysis of attic is that it is not suitable for book storage.

21 - The structural engineer will assess the squeaky floors in the current Library.

22 - Her original goal was to use a single design-build firm in the RFP for the Library Move. The
23 Attorney indicated Oregon procurement law does not allow for use of design-build firms. He
24 suggested an engineer might be able to do the design part, but she is concerned about having
25 engineers do Library design.
26

27 Frye asked about the occupancy restrictions in the basement. Facilities Manager Hoen
28 reported there will be a 62-foot beam supported by 9 vertical posts, leaving just over six feet of
29 height clearance. Manager Beaucaire noted they do not yet know installation costs.
30

31 **C. Visitors Center Report – no comments**

32 **V. Business**

33 **A. Evans/Betz Project Update**

34 Joanne Kittel (View the Future, 1356 101 S) reported with the help of Trust for Public Lands
35 (TPL), View the Future applied for grant funding from OWEB. OWEB declined their request.
36 She noted the process was well done and was a long-shot from the outset. OWEB did state the
37 community support for the project was impressive. TPL decided to withdraw the other grants, in
38 part because appraisal was not completed. Kittel indicated the Geotech feedback was much
39 different than what was in the original appraisal, and the appraiser subsequently quit. Kittel
40 stressed View the Future has not given up, and TPL will find another appraiser and reconsider
41 the options. Tooke clarified that they will likely be taking action next in 2019.
42
43

44 **B. Library Move Update**

45 Library Commission Chair Marv Wigle (289 W 2nd St) noted much is still up in the air about the
46 condition of the 501 Building. They met with a local architect and builder this morning to
47 estimate preliminary costs for use in preparing grant applications. The Friends of the Library are
48 continuing efforts to raise funds and are approaching \$120,000, which includes \$75,000 from
49 the Hall Bequest.
50

51 **C. Vacation Rentals/Code Enforcement Introductions**

1 Scott noted his summary of items recommended from the vacation rental report. Glenn was in
2 agreement with the items but wanted more time to think about setting up another study group.
3 Glenn was concerned that the house number, manager number, and visible trash issues were
4 so prevalent. Scott suggested that the new Code Enforcement Officer could make
5 recommendations.
6

7 Julie Rosenfeld summarized she has been reviewing the previous Davies' report and the City
8 Code. She was surprised there was so much non-compliance. Rosenfeld indicated her was a
9 building inspector and has done plumbing. Manager Beaucaire added that she was highly
10 impressed with Rosenfeld's communication skills. Manager Beaucaire has asked Rosenfeld to
11 look at how to do some educational outreach to vacation rentals as summer season arises.
12 Rosenfeld was planning to meeting with the vacation rental management companies. She
13 indicated she has been contacting those with pending complaints to tell them that she is here
14 and starting to work their issues. Currently she is working Wednesday, Thursday, and Friday
15 afternoons.
16

17 Scott noted some items on his summary page are beyond the purview of the Code Enforcer,
18 and he did not believe a study group was warranted. Scott asked Councilors to address the
19 recommendations before them. Councilors discussed the question of whether the City could
20 ensure health and welfare and the interpretation of health and welfare. Councilors agreed they
21 should keep the statement about not adversely affecting neighborhoods. Tooke noted the
22 statement indicated the inspection is for ensuring health and welfare of the occupants, and
23 Rosenfeld concurred.
24

25 Regarding the visibility of house numbers, Scott noted the requirement is in the code and the
26 matter is about enforcement. Tooke agreed the contact person number should be readable
27 from the street as there is a house near him where one must go down a breezeway to the front
28 door to identify the manager. Rosenfeld asked if information needed to be visible or legible from
29 the street. Scott believed licenses were posted inside the building.
30

31 Lauritzen summarized their goal in researching the vacation rentals was to fix the complaint
32 process. Lauritzen asserted all of the data in the City's system was corrupted. He argued the
33 current method of ensuring compliance uses these data tools, and since these tools are broken,
34 the complaint process is broken. Lauritzen believed they could streamline the process with the
35 use of smart devices and emails. Lauritzen suggested the process start by sending an email to
36 the Code Enforcer and property managers, which could then be used as a tracking tool and
37 eliminate the need for the paper documentation processes. Scott agreed with Lauritzen except
38 about the data on a license count. Scott and Lauritzen disagreed about what the database
39 indicates to be the number of rentals.
40

41 Scott recommended they give the Code Enforcement Offer time to get up to speed and have
42 her report back to Council when she has recommendations. Glenn asked about submitting
43 complaints directly to the Code Enforcement Officer. Scott noted that would require a code
44 change.
45

46 An audience member asked that Rosenfeld's phone number and hours be posted somewhere.
47 Leslie Vaaler suggested that if they City was claiming something, they should be able to meet
48 that claim.
49

50 **D. Council Rules Update**

51 Frye was pleased with the work done by Manager Beaucaire on the proposed revisions.

3.7.2 Absentee Voting: Frye clarified that “present” could include present on the phone. Councilors discussed teleconferencing and videoconferencing. Manager Beaucaire indicated she would talk to her other colleagues to see how they handled remote participation.

4.2 Deadline: Frye saw the deadline to be a goal rather an absolute deadline. Scott believed this regulation was intended for people not on the Council wanting to get items on the agenda.

3.1.6 Citizen Question or Discussion: Tooke noted the last sentence was worded awkwardly. Correction: After a motion has been made, no citizen shall address the Council without first securing permission from ~~the majority of the~~ three of the Councilors who say they can speak.”

3.4 Order of Business: Public Comment is changed to Citizens Concerns

3.7.1 Reconsideration of Actions Taken: “...an action at the same or the next following regular meeting” is awkward.

5.3 Submittal to Council: “City Manager submit” should read, “City Manager shall submit”

5.6 Public Access and Copies: “Citizens may use their own tapes and Administrators to make copies...” is awkward. Remove “and Administrators” and update “tapes”

Exhibit B: Glenn noted the extensive duties of the City Manager.

Exhibit B, Preamble: change “Administrator” to “Manager.”

Page 23, Item 10: Tooke noted that the City Clerk III is indicated as someone who can sign checks. Councilors discussed whether the City Clerk III should sign checks and suggested removing that person. Lauritzen noted this person was included for a reason, and Scott suggested not removing the person at this time.

Page 24, Item 12: “one year before takes office” should read “one year before taking office”

Page 24, Council Item 10: Awkward wording. Council agreed to remove this item.

Manager Beaucaire asked what she should do about allowing for the City Clerk III to sign checks. Scott suggested they hold this decision until they get further clarification. Lauritzen did not think this meeting was the appropriate forum to state the reason why this position was in there. Councilors agreed to readdress this one item the May Council meeting.

VI. Other Business

A. From Mayor - none

B. From Council - none

C. From Staff - none

Scott adjourned the meeting at 7:45 pm.

1
2 _____
3 GREG SCOTT, City Council President

4 ATTEST:
5

6
7
8 _____
9 Shannon Beaucaire, City Manager _____
Date