1. Agenda

    Documents:

        FULL WS PACK 5-16.PDF

2. Meeting Materials

    Documents:

        BACKYARD CHICKENS-5-16.PDF
        CC TO CC LANDSCAPING NORTH GATEWAY-5-16.PDF
        CC WS MINUTES 05-09-16.PDF
        FARM STORE REQUEST 5-16.PDF
        PROGRESS MATRIX-2016-UPDATED 4-11-16.PDF

The Yachats City Council Vision

Our village is a place where natural resources are valued and protected, where diversity is celebrated, and where a vibrant economy and sense of community pride create and recreate a living spirit. Yachats cares not just for its citizens' basic needs but also supports them in their efforts to excel mentally, physically, artistically, and spiritually. It is a community with an enduring sense of itself.

CITY OF YACHATS

CITY COUNCIL WORK SESSION - 9:30 A.M.

Executive Session – 11:30 A.M.

May 9, 2016

Civic Meeting Room, Yachats Commons

I. Discussion: Hard Cap on Number of Vacation Rentals
II. Discussion: Meeting Future PERS Obligations
III. Discussion: A Task Force to Develop Project Recommendations for the Visitor Amenities Funds
IV. Monthly-Review: Status of Work on Measurable Objectives/Goals
    A. Making Backyard Chicken Pilot Program Permanent
V. Farm Store/Yachats Brewing Request
VI. Discussion: North Gateway Landscaping
VII. Welcome Reception for New City Administrator
VIII. Set the agenda for the May 12, 2016 City Council meeting

This meeting is open to the public and interested citizens are invited to attend. This is an open meeting under Oregon Revised Statutes, not a community forum; audience participation is at the discretion of the Council.

The meeting will be audio taped. Minutes of this and all public meetings are available for review in the City Office. The meeting place is accessible to persons with disabilities. Please let us know if you will need any special accommodations to attend the meeting by calling the City Recorder at 547-3565, or Oregon Relay 1-800-735-2900 (T.D.D.) two days in advance.

The City of Yachats does not discriminate on the basis of race, color, religion, creed, gender, national origin, age, disability, marital or veteran status, sexual orientation, or any other legally protected status.

The meeting will be followed by an executive session at 11:30 a.m. in the Civic Meeting Room. The executive session is called under ORS 192.660 (2) (h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. The regular work session may be recessed at 11:30 a.m. for this executive session, and then continued once the executive session has conclude. The executive session is not open to the public; however, members of the press are invited to attend.

Posted May 6, 2016
Nancy Batchelder
City Recorder

Provide for the effective governance of the City of Yachats			
Goal/Objective	**Individual or Team Assigned**	**Shephard**	**Progress**
Convene a team to consider City management of the State Park facilities in Yachats. a. Yachats State Park b. Smelt Sands c. Yachats Ocean Road d. 804 Trail	Team to be convened	Brean	
Hire and work with City Administrator for fully coordinated transition to the new structure and evaluate staff roles as it relates to the organizational study..	City Administrator	Frye	
Convene an ad-hoc committee to consider appropriate uses of Visitor Amenities funds to attract visitors and to serve the needs of the residents as well. (Public art, visitors serving facilities, marketing efforts, festival support, etc.). Committee will make recommendations to the City Council.	Committee to be convened	Brean	
Continue development of emergency plans and resilience preparedness.	Emergency Preparedness Committee	Glenn	
Convene an ad-hoc committee to consider methods of more effectively communicating the programs, activities, policies. processes, and topics of council discussion to the citizens of Yachats. Recommendations of this committee will be made to the Council and will include general communications, social media considerations, and new ideas. This committee will be chaired by the new City Administrator.	Committee to be convened	Glenn	
Develop plans for diversifying revenue opportunities. a. Franchise fees b. Street district or utility fee c. Grant writing d. Methods for funding workforce housing	Finance Committee	Brean (Glenn assisting with item d.)	
Work with Library Commission to develop/revise a strategic plan. a. Library operations b. Library location c. Funding strategies d. Bequest allocation	Library Commission	Dunn	4-11-16 Library Commission will be meeting more often to begin work on updating strategic plan. Established Task Force to start a needs assessment.

Improve administrative processes to maintain and surpass previous high standards			
Goal/Objective	**Individual or Team Assigned**	**Shephard**	**Progress**
New accounting software	IT Committee	Scott	
Develop 50 year city anniversary logo for council approval	Marketing Committee	Dunn	4-11-16 Marketing Committee agreed to hire a graphic artist to design logo
Continue improvements in IT capabilities	IT Committee	Scott	
Develop and implement service satisfaction instruments	City Administrator and IT Team	Scott	
Improve City Infrastructure			
Goal/Objective	**Individual or Team Assigned**	**Shephard**	**Progress**
Finalize plans for the 501 building	Bank Team	Glenn	
Complete Highway 101 improvements including undergrounding of electric service	Public Works	City Council	
Complete south city reservoir project	Public Works	City Council	
Increase parking in the core business area	City Planner	Frye	
Complete south city entrance sign	Public Works	Dunn	
Work with the County to complete upgrade and repairs to Ocean View Drive and the 804 south trail	Public Works	Brean	
Provide or facilitate opportunities for self-growth, education, and participation in programs and projects that enhance quality of life			
Goal/Objective	**Individual or Team Assigned**	**Shephard**	**Progress**
Participate in programs that seek to bring health care services to Yachats.	Frye	Frye	
Revisit backyard chicken concept	Brean	Brean	
Continue efforts to develop public transportation options to the south	Dunn	Dunn	
Continue to participate and provide leadership in marketing endeavors that enhance business opportunities and that provide benefit to Yachatians as well.	Marketing Team	Dunn	

Goal/Objective	Individual or Team Assigned	Shephard	Progress
Find appropriate means of protecting the character of Yachats from the negative implications of formula business models.	Planning Commission	Frye	
Improve the visual appeal of Yachats: a. Address "blight" appearance in neighborhoods and business areas. b. Devise a method of encouraging and displaying public art, especially kinetic art.	Convene an ad-hoc Committee	Glenn	
Re-visit and solidify City policies related to vacation rentals.	City Council	City Council	
Foster "Seventh Generation" thinking			
Goal/Objective	**Individual or Team Assigned**	**Shephard**	**Progress**
1. Participate in alternative energy projects. a. Encourage solar systems. b. Explore opportunities for city participation in EiP wind energy project.	Finance Committee	Brean	
Work with Planning Commission to develop appropriate policies for industrial businesses.	Planning Commission	Scott	
Work with other governmental entities to explore more efficient and productive use of wastewater bio-solids.	Public Works	Brean	
Plan for the long-term development of additional raw water storage.	Finance Committee and Public Works	Brean	
Work with the Planning Commission on developing policies that might lead to certification as an International Dark Sky Community.	Planning Commission	Scott	

Created: March 29, 2016

Last update: April 11, 2016

CITY COUNCIL AGENDA COVER-SHEET

From: Nancy Batchelder, City Recorder

☐ Regular Meeting Agenda Item ☐ Work Session Discussion Topic
- o Add to agenda for _____meeting.
- o Continue this item until _____.
- o Item dismissed.

DATE: May 6, 2016

Title: Making the Backyard Chicken Pilot Program Permanent

Item: In 2011 the City Council amended the Municipal Code to state that poultry could be kept on smaller lots if authorized by City Council and they voted to have a pilot program to allow backyard chickens through such a permitting process. The standards for a permit were developed and an application form was drafted.

The Resolution authorizing the Pilot Program stated that it would continue as a pilot project until City Council either made it permanent or it was rescinded.

To date no permit applications have been filed.

The Current Code:

Section 5.08.020 Keeping of animals.

Unless specifically authorized by the city council for educational or entertainment or other purposes, no person shall keep or maintain livestock, bees, poultry or other animals, excluding household pets, unless the animals are located more than one hundred (100) feet from any residence other than the residence of the person who owns the animals. Poultry kept in compliance with this ordinance or authorized by a permit issued by the City Council will include no roosters. The required one hundred (100) foot separation applies to any structures that house the animal, either temporarily or permanently, and the area(s) used by the animals for grazing, feeding, exercising and similar activities.

Attachments:

- Resolution 2011-01-04 – Establishing the Urban Chicken Raising Piot Project Permit Process
- Urban Chicken Raising Piot Project Permit Form

CITY OF YACHATS

RESOLUTION NO. 2011-01-04

WHEREAS, City Council voted at the January 13, 2011 meeting to approve a pilot project for the keeping of chickens and to establish a permit process and a set of criteria to be met;

NOW THEREFORE, the City of Yachats resolves that in an effort to assess the compatibility of urban chicken raising efforts with other quality of life considerations, the City Council is authorizing the keeping and maintaining of poultry in the City as a pilot project when certain criteria are met. Raising poultry will be authorized by a permit issued by the City when those criteria are met. This permit process will be implemented on April 1, 2011 and continue until it is permanently authorized by the Council, or until it is rescinded. The Council will assess the results of the pilot project at its regularly scheduled meetings in October 2011 and (if necessary) March 2012. If the project is continued, permits will be issued on an annual basis.

Staff is directed to implement the necessary administrative process.

In order to be eligible for a permit:

- Poultry must be kept in a clean and sanitary pen or structure, no part of which shall be located less than forty (40) feet from any residence other than the residence owned or occupied by the person owning or possessing the animals.
- Pen or structure (coop) shall be well built and provide for the reasonable security of enclosed animals from predators. Permittee must agree to secure the permitted animals at night.
- Permit will authorize keeping of up to 3 birds in total, none of which may be roosters.
- Permit application will include acceptance by any neighbor(s) whose home(s) is/are within 100 feet of the coop/pen. Failure to obtain approval signatures from all affected neighbors will result in permit denial.
- Food for the permitted poultry will be stored in a secure area free of vermin and not accessible to bears, raccoons, or other scavengers. When poultry is secured for the night, all food containers will be secured.
- Permit applicants must certify that the affected property is not covered by neighborhood conditions, covenants, and restrictions that prohibit the keeping of poultry.
- Manure must be removed with sufficient frequency to prevent offensive odors. Any manure retained for fertilizer will be spread upon the ground evenly and turned under at once.
- The City will inspect the property and coop prior to issuing a permit. An initial permit fee of $25 will be charged to cover inspection and processing costs to the City. If there are no complaints or known violations of the permit provisions, subsequent permits (if any) may be issued without cost.
- Complaints received by the City relative to non-compliance with the provisions of the permit will be investigated and, if found valid, may result in cancellation of the permit.
- Any complaints received by the City relative to the keeping of poultry but which do not allege violation of the conditions of the permit will be considered by the City Council when it re-evaluates the Pilot Project.

This Resolution is memorializing an action taken by City Council at the January 13, 2011 meeting and was effective as of that date.

Attest:

Ronald L. Brean, Mayor

Nancy Batchelder, City Recorder

s:\resolutions\2011\2011-01-04-chicken_pilot_project.doc

CITY OF YACHATS

URBAN CHICKEN RAISING PILOT PROJECT PERMIT

PO Box 345 Yachats, OR 97498 **Ph: (541) 547-3565 Fax: (541) 547-3063**

Please read and complete both sides

Permit Fee: $25

Property Address: _____

Owner's Name: _____

Owner's Address: _____

City **State** **Zip** _____

Mailing Address: _____

City **State** **Zip** _____

Owner's Phone: **Home** **Work** **Cell** _____

APPLICATION SHALL INCLUDE THE FOLLOWING:

- ☐ Permit application will include acceptance by any neighbor(s) whose home(s) is/are within 100 feet of the coop/pen. Failure to obtain approval signatures from all affected neighbors will result in permit denial.
- ☐ Permit applicants must certify that the affected property is not covered by neighborhood conditions, covenants, and restrictions that prohibit the keeping of poultry.
- ☐ Plot plan showing location of pen or structure (coop) and home and must include distances.

THE FOLLOWING CONDITIONS MUST BE MET FOR THE KEEPING OF CHICKENS ON PROPERTY WITHIN CITY LIMITS:

- Poultry must be kept in a clean and sanitary pen or structure, no part of which shall be located less than forty (40) feet from any residence other than the residence owned or occupied by the person owning or possessing the animals.
- Pen or structure (coop) shall be well built and provide for the reasonable security of enclosed animals from predators. Permittee must agree to secure the permitted animals at night.
- Permit will authorize keeping of up to 3 birds in total, none of which may be roosters.
- Food for the permitted poultry will be stored in a secure area free of vermin and not accessible to bears, raccoons, or other scavengers. When poultry is secured for the night, all food containers will be secured.
- Manure must be removed with sufficient frequency to prevent offensive odors. Any manure retained for fertilizer will be spread upon the ground evenly and turned under at once.
- The City will inspect the property and coop prior to issuing a permit. An initial permit fee of $25 will be charged to cover inspection and processing costs to the City. If there are no complaints or known violations of the permit provisions, subsequent permits (if any) may be issued without cost.
- Complaints received by the City relative to non-compliance with the provisions of the permit will be investigated and, if found valid, may result in cancellation of the permit.
- Any complaints received by the City relative to the keeping of poultry but which do not allege violation of the conditions of the permit will be considered by the City Council when it re-evaluates the Pilot Project.

For a copy of the resolution pertaining to this permit contact the City of Yachats at (541) 547-3565 or log on to www.ci.yachats.or,us.

Notice: Complaints regarding this permit as part of the pilot project may result in review by the City Council and/or revocation of issued permit.

I have read and fully understand the conditions listed above. I have and will continue to meet all conditions.

I understand that the property is subject to an inspection before a permit is issued.

All the information provided in this application is accurate and true to the best of my knowledge.

_____ _____

Property Owner's Signature **Date**

Application fee must be paid separately from water/sewer bill or tax payments. The City is unable to accept debit or credit cards or ePay as a form of payment.

Please make check or money order payable to the CITY OF YACHATS. Cash is accepted inside City Hall Monday-Friday 8:30 a.m.-4:30 p.m., except holidays.

APPLICATIONS CANNOT BE PROCESSED UNTIL FEES ARE PAID IN FULL

CITY USE ONLY

Plot Plan attached [ ] yes [ ] no

Signatures of all property owners [ ] yes [ ] no

Copy of CC&R's [ ] yes [ ] no

Inspection Completed:_____ Date_____

Approved by City_____ Date Received_____ Fee Paid _____

CITY COUNCIL AGENDA COVER-SHEET

From: Nancy Batchelder, City Recorder

☐ Regular Meeting Agenda Item **X** Work Session Discussion Topic
- o Add to agenda for _____meeting.
- o Continue this item until _____.
- o Item dismissed.

DATE: May 6, 2016

Title: Yachats Farm Store/Yachats Brewing Request for System Development Charges Waiver

Item: At the January City Council meeting Nathan Bernard, owner of the Yachats Farm Store said that when the new waterline is installed along Hwy 101 in front of his store/brewery he would like to have a 2" water line installed and he requested a waiver of the increased System Development Charges, stating that he only wanted to fill the vessels faster and would not actually be increasing the capacity.

The following table shows what the additional System Development Charges fees are for a 2" meter when a credit is given for the current meter that would be removed:

System Development Charges				
		2" Meter	Less credit	Additional
	Water	$ 32,572.31	$ 4,071.54	$28,500.77
	Sewer	$ 50,433.53	$ 6,304.19	$44,129.34
			Total	$72,630.11

In several meetings following the initial request, the City Council has discussed this request, the possible impact the discharge from the brewing operations could have on the wastewater system and Bernard's plans for increased production in the next few years.

At the March 10, 2016 meeting, City Council voted on a motion to defer the System Development Charges until the property was sold or the production reached a certain level and authorized the Mayor to work with the City Attorney to draft an agreement for Bernard to sign. Since that time, the City Attorney has advised the Mayor that this would not be possible.

So, the next option would be for an installment agreement and a lien securing the agreement.

I have prepared a draft Agreement, Resolution and Lien based on the above System Development Charges for a 30-year term at 2.75% interest. The interest rate is 2 points over what the City is earning in the Local Government Investment Pool at this time.

Attachments: Draft Resolution, Draft Agreement, Draft Lien, Loan Amortization Schedule

CITY OF YACHATS

RESOLUTION NO. draft

WHEREAS, the Yachats Farm Store/Yachats Brewing requested the City of Yachats provide a 2" meter to service the larger scale brewery operations planned for the business; and, requested a waiver of the System Development Charges for the increased capacity of the service connection; and

WHEREAS, in several meetings following the initial request the City Council received information regarding the possible impact on the wastewater system once the brewery operations began larger scale production and the proposed business plan for the future operations as the Council discussed options; and

WHEREAS, on advice received from the City Attorney, the deferment considered by the City Council is not possible, the City Council has proposed an installment agreement for payment of the System Development Charges;

NOW THEREFORE, the City of Yachats resolves the following:

Section 1 – System Development Charges less Credit Given

The System Development Charges for a 2" water meter shall be charged with credit given for the current service as following:

System Development Charges				
		2" Meter	Less credit	Additional
	Water	$ 32,572.31	$ 4,071.54	$28,500.77
	Sewer	$ 50,433.53	$ 6,304.19	$44,129.34
			Total	$72,630.11

Section 2 – Installment Agreement

Nathan Bernard, Owner and Operator of the Yachats Farm Store/Yachats Brewing and EL EL SEE, LLC, the owner of record for Lot 14-12-27-DA-01900 AKA 348 Hwy 101 N. shall be offered an installment agreement with the following terms:

- Subject lot: 14-12-27-DA-01900
- Initial payment of $1,785.58 shall be paid on or before July 1, 2016.
- Fifty-nine (59) equal semi-annual installments of $1,785.58 shall be due on January 1 and July 1 of each year following the initial payment on July 1, 2016 for a total of Sixty (60) payments over a 30-year term, until paid in full.
- The annual interest rate shall be 2.75%.
- A lien shall be filed on the subject lot as security for the unpaid balance as provided in the Yachats Municipal Code Chapter 8.20 Subsection 8.20.080 (D)

Attest:

Ronald L. Brean, Mayor

Nancy Batchelder, City Recorder

CITY OF YACHATS

AGREEMENT TO PAY SYSTEM DEVELOPMENT CHARGES IN INSTALLMENTS

Description of the property being located in the City of Yachats, County of Lincoln, State of Oregon: Tax Assessors Map and Tax Lot Number: 14-12-27-DA-01900 .

Systems Development Charges (hereafter SDC) for the lot shall be $72,630.11.

In accordance with the provisions of the Yachats Municipal Code Chapter 8.20 and Resolution No. _____, We hereby agree to pay the System Development Charges for the installation of a 2" water meter and associated water and sewer services according to the terms provided in Resolution No. _____ as follows:

- Initial payment of $1,785.58 shall be paid on or before July 1, 2016.
- Fifty-nine (59) equal semi-annual installments of $1,785.58 shall be due on January 1 and July 1 of each year following the initial payment on July 1, 2016 for a total of Sixty (60) payments over a 30 year term, until paid in full.
- The annual interest rate shall be 2.75%.

Security: In accordance with Yachats Municipal Code Chapter 8.20, Sub-Section 8.20.080 (D) the amount of SDCs financed herein hereby shall be and is a lien on the above described real property, until paid in full, effective this date and will be entered in the lien dockets of the City and Lincoln County.

In consideration thereof, and in pursuance of the provisions of Municipal Code and Resolution No._____ aforesaid, We hereby expressly waive all and every irregularity or defect, jurisdictional, procedural or otherwise, in the apportionment and determination of the amount of the SDCs for the above mentioned project.

IN WITNESS WHEREOF, We have hereunto set our hand and seal this _____day of _____, 20____.

(signed) _____
Nathan Bernard, Owner/Operator – Yachats Farm Store/Yachats Brewing

(signed) _____
EL EL SEE LLC – Owner of Record for Lot 14-12-27-DA-01900
AKA 348 Hwy 101 N – Yachats Oregon

(signed) _____
Ronald L. Brean, Mayor

Attest:

(signed) _____
Nancy Batchelder, City Recorder

DRAFT

NOTICE OF LIEN

The City of Yachats, Lincoln County, Oregon hereby certifies a lien against the following property for System Development Charges:

Owner of Record: EL EL SEE LLC
Owners address of record: 224 NW 13TH AVE, PORTLAND, OR 97209
Legal Description: OVERLOOK ADDN. TO YACHATS, BLOCK 7, LOT 15 & 16, DOC201104832
Also known as:348 HWY 101 N. , Yachats, OR 97498 a.k.a.: Tax Map 14-12-27-DA, Tax Lot 01900.
Current Amount, as of this date: $72, 630.11
An installment agreement signed by all parties, marked "Exhibit A" is attached containing all conditions, including interest rate and payment schedule is secured by this lien.

Dated the day of

_____
City Recorder

STATE OF OREGON)
) ss
COUNTY OF LINCOLN)

On this _____ day of _____, _____, before me appeared Nancy Batchelder, to me personally known, who being first duly sworn, did say that she is the City Recorder of the City of Yachats, that said instrument was executed by the City of Yachats, and she acknowledged said instrument to be the free act and deed of the City of Yachats, Lincoln County, Oregon.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, this, the day and year last above written.

_____
Notary Public for Oregon
My commission expires: _____

After recording, return to:
City of Yachats
PO Box 345
Yachats, OR 97498

DRAFT

Loan Amortization Schedule

	Enter values
Loan amount	$ 72,630.11
Annual interest rate	2.75 %
Loan period in years	30
Number of payments per year	2
Start date of loan	1/1/2016
Optional extra payments	

	Loan summary
Scheduled payment	$ 1,785.58
Scheduled number of payments	60
Actual number of payments	60
Total early payments	$ -
Total interest	$ 34,504.48

Lender name:

Pmt. No.	Payment Date	Beginning Balance	Scheduled Payment	Extra Payment	Total Payment	Principal	Interest	Ending Balance	Cumulative Interest
1	7/1/2016	$ 72,630.11	$ 1,785.58	$ -	$ 1,785.58	$ 786.91	$ 998.66	$ 71,843.20	$ 998.66
2	1/1/2017	$ 71,843.20	$ 1,785.58	$ -	$ 1,785.58	$ 797.73	$ 987.84	$ 71,045.47	$ 1,986.51
3	7/1/2017	$ 71,045.47	$ 1,785.58	$ -	$ 1,785.58	$ 808.70	$ 976.88	$ 70,236.76	$ 2,963.38
4	1/1/2018	$ 70,236.76	$ 1,785.58	$ -	$ 1,785.58	$ 819.82	$ 965.76	$ 69,416.94	$ 3,929.14
5	7/1/2018	$ 69,416.94	$ 1,785.58	$ -	$ 1,785.58	$ 831.09	$ 954.48	$ 68,585.85	$ 4,883.62
6	1/1/2019	$ 68,585.85	$ 1,785.58	$ -	$ 1,785.58	$ 842.52	$ 943.06	$ 67,743.33	$ 5,826.68
7	7/1/2019	$ 67,743.33	$ 1,785.58	$ -	$ 1,785.58	$ 854.11	$ 931.47	$ 66,889.22	$ 6,758.15
8	1/1/2020	$ 66,889.22	$ 1,785.58	$ -	$ 1,785.58	$ 865.85	$ 919.73	$ 66,023.37	$ 7,677.87
9	7/1/2020	$ 66,023.37	$ 1,785.58	$ -	$ 1,785.58	$ 877.76	$ 907.82	$ 65,145.62	$ 8,585.70
10	1/1/2021	$ 65,145.62	$ 1,785.58	$ -	$ 1,785.58	$ 889.82	$ 895.75	$ 64,255.79	$ 9,481.45
11	7/1/2021	$ 64,255.79	$ 1,785.58	$ -	$ 1,785.58	$ 902.06	$ 883.52	$ 63,353.73	$ 10,364.97
12	1/1/2022	$ 63,353.73	$ 1,785.58	$ -	$ 1,785.58	$ 914.46	$ 871.11	$ 62,439.27	$ 11,236.08
13	7/1/2022	$ 62,439.27	$ 1,785.58	$ -	$ 1,785.58	$ 927.04	$ 858.54	$ 61,512.24	$ 12,094.62
14	1/1/2023	$ 61,512.24	$ 1,785.58	$ -	$ 1,785.58	$ 939.78	$ 845.79	$ 60,572.45	$ 12,940.41
15	7/1/2023	$ 60,572.45	$ 1,785.58	$ -	$ 1,785.58	$ 952.71	$ 832.87	$ 59,619.75	$ 13,773.28
16	1/1/2024	$ 59,619.75	$ 1,785.58	$ -	$ 1,785.58	$ 965.80	$ 819.77	$ 58,653.94	$ 14,593.06
17	7/1/2024	$ 58,653.94	$ 1,785.58	$ -	$ 1,785.58	$ 979.08	$ 806.49	$ 57,674.86	$ 15,399.55
18	1/1/2025	$ 57,674.86	$ 1,785.58	$ -	$ 1,785.58	$ 992.55	$ 793.03	$ 56,682.31	$ 16,192.58
19	7/1/2025	$ 56,682.31	$ 1,785.58	$ -	$ 1,785.58	$ 1,006.19	$ 779.38	$ 55,676.11	$ 16,971.96
20	1/1/2026	$ 55,676.11	$ 1,785.58	$ -	$ 1,785.58	$ 1,020.03	$ 765.55	$ 54,656.09	$ 17,737.50
21	7/1/2026	$ 54,656.09	$ 1,785.58	$ -	$ 1,785.58	$ 1,034.06	$ 751.52	$ 53,622.03	$ 18,489.03
22	1/1/2027	$ 53,622.03	$ 1,785.58	$ -	$ 1,785.58	$ 1,048.27	$ 737.30	$ 52,573.76	$ 19,226.33
23	7/1/2027	$ 52,573.76	$ 1,785.58	$ -	$ 1,785.58	$ 1,062.69	$ 722.89	$ 51,511.07	$ 19,949.22
24	1/1/2028	$ 51,511.07	$ 1,785.58	$ -	$ 1,785.58	$ 1,077.30	$ 708.28	$ 50,433.77	$ 20,657.49
25	7/1/2028	$ 50,433.77	$ 1,785.58	$ -	$ 1,785.58	$ 1,092.11	$ 693.46	$ 49,341.66	$ 21,350.96
26	1/1/2029	$ 49,341.66	$ 1,785.58	$ -	$ 1,785.58	$ 1,107.13	$ 678.45	$ 48,234.53	$ 22,029.41
27	7/1/2029	$ 48,234.53	$ 1,785.58	$ -	$ 1,785.58	$ 1,122.35	$ 663.22	$ 47,112.18	$ 22,692.63
28	1/1/2030	$ 47,112.18	$ 1,785.58	$ -	$ 1,785.58	$ 1,137.78	$ 647.79	$ 45,974.39	$ 23,340.42
29	7/1/2030	$ 45,974.39	$ 1,785.58	$ -	$ 1,785.58	$ 1,153.43	$ 632.15	$ 44,820.96	$ 23,972.57
30	1/1/2031	$ 44,820.96	$ 1,785.58	$ -	$ 1,785.58	$ 1,169.29	$ 616.29	$ 43,651.68	$ 24,588.86
31	7/1/2031	$ 43,651.68	$ 1,785.58	$ -	$ 1,785.58	$ 1,185.37	$ 600.21	$ 42,466.31	$ 25,189.07
32	1/1/2032	$ 42,466.31	$ 1,785.58	$ -	$ 1,785.58	$ 1,201.66	$ 583.91	$ 41,264.65	$ 25,772.98
33	7/1/2032	$ 41,264.65	$ 1,785.58	$ -	$ 1,785.58	$ 1,218.19	$ 567.39	$ 40,046.46	$ 26,340.37

Pmt. No.	Payment Date	Beginning Balance	Scheduled Payment	Extra Payment	Total Payment	Principal	Interest	Ending Balance	Cumulative Interest
34	1/1/2033	$ 40,046.46	$ 1,785.58	$ -	$ 1,785.58	$ 1,234.94	$ 550.64	$ 38,811.52	$ 26,891.01
35	7/1/2033	$ 38,811.52	$ 1,785.58	$ -	$ 1,785.58	$ 1,251.92	$ 533.66	$ 37,559.60	$ 27,424.67
36	1/1/2034	$ 37,559.60	$ 1,785.58	$ -	$ 1,785.58	$ 1,269.13	$ 516.44	$ 36,290.47	$ 27,941.11
37	7/1/2034	$ 36,290.47	$ 1,785.58	$ -	$ 1,785.58	$ 1,286.58	$ 498.99	$ 35,003.89	$ 28,440.11
38	1/1/2035	$ 35,003.89	$ 1,785.58	$ -	$ 1,785.58	$ 1,304.27	$ 481.30	$ 33,699.61	$ 28,921.41
39	7/1/2035	$ 33,699.61	$ 1,785.58	$ -	$ 1,785.58	$ 1,322.21	$ 463.37	$ 32,377.41	$ 29,384.78
40	1/1/2036	$ 32,377.41	$ 1,785.58	$ -	$ 1,785.58	$ 1,340.39	$ 445.19	$ 31,037.02	$ 29,829.97
41	7/1/2036	$ 31,037.02	$ 1,785.58	$ -	$ 1,785.58	$ 1,358.82	$ 426.76	$ 29,678.20	$ 30,256.73
42	1/1/2037	$ 29,678.20	$ 1,785.58	$ -	$ 1,785.58	$ 1,377.50	$ 408.08	$ 28,300.70	$ 30,664.80
43	7/1/2037	$ 28,300.70	$ 1,785.58	$ -	$ 1,785.58	$ 1,396.44	$ 389.13	$ 26,904.26	$ 31,053.94
44	1/1/2038	$ 26,904.26	$ 1,785.58	$ -	$ 1,785.58	$ 1,415.64	$ 369.93	$ 25,488.62	$ 31,423.87
45	7/1/2038	$ 25,488.62	$ 1,785.58	$ -	$ 1,785.58	$ 1,435.11	$ 350.47	$ 24,053.51	$ 31,774.34
46	1/1/2039	$ 24,053.51	$ 1,785.58	$ -	$ 1,785.58	$ 1,454.84	$ 330.74	$ 22,598.67	$ 32,105.08
47	7/1/2039	$ 22,598.67	$ 1,785.58	$ -	$ 1,785.58	$ 1,474.84	$ 310.73	$ 21,123.82	$ 32,415.81
48	1/1/2040	$ 21,123.82	$ 1,785.58	$ -	$ 1,785.58	$ 1,495.12	$ 290.45	$ 19,628.70	$ 32,706.26
49	7/1/2040	$ 19,628.70	$ 1,785.58	$ -	$ 1,785.58	$ 1,515.68	$ 269.89	$ 18,113.02	$ 32,976.16
50	1/1/2041	$ 18,113.02	$ 1,785.58	$ -	$ 1,785.58	$ 1,536.52	$ 249.05	$ 16,576.50	$ 33,225.21
51	7/1/2041	$ 16,576.50	$ 1,785.58	$ -	$ 1,785.58	$ 1,557.65	$ 227.93	$ 15,018.85	$ 33,453.14
52	1/1/2042	$ 15,018.85	$ 1,785.58	$ -	$ 1,785.58	$ 1,579.07	$ 206.51	$ 13,439.78	$ 33,659.65
53	7/1/2042	$ 13,439.78	$ 1,785.58	$ -	$ 1,785.58	$ 1,600.78	$ 184.80	$ 11,839.00	$ 33,844.44
54	1/1/2043	$ 11,839.00	$ 1,785.58	$ -	$ 1,785.58	$ 1,622.79	$ 162.79	$ 10,216.21	$ 34,007.23
55	7/1/2043	$ 10,216.21	$ 1,785.58	$ -	$ 1,785.58	$ 1,645.10	$ 140.47	$ 8,571.11	$ 34,147.70
56	1/1/2044	$ 8,571.11	$ 1,785.58	$ -	$ 1,785.58	$ 1,667.72	$ 117.85	$ 6,903.38	$ 34,265.55
57	7/1/2044	$ 6,903.38	$ 1,785.58	$ -	$ 1,785.58	$ 1,690.65	$ 94.92	$ 5,212.73	$ 34,360.48
58	1/1/2045	$ 5,212.73	$ 1,785.58	$ -	$ 1,785.58	$ 1,713.90	$ 71.67	$ 3,498.83	$ 34,432.15
59	7/1/2045	$ 3,498.83	$ 1,785.58	$ -	$ 1,785.58	$ 1,737.47	$ 48.11	$ 1,761.36	$ 34,480.26
60	1/1/2046	$ 1,761.36	$ 1,785.58	$ -	$ 1,761.36	$ 1,737.14	$ 24.22	$ -	$ 34,504.48

Memo

To: City Council

From: City Recorder

Date: May 6, 2016

Re: Landscaping at the North Entry Sign

The City currently has an agreement with the Overleaf that they will maintain the landscaping at the North Gateway Sign and bill the City for the work done by their landscaping crew. It was brought to my attention that the landscaping needed some attention so I contacted Drew Roslund to ask him if this was something that he wished to continue doing.

His response was:

Nancy,
Yes, it is a mess. It needs more than just attention. My landscaper had been keeping some of the invading vegetation (horsetail, morning glory, blackberry) at bay for the past few years. He came to me about 6 months ago with a proposal to completely redo the whole area around the sign, but he is just too busy to put the man-week into that project that it really needs. The horsetail and morning glory need to be eradicated which probably means being sprayed. I think it would be good for a couple people to 'vision' what the community wants it to look like and determine a course of action with a budget figure. I am very willing to be part of that process if requested.

I apologize for not getting back to you and/or Council on this earlier. My attention has had particular focus on our core operations over the past year.

Thank you,
Drew Roslund

CITY COUNCIL AGENDA COVER-SHEET

From: Nancy Batchelder, City Recorder

☐ Regular Meeting Agenda Item ☐ Work Session Discussion Topic
- o Add to agenda for _____meeting.
- o Continue this item until _____.
- o Item dismissed.

DATE: May 6, 2016

Title: Making the Backyard Chicken Pilot Program Permanent

Item: In 2011 the City Council amended the Municipal Code to state that poultry could be kept on smaller lots if authorized by City Council and they voted to have a pilot program to allow backyard chickens through such a permitting process. The standards for a permit were developed and an application form was drafted.

The Resolution authorizing the Pilot Program stated that it would continue as a pilot project until City Council either made it permanent or it was rescinded.

To date no permit applications have been filed.

The Current Code:

Section 5.08.020 Keeping of animals.

Unless specifically authorized by the city council for educational or entertainment or other purposes, no person shall keep or maintain livestock, bees, poultry or other animals, excluding household pets, unless the animals are located more than one hundred (100) feet from any residence other than the residence of the person who owns the animals. Poultry kept in compliance with this ordinance or authorized by a permit issued by the City Council will include no roosters. The required one hundred (100) foot separation applies to any structures that house the animal, either temporarily or permanently, and the area(s) used by the animals for grazing, feeding, exercising and similar activities.

Attachments:

- Resolution 2011-01-04 – Establishing the Urban Chicken Raising Piot Project Permit Process
- Urban Chicken Raising Piot Project Permit Form

CITY OF YACHATS

RESOLUTION NO. 2011-01-04

WHEREAS, City Council voted at the January 13, 2011 meeting to approve a pilot project for the keeping of chickens and to establish a permit process and a set of criteria to be met;

NOW THEREFORE, the City of Yachats resolves that in an effort to assess the compatibility of urban chicken raising efforts with other quality of life considerations, the City Council is authorizing the keeping and maintaining of poultry in the City as a pilot project when certain criteria are met. Raising poultry will be authorized by a permit issued by the City when those criteria are met. This permit process will be implemented on April 1, 2011 and continue until it is permanently authorized by the Council, or until it is rescinded. The Council will assess the results of the pilot project at its regularly scheduled meetings in October 2011 and (if necessary) March 2012. If the project is continued, permits will be issued on an annual basis.

Staff is directed to implement the necessary administrative process.

In order to be eligible for a permit:

- Poultry must be kept in a clean and sanitary pen or structure, no part of which shall be located less than forty (40) feet from any residence other than the residence owned or occupied by the person owning or possessing the animals.
- Pen or structure (coop) shall be well built and provide for the reasonable security of enclosed animals from predators. Permittee must agree to secure the permitted animals at night.
- Permit will authorize keeping of up to 3 birds in total, none of which may be roosters.
- Permit application will include acceptance by any neighbor(s) whose home(s) is/are within 100 feet of the coop/pen. Failure to obtain approval signatures from all affected neighbors will result in permit denial.
- Food for the permitted poultry will be stored in a secure area free of vermin and not accessible to bears, raccoons, or other scavengers. When poultry is secured for the night, all food containers will be secured.
- Permit applicants must certify that the affected property is not covered by neighborhood conditions, covenants, and restrictions that prohibit the keeping of poultry.
- Manure must be removed with sufficient frequency to prevent offensive odors. Any manure retained for fertilizer will be spread upon the ground evenly and turned under at once.
- The City will inspect the property and coop prior to issuing a permit. An initial permit fee of $25 will be charged to cover inspection and processing costs to the City. If there are no complaints or known violations of the permit provisions, subsequent permits (if any) may be issued without cost.
- Complaints received by the City relative to non-compliance with the provisions of the permit will be investigated and, if found valid, may result in cancellation of the permit.
- Any complaints received by the City relative to the keeping of poultry but which do not allege violation of the conditions of the permit will be considered by the City Council when it re-evaluates the Pilot Project.

This Resolution is memorializing an action taken by City Council at the January 13, 2011 meeting and was effective as of that date.

Attest:

Ronald L. Brean, Mayor

Nancy Batchelder, City Recorder

s:\resolutions\2011\2011-01-04-chicken_pilot_project.doc

CITY OF YACHATS

URBAN CHICKEN RAISING PILOT PROJECT PERMIT

PO Box 345 Yachats, OR 97498 **Ph: (541) 547-3565 Fax: (541) 547-3063**

Please read and complete both sides

Permit Fee: $25

Property Address: _____

Owner's Name: _____

Owner's Address: _____

City **State** **Zip** _____

Mailing Address: _____

City **State** **Zip** _____

Owner's Phone: **Home** **Work** **Cell** _____

APPLICATION SHALL INCLUDE THE FOLLOWING:

- ☐ Permit application will include acceptance by any neighbor(s) whose home(s) is/are within 100 feet of the coop/pen. Failure to obtain approval signatures from all affected neighbors will result in permit denial.
- ☐ Permit applicants must certify that the affected property is not covered by neighborhood conditions, covenants, and restrictions that prohibit the keeping of poultry.
- ☐ Plot plan showing location of pen or structure (coop) and home and must include distances.

THE FOLLOWING CONDITIONS MUST BE MET FOR THE KEEPING OF CHICKENS ON PROPERTY WITHIN CITY LIMITS:

- Poultry must be kept in a clean and sanitary pen or structure, no part of which shall be located less than forty (40) feet from any residence other than the residence owned or occupied by the person owning or possessing the animals.
- Pen or structure (coop) shall be well built and provide for the reasonable security of enclosed animals from predators. Permittee must agree to secure the permitted animals at night.
- Permit will authorize keeping of up to 3 birds in total, none of which may be roosters.
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- Manure must be removed with sufficient frequency to prevent offensive odors. Any manure retained for fertilizer will be spread upon the ground evenly and turned under at once.
- The City will inspect the property and coop prior to issuing a permit. An initial permit fee of $25 will be charged to cover inspection and processing costs to the City. If there are no complaints or known violations of the permit provisions, subsequent permits (if any) may be issued without cost.
- Complaints received by the City relative to non-compliance with the provisions of the permit will be investigated and, if found valid, may result in cancellation of the permit.
- Any complaints received by the City relative to the keeping of poultry but which do not allege violation of the conditions of the permit will be considered by the City Council when it re-evaluates the Pilot Project.

For a copy of the resolution pertaining to this permit contact the City of Yachats at (541) 547-3565 or log on to www.ci.yachats.or,us.

Notice: Complaints regarding this permit as part of the pilot project may result in review by the City Council and/or revocation of issued permit.

I have read and fully understand the conditions listed above. I have and will continue to meet all conditions.

I understand that the property is subject to an inspection before a permit is issued.

All the information provided in this application is accurate and true to the best of my knowledge.

_____ _____

Property Owner's Signature **Date**

Application fee must be paid separately from water/sewer bill or tax payments. The City is unable to accept debit or credit cards or ePay as a form of payment.

Please make check or money order payable to the CITY OF YACHATS. Cash is accepted inside City Hall Monday-Friday 8:30 a.m.-4:30 p.m., except holidays.

APPLICATIONS CANNOT BE PROCESSED UNTIL FEES ARE PAID IN FULL

CITY USE ONLY

Plot Plan attached [ ] yes [ ] no

Signatures of all property owners [ ] yes [ ] no

Copy of CC&R's [ ] yes [ ] no

Inspection Completed:_____ Date_____

Approved by City_____ Date Received_____ Fee Paid _____

Memo

To: City Council

From: City Recorder

Date: May 6, 2016

Re: Landscaping at the North Entry Sign

The City currently has an agreement with the Overleaf that they will maintain the landscaping at the North Gateway Sign and bill the City for the work done by their landscaping crew. It was brought to my attention that the landscaping needed some attention so I contacted Drew Roslund to ask him if this was something that he wished to continue doing.

His response was:

Nancy,
Yes, it is a mess. It needs more than just attention. My landscaper had been keeping some of the invading vegetation (horsetail, morning glory, blackberry) at bay for the past few years. He came to me about 6 months ago with a proposal to completely redo the whole area around the sign, but he is just too busy to put the man-week into that project that it really needs. The horsetail and morning glory need to be eradicated which probably means being sprayed. I think it would be good for a couple people to 'vision' what the community wants it to look like and determine a course of action with a budget figure. I am very willing to be part of that process if requested.

I apologize for not getting back to you and/or Council on this earlier. My attention has had particular focus on our core operations over the past year.

Thank you,
Drew Roslund

CITY OF YACHATS
CITY COUNCIL WORK SESSION
Civic Meeting Room - Yachats Commons
May 9, 2016
Minutes

The work session of the City Council was called to order by Mayor Ronald Brean at 9:30 a.m. in the Civic Meeting Room at the Yachats Commons. Council members present: Greg Scott, Sandy Dunn, Barbara E. Frye and Max Glenn. Audience: 20.

I. Discussion: Hard Cap on Number of Vacation Rentals

Brean explained that City Council has decided to look once again at the number of vacation rentals in town because at some point if there are too many vacation rentals there will not be enough residents in town to run the government, the activities and the businesses in town, which will not be good for the vacation rentals either.

Scott said that there are currently 119 licenses with 5 pending. Scott said that there were 113 licenses at the end of December 2015.

Glenn said that to him there is a difference between someone who buys a home for their future retirement or as a vacation home and someone who buys a home specifically to rent out as an investment – which would make it a business in a residential zone.

Brean said that when he put this on the agenda he was considering a very roomy lid, that of course could be modified in the future – perhaps the cap could be as high as 250.

Frye said that she has three vacation homes in her neighborhood that are not rented and one that is a nightly rental. If all four of those homes were nightly rentals that would change the nature of the neighborhood.

Glenn said that he is concerned about the lack of long term rentals for the people that work in the area. Even the newly hired City Administrator is having difficulty finding a house.

Dunn suggested that everyone read the report that she submitted at the August 2014 meeting. At that time, Scott and Brean were supposed to come up with a set of rules about what makes the community livable and some way to use those guidelines to come up with a number that makes sense for the cap.

Frye said that she agrees that some review of the previous work before any decision is made.

Scott said that perhaps the definition of what makes a vacation home a business should be addressed first. Many sub-divisions in town do not allow business activities as per the CCRs.

Dunn said that she is not comfortable with the City getting involved with CCRs in this one case when the City does not enforce anything else related to CCRs.

Code Enforcement Officer, Don Niskanen said that he believes that the cap on vacation rentals should ensure that the number of renters in town equal no more than the number of full-time residents.

Niskanen said that some areas in town have become an actual "commercial zone" in a residential zone and even if the renters are quiet, follow the rules and are just here to enjoy the town, they are new people all the time and are not neighbors in a neighborhood.

Brean suggested that the Council review Dunn's report, and he and Scott will work on the guidelines that could be used to determine a reasonable cap.

Nicki Hamilton said that she hopes that City Council keeps in mind that undesirable long-term renters could be more difficult to remove than short-term ones; and, just limiting vacation rentals may not ensure happy neighbors.

Hamilton asked if people were following the current complaint process. Council said that for the most part people were.

II. Discussion: Meeting Future PERS Obligations

Scott said that last week he, the Mayor and the City Recorder met with two representatives from PERS. That meeting was mainly related to the compliance with reporting and submitting contributions, but he did ask some questions about the future impact the problems with PERS could have on rates and for more information about the pool. They were not able to answer those questions, but said that they would provide contact information for the person that could answer the question about the pool.

Scott said that the City has been setting money aside for the past two years, but according to the audit report there will still be a large liability to pay and he is concerned about the future employer rates that the City will be charged. He would like to suggest that 6% of wages be set aside in reserve to offset any future employer rate hikes.

Frye said that she would like to know what the City's real obligation to PERS is, and asked if the City ever sits down with some kind of advisor to discuss what the City's options and obligations are.

Brean said that perhaps that would be a representative from PERS.

III. Discussion: A Task Force to Develop Project Recommendations for the Visitor Amenities Funds

Brean said that when he first came to the City there was a large amount of money in the Visitor Amenities Fund because previous Councils had not spent much of the money that had been set aside each year.

Since that over time, decisions have been made to help fund the Library, Little Log Church and the Commons because there was a way to demonstrate the visitors enjoyed the services as well as the residents. Money was also spent to market the community and hire a Marketing Director. So, during the recession Yachats did not suffer to the same extent as other communities.

Brean explained that he would like to create a task force to help come up with or review projects that could be funded by the visitor amenities funds.

Linda Hetzler said that at one point she contacted OSU to find out if they would be willing to help with some kinetic art. She suggested that the City use some of the money in the Visitor Amenities

Fund to hire someone to spearhead these types of projects and perhaps even market the community to get more people to come to town with their events.

Hetzler said that she thinks that person should work for the Chamber of Commerce working with the local businesses, and she suggested an individual she believes could be a great project/events coordinator.

Brean explained that the Task Force would be in charge of vetting projects/events, and then hire a coordinator to ensure that the projects or events are successful once they are approved by the Task Force.

Glenn said that he believes that before such a position is filled it be clearly defined to whom the person would report.

Brean said that the City would have a contract with the Chamber, and then the Chamber would be responsible for hiring the person to fill the position.

Brean said that he would bring this up at the Budget Committee meeting this evening.

IV. Monthly-Review: Status of Work on Measurable Objectives/Goals

A. Making Backyard Chicken Pilot Program Permanent

Brean briefly described the history behind the pilot program.

Brean suggested that a Resolution be drafted to make the pilot program permanent.

The following status updates were also reported:

Scott - Planning Commission is working on the Industrial Use Definition

Scott - Planning Commission will be adding Dark Sky to their agenda

Glenn - Working with the Emergency Group and will coordinate the media for the June 10 Drill

Glenn - Report including recommendations for the 501 Building Study Group is on the May 12, 2016 Agenda

Frye - Lincoln County Community Health Clinic conducted a site visit to look at potential places for clinic. Their Board Meeting will be May 10. They liked the space in the Commons that would be available if City Hall moved to the 501 Building.

Brean - City hired the City Administrator and she will begin on June 1. Frye said that the City would need to look at the duties for the new City Administrator and the City Recorder and decide if a replacement City Recorder is needed or if the new CA can also do both jobs.

Brean – City is looking at a lot, and trying to make an agreement with an adjoining property owner for additional access that would increase the number of available spaces and make the lot easier to develop for parking.

Dunn - Library Commission has some sub-committee set up and they are meeting more often to work on the planning. They are really making her job easy on this task.

Dunn - Working on the anniversary Logo – graphic art has been hired

Dunn - Nothing moving forward on the south sign, so she has started on the condition of the North Gateway. There is an item on the agenda today to discuss the landscaping needed at that sign.

Dunn - Last week a grant was received for a pilot Lincoln County-Florence transportation connection project. The money should come in around July 1 after all of the reviews have been completed.

Dunn – The marketing committee has not yet seen the artist's work for the Logo.
Brean – Have had conversations with State Parks Regional Director Dennis Comfort regarding the 804 Trail improvements.
Brean – Task Force for Visitor Amenities funds that was discussed earlier.
Brean – Meeting with PUD has been scheduled to talk about Burkle's energy machine.
Glenn – Yesterday he received another complaint about a property on the north side of town – need to convene the committee to begin addressing "blight" in the City.

V. Farm Store/Yachats Brewing Request

Brean shared information from the City Attorney regarding the Council's plan to defer the System Development Charges for the installation of the 2" meter.

The City Attorney explained that the way the Code is written a deferment is not allowed, so the only option would be an installment agreement.

Brean said that he has talked with Bernard once and will need to continue the discussion. The installment agreement should be placed on the June agenda.

VI. Discussion: North Gateway Landscaping

Dunn explained that the landscaping at the North Gateway is a mess, and Drew Roslund said that the entire area needs to be refurbished. The invasive weeds are taking over the landscaping and it has become a bigger project than the Overleaf landscaper can handle.

Ken Aebi said that his wife belongs to the Seal Rock Garden Club and he believes the Garden Club may be interested in taking on this project.

Brean suggested that the Budget Committee make sure that there is enough money in the Visitor Amenities Fund to get it done, and then let the new City Administrator decide how it can get done.

VII. Welcome Reception for New City Administrator

Frye suggested that the City Council host an Open House to welcome the new City Administrator, perhaps after the June meeting.

Brean said that he would not be in town for the normal work session. City Council rescheduled the work session for June 1 at 9:30 a.m.

It was agreed that the Reception would be scheduled for June 9 at 5:00 p.m.

Frye and Glenn will coordinate the event.

Ken Aebi announced that on May 20 Leland O'Driscoll, PHD from the University of Oregon will be making a presentation on Earthquakes, Tsunami, and personal preparedness at the Commons at 6:30 p.m.

11:30 a.m. Brean announced that the meeting was going to be recessed into an Executive Session under ORS 192.660 (2) (h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. The work session will be reconvened afterwards to finish discussing the agenda for the Thursday meeting.

The work session was reconvened at 12:15 p.m.

New Item: Code Enforcement Officer – as Employee

Glenn said that he would like to make the Code Enforcement Officer a City Employee Position.

Brean said that he thinks the number of hours would need to be reduced to cover the expenses related to taxes and benefits.

Scott said that he agrees that it should be an employee, but he does not think that the number of hours should be reduced to pay for the benefits and taxes that would be incurred.

It was noted that it would be a Union position so it will need to be negotiated with the Union.

VIII. Set the agenda for the May 12, 2016 City Council Meeting

The City Council reviewed the agenda item for the Thursday meeting.

Glenn summarized the report that the 501 Building Study Group submitted to the City Council for the Thursday meeting.

The work session was adjourned 12:45 p.m.

_____

Ronald Brean, Mayor

Attest:

_____

Nancy Batchelder, City Recorder

CITY COUNCIL AGENDA COVER-SHEET

From: Nancy Batchelder, City Recorder

☐ Regular Meeting Agenda Item **X** Work Session Discussion Topic
- o Add to agenda for _____meeting.
- o Continue this item until _____.
- o Item dismissed.

DATE: May 6, 2016

Title: Yachats Farm Store/Yachats Brewing Request for System Development Charges Waiver

Item: At the January City Council meeting Nathan Bernard, owner of the Yachats Farm Store said that when the new waterline is installed along Hwy 101 in front of his store/brewery he would like to have a 2" water line installed and he requested a waiver of the increased System Development Charges, stating that he only wanted to fill the vessels faster and would not actually be increasing the capacity.

The following table shows what the additional System Development Charges fees are for a 2" meter when a credit is given for the current meter that would be removed:

System Development Charges				
		2" Meter	Less credit	Additional
	Water	$ 32,572.31	$ 4,071.54	$28,500.77
	Sewer	$ 50,433.53	$ 6,304.19	$44,129.34
			Total	$72,630.11

In several meetings following the initial request, the City Council has discussed this request, the possible impact the discharge from the brewing operations could have on the wastewater system and Bernard's plans for increased production in the next few years.

At the March 10, 2016 meeting, City Council voted on a motion to defer the System Development Charges until the property was sold or the production reached a certain level and authorized the Mayor to work with the City Attorney to draft an agreement for Bernard to sign. Since that time, the City Attorney has advised the Mayor that this would not be possible.

So, the next option would be for an installment agreement and a lien securing the agreement.

I have prepared a draft Agreement, Resolution and Lien based on the above System Development Charges for a 30-year term at 2.75% interest. The interest rate is 2 points over what the City is earning in the Local Government Investment Pool at this time.

Attachments: Draft Resolution, Draft Agreement, Draft Lien, Loan Amortization Schedule

CITY OF YACHATS

RESOLUTION NO. draft

WHEREAS, the Yachats Farm Store/Yachats Brewing requested the City of Yachats provide a 2" meter to service the larger scale brewery operations planned for the business; and, requested a waiver of the System Development Charges for the increased capacity of the service connection; and

WHEREAS, in several meetings following the initial request the City Council received information regarding the possible impact on the wastewater system once the brewery operations began larger scale production and the proposed business plan for the future operations as the Council discussed options; and

WHEREAS, on advice received from the City Attorney, the deferment considered by the City Council is not possible, the City Council has proposed an installment agreement for payment of the System Development Charges;

NOW THEREFORE, the City of Yachats resolves the following:

Section 1 – System Development Charges less Credit Given

The System Development Charges for a 2" water meter shall be charged with credit given for the current service as following:

System Development Charges				
		2" Meter	Less credit	Additional
	Water	$ 32,572.31	$ 4,071.54	$28,500.77
	Sewer	$ 50,433.53	$ 6,304.19	$44,129.34
			Total	$72,630.11

Section 2 – Installment Agreement

Nathan Bernard, Owner and Operator of the Yachats Farm Store/Yachats Brewing and EL EL SEE, LLC, the owner of record for Lot 14-12-27-DA-01900 AKA 348 Hwy 101 N. shall be offered an installment agreement with the following terms:

- Subject lot: 14-12-27-DA-01900
- Initial payment of $1,785.58 shall be paid on or before July 1, 2016.
- Fifty-nine (59) equal semi-annual installments of $1,785.58 shall be due on January 1 and July 1 of each year following the initial payment on July 1, 2016 for a total of Sixty (60) payments over a 30-year term, until paid in full.
- The annual interest rate shall be 2.75%.
- A lien shall be filed on the subject lot as security for the unpaid balance as provided in the Yachats Municipal Code Chapter 8.20 Subsection 8.20.080 (D)

Attest:

Ronald L. Brean, Mayor

Nancy Batchelder, City Recorder

CITY OF YACHATS

AGREEMENT TO PAY SYSTEM DEVELOPMENT CHARGES IN INSTALLMENTS

Description of the property being located in the City of Yachats, County of Lincoln, State of Oregon: Tax Assessors Map and Tax Lot Number: 14-12-27-DA-01900 .

Systems Development Charges (hereafter SDC) for the lot shall be $72,630.11.

In accordance with the provisions of the Yachats Municipal Code Chapter 8.20 and Resolution No. _____, We hereby agree to pay the System Development Charges for the installation of a 2" water meter and associated water and sewer services according to the terms provided in Resolution No. _____ as follows:

- Initial payment of $1,785.58 shall be paid on or before July 1, 2016.
- Fifty-nine (59) equal semi-annual installments of $1,785.58 shall be due on January 1 and July 1 of each year following the initial payment on July 1, 2016 for a total of Sixty (60) payments over a 30 year term, until paid in full.
- The annual interest rate shall be 2.75%.

Security: In accordance with Yachats Municipal Code Chapter 8.20, Sub-Section 8.20.080 (D) the amount of SDCs financed herein hereby shall be and is a lien on the above described real property, until paid in full, effective this date and will be entered in the lien dockets of the City and Lincoln County.

In consideration thereof, and in pursuance of the provisions of Municipal Code and Resolution No._____ aforesaid, We hereby expressly waive all and every irregularity or defect, jurisdictional, procedural or otherwise, in the apportionment and determination of the amount of the SDCs for the above mentioned project.

IN WITNESS WHEREOF, We have hereunto set our hand and seal this _____day of _____, 20____.

(signed) _____
Nathan Bernard, Owner/Operator – Yachats Farm Store/Yachats Brewing

(signed) _____
EL EL SEE LLC – Owner of Record for Lot 14-12-27-DA-01900
AKA 348 Hwy 101 N – Yachats Oregon

(signed) _____
Ronald L. Brean, Mayor

Attest:

(signed) _____
Nancy Batchelder, City Recorder

DRAFT

NOTICE OF LIEN

The City of Yachats, Lincoln County, Oregon hereby certifies a lien against the following property for System Development Charges:

Owner of Record: EL EL SEE LLC
Owners address of record: 224 NW 13TH AVE, PORTLAND, OR 97209
Legal Description: OVERLOOK ADDN. TO YACHATS, BLOCK 7, LOT 15 & 16, DOC201104832
Also known as:348 HWY 101 N. , Yachats, OR 97498 a.k.a.: Tax Map 14-12-27-DA, Tax Lot 01900.
Current Amount, as of this date: $72, 630.11
An installment agreement signed by all parties, marked "Exhibit A" is attached containing all conditions, including interest rate and payment schedule is secured by this lien.

Dated the day of

_____
City Recorder

STATE OF OREGON)
) ss
COUNTY OF LINCOLN)

On this _____ day of _____, _____, before me appeared Nancy Batchelder, to me personally known, who being first duly sworn, did say that she is the City Recorder of the City of Yachats, that said instrument was executed by the City of Yachats, and she acknowledged said instrument to be the free act and deed of the City of Yachats, Lincoln County, Oregon.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, this, the day and year last above written.

_____
Notary Public for Oregon
My commission expires: _____

After recording, return to:
City of Yachats
PO Box 345
Yachats, OR 97498

DRAFT

Loan Amortization Schedule

	Enter values
Loan amount	$ 72,630.11
Annual interest rate	2.75 %
Loan period in years	30
Number of payments per year	2
Start date of loan	1/1/2016
Optional extra payments	

	Loan summary
Scheduled payment	$ 1,785.58
Scheduled number of payments	60
Actual number of payments	60
Total early payments	$ -
Total interest	$ 34,504.48

Lender name:

Pmt. No.	Payment Date	Beginning Balance	Scheduled Payment	Extra Payment	Total Payment	Principal	Interest	Ending Balance	Cumulative Interest
1	7/1/2016	$ 72,630.11	$ 1,785.58	$ -	$ 1,785.58	$ 786.91	$ 998.66	$ 71,843.20	$ 998.66
2	1/1/2017	$ 71,843.20	$ 1,785.58	$ -	$ 1,785.58	$ 797.73	$ 987.84	$ 71,045.47	$ 1,986.51
3	7/1/2017	$ 71,045.47	$ 1,785.58	$ -	$ 1,785.58	$ 808.70	$ 976.88	$ 70,236.76	$ 2,963.38
4	1/1/2018	$ 70,236.76	$ 1,785.58	$ -	$ 1,785.58	$ 819.82	$ 965.76	$ 69,416.94	$ 3,929.14
5	7/1/2018	$ 69,416.94	$ 1,785.58	$ -	$ 1,785.58	$ 831.09	$ 954.48	$ 68,585.85	$ 4,883.62
6	1/1/2019	$ 68,585.85	$ 1,785.58	$ -	$ 1,785.58	$ 842.52	$ 943.06	$ 67,743.33	$ 5,826.68
7	7/1/2019	$ 67,743.33	$ 1,785.58	$ -	$ 1,785.58	$ 854.11	$ 931.47	$ 66,889.22	$ 6,758.15
8	1/1/2020	$ 66,889.22	$ 1,785.58	$ -	$ 1,785.58	$ 865.85	$ 919.73	$ 66,023.37	$ 7,677.87
9	7/1/2020	$ 66,023.37	$ 1,785.58	$ -	$ 1,785.58	$ 877.76	$ 907.82	$ 65,145.62	$ 8,585.70
10	1/1/2021	$ 65,145.62	$ 1,785.58	$ -	$ 1,785.58	$ 889.82	$ 895.75	$ 64,255.79	$ 9,481.45
11	7/1/2021	$ 64,255.79	$ 1,785.58	$ -	$ 1,785.58	$ 902.06	$ 883.52	$ 63,353.73	$ 10,364.97
12	1/1/2022	$ 63,353.73	$ 1,785.58	$ -	$ 1,785.58	$ 914.46	$ 871.11	$ 62,439.27	$ 11,236.08
13	7/1/2022	$ 62,439.27	$ 1,785.58	$ -	$ 1,785.58	$ 927.04	$ 858.54	$ 61,512.24	$ 12,094.62
14	1/1/2023	$ 61,512.24	$ 1,785.58	$ -	$ 1,785.58	$ 939.78	$ 845.79	$ 60,572.45	$ 12,940.41
15	7/1/2023	$ 60,572.45	$ 1,785.58	$ -	$ 1,785.58	$ 952.71	$ 832.87	$ 59,619.75	$ 13,773.28
16	1/1/2024	$ 59,619.75	$ 1,785.58	$ -	$ 1,785.58	$ 965.80	$ 819.77	$ 58,653.94	$ 14,593.06
17	7/1/2024	$ 58,653.94	$ 1,785.58	$ -	$ 1,785.58	$ 979.08	$ 806.49	$ 57,674.86	$ 15,399.55
18	1/1/2025	$ 57,674.86	$ 1,785.58	$ -	$ 1,785.58	$ 992.55	$ 793.03	$ 56,682.31	$ 16,192.58
19	7/1/2025	$ 56,682.31	$ 1,785.58	$ -	$ 1,785.58	$ 1,006.19	$ 779.38	$ 55,676.11	$ 16,971.96
20	1/1/2026	$ 55,676.11	$ 1,785.58	$ -	$ 1,785.58	$ 1,020.03	$ 765.55	$ 54,656.09	$ 17,737.50
21	7/1/2026	$ 54,656.09	$ 1,785.58	$ -	$ 1,785.58	$ 1,034.06	$ 751.52	$ 53,622.03	$ 18,489.03
22	1/1/2027	$ 53,622.03	$ 1,785.58	$ -	$ 1,785.58	$ 1,048.27	$ 737.30	$ 52,573.76	$ 19,226.33
23	7/1/2027	$ 52,573.76	$ 1,785.58	$ -	$ 1,785.58	$ 1,062.69	$ 722.89	$ 51,511.07	$ 19,949.22
24	1/1/2028	$ 51,511.07	$ 1,785.58	$ -	$ 1,785.58	$ 1,077.30	$ 708.28	$ 50,433.77	$ 20,657.49
25	7/1/2028	$ 50,433.77	$ 1,785.58	$ -	$ 1,785.58	$ 1,092.11	$ 693.46	$ 49,341.66	$ 21,350.96
26	1/1/2029	$ 49,341.66	$ 1,785.58	$ -	$ 1,785.58	$ 1,107.13	$ 678.45	$ 48,234.53	$ 22,029.41
27	7/1/2029	$ 48,234.53	$ 1,785.58	$ -	$ 1,785.58	$ 1,122.35	$ 663.22	$ 47,112.18	$ 22,692.63
28	1/1/2030	$ 47,112.18	$ 1,785.58	$ -	$ 1,785.58	$ 1,137.78	$ 647.79	$ 45,974.39	$ 23,340.42
29	7/1/2030	$ 45,974.39	$ 1,785.58	$ -	$ 1,785.58	$ 1,153.43	$ 632.15	$ 44,820.96	$ 23,972.57
30	1/1/2031	$ 44,820.96	$ 1,785.58	$ -	$ 1,785.58	$ 1,169.29	$ 616.29	$ 43,651.68	$ 24,588.86
31	7/1/2031	$ 43,651.68	$ 1,785.58	$ -	$ 1,785.58	$ 1,185.37	$ 600.21	$ 42,466.31	$ 25,189.07
32	1/1/2032	$ 42,466.31	$ 1,785.58	$ -	$ 1,785.58	$ 1,201.66	$ 583.91	$ 41,264.65	$ 25,772.98
33	7/1/2032	$ 41,264.65	$ 1,785.58	$ -	$ 1,785.58	$ 1,218.19	$ 567.39	$ 40,046.46	$ 26,340.37

Pmt. No.	Payment Date	Beginning Balance	Scheduled Payment	Extra Payment	Total Payment	Principal	Interest	Ending Balance	Cumulative Interest
34	1/1/2033	$ 40,046.46	$ 1,785.58	$ -	$ 1,785.58	$ 1,234.94	$ 550.64	$ 38,811.52	$ 26,891.01
35	7/1/2033	$ 38,811.52	$ 1,785.58	$ -	$ 1,785.58	$ 1,251.92	$ 533.66	$ 37,559.60	$ 27,424.67
36	1/1/2034	$ 37,559.60	$ 1,785.58	$ -	$ 1,785.58	$ 1,269.13	$ 516.44	$ 36,290.47	$ 27,941.11
37	7/1/2034	$ 36,290.47	$ 1,785.58	$ -	$ 1,785.58	$ 1,286.58	$ 498.99	$ 35,003.89	$ 28,440.11
38	1/1/2035	$ 35,003.89	$ 1,785.58	$ -	$ 1,785.58	$ 1,304.27	$ 481.30	$ 33,699.61	$ 28,921.41
39	7/1/2035	$ 33,699.61	$ 1,785.58	$ -	$ 1,785.58	$ 1,322.21	$ 463.37	$ 32,377.41	$ 29,384.78
40	1/1/2036	$ 32,377.41	$ 1,785.58	$ -	$ 1,785.58	$ 1,340.39	$ 445.19	$ 31,037.02	$ 29,829.97
41	7/1/2036	$ 31,037.02	$ 1,785.58	$ -	$ 1,785.58	$ 1,358.82	$ 426.76	$ 29,678.20	$ 30,256.73
42	1/1/2037	$ 29,678.20	$ 1,785.58	$ -	$ 1,785.58	$ 1,377.50	$ 408.08	$ 28,300.70	$ 30,664.80
43	7/1/2037	$ 28,300.70	$ 1,785.58	$ -	$ 1,785.58	$ 1,396.44	$ 389.13	$ 26,904.26	$ 31,053.94
44	1/1/2038	$ 26,904.26	$ 1,785.58	$ -	$ 1,785.58	$ 1,415.64	$ 369.93	$ 25,488.62	$ 31,423.87
45	7/1/2038	$ 25,488.62	$ 1,785.58	$ -	$ 1,785.58	$ 1,435.11	$ 350.47	$ 24,053.51	$ 31,774.34
46	1/1/2039	$ 24,053.51	$ 1,785.58	$ -	$ 1,785.58	$ 1,454.84	$ 330.74	$ 22,598.67	$ 32,105.08
47	7/1/2039	$ 22,598.67	$ 1,785.58	$ -	$ 1,785.58	$ 1,474.84	$ 310.73	$ 21,123.82	$ 32,415.81
48	1/1/2040	$ 21,123.82	$ 1,785.58	$ -	$ 1,785.58	$ 1,495.12	$ 290.45	$ 19,628.70	$ 32,706.26
49	7/1/2040	$ 19,628.70	$ 1,785.58	$ -	$ 1,785.58	$ 1,515.68	$ 269.89	$ 18,113.02	$ 32,976.16
50	1/1/2041	$ 18,113.02	$ 1,785.58	$ -	$ 1,785.58	$ 1,536.52	$ 249.05	$ 16,576.50	$ 33,225.21
51	7/1/2041	$ 16,576.50	$ 1,785.58	$ -	$ 1,785.58	$ 1,557.65	$ 227.93	$ 15,018.85	$ 33,453.14
52	1/1/2042	$ 15,018.85	$ 1,785.58	$ -	$ 1,785.58	$ 1,579.07	$ 206.51	$ 13,439.78	$ 33,659.65
53	7/1/2042	$ 13,439.78	$ 1,785.58	$ -	$ 1,785.58	$ 1,600.78	$ 184.80	$ 11,839.00	$ 33,844.44
54	1/1/2043	$ 11,839.00	$ 1,785.58	$ -	$ 1,785.58	$ 1,622.79	$ 162.79	$ 10,216.21	$ 34,007.23
55	7/1/2043	$ 10,216.21	$ 1,785.58	$ -	$ 1,785.58	$ 1,645.10	$ 140.47	$ 8,571.11	$ 34,147.70
56	1/1/2044	$ 8,571.11	$ 1,785.58	$ -	$ 1,785.58	$ 1,667.72	$ 117.85	$ 6,903.38	$ 34,265.55
57	7/1/2044	$ 6,903.38	$ 1,785.58	$ -	$ 1,785.58	$ 1,690.65	$ 94.92	$ 5,212.73	$ 34,360.48
58	1/1/2045	$ 5,212.73	$ 1,785.58	$ -	$ 1,785.58	$ 1,713.90	$ 71.67	$ 3,498.83	$ 34,432.15
59	7/1/2045	$ 3,498.83	$ 1,785.58	$ -	$ 1,785.58	$ 1,737.47	$ 48.11	$ 1,761.36	$ 34,480.26
60	1/1/2046	$ 1,761.36	$ 1,785.58	$ -	$ 1,761.36	$ 1,737.14	$ 24.22	$ -	$ 34,504.48

Provide for the effective governance of the City of Yachats			
Goal/Objective	**Individual or Team Assigned**	**Shephard**	**Progress**
Convene a team to consider City management of the State Park facilities in Yachats. a. Yachats State Park b. Smelt Sands c. Yachats Ocean Road d. 804 Trail	Team to be convened	Brean	
Hire and work with City Administrator for fully coordinated transition to the new structure and evaluate staff roles as it relates to the organizational study..	City Administrator	Frye	
Convene an ad-hoc committee to consider appropriate uses of Visitor Amenities funds to attract visitors and to serve the needs of the residents as well. (Public art, visitors serving facilities, marketing efforts, festival support, etc.). Committee will make recommendations to the City Council.	Committee to be convened	Brean	
Continue development of emergency plans and resilience preparedness.	Emergency Preparedness Committee	Glenn	
Convene an ad-hoc committee to consider methods of more effectively communicating the programs, activities, policies. processes, and topics of council discussion to the citizens of Yachats. Recommendations of this committee will be made to the Council and will include general communications, social media considerations, and new ideas. This committee will be chaired by the new City Administrator.	Committee to be convened	Glenn	
Develop plans for diversifying revenue opportunities. a. Franchise fees b. Street district or utility fee c. Grant writing d. Methods for funding workforce housing	Finance Committee	Brean (Glenn assisting with item d.)	
Work with Library Commission to develop/revise a strategic plan. a. Library operations b. Library location c. Funding strategies d. Bequest allocation	Library Commission	Dunn	4-11-16 Library Commission will be meeting more often to begin work on updating strategic plan. Established Task Force to start a needs assessment.

Improve administrative processes to maintain and surpass previous high standards			
Goal/Objective	**Individual or Team Assigned**	**Shephard**	**Progress**
New accounting software	IT Committee	Scott	
Develop 50 year city anniversary logo for council approval	Marketing Committee	Dunn	4-11-16 Marketing Committee agreed to hire a graphic artist to design logo
Continue improvements in IT capabilities	IT Committee	Scott	
Develop and implement service satisfaction instruments	City Administrator and IT Team	Scott	
Improve City Infrastructure			
Goal/Objective	**Individual or Team Assigned**	**Shephard**	**Progress**
Finalize plans for the 501 building	Bank Team	Glenn	
Complete Highway 101 improvements including undergrounding of electric service	Public Works	City Council	
Complete south city reservoir project	Public Works	City Council	
Increase parking in the core business area	City Planner	Frye	
Complete south city entrance sign	Public Works	Dunn	
Work with the County to complete upgrade and repairs to Ocean View Drive and the 804 south trail	Public Works	Brean	
Provide or facilitate opportunities for self-growth, education, and participation in programs and projects that enhance quality of life			
Goal/Objective	**Individual or Team Assigned**	**Shephard**	**Progress**
Participate in programs that seek to bring health care services to Yachats.	Frye	Frye	
Revisit backyard chicken concept	Brean	Brean	
Continue efforts to develop public transportation options to the south	Dunn	Dunn	
Continue to participate and provide leadership in marketing endeavors that enhance business opportunities and that provide benefit to Yachatians as well.	Marketing Team	Dunn	

Goal/Objective	Individual or Team Assigned	Shephard	Progress
Find appropriate means of protecting the character of Yachats from the negative implications of formula business models.	Planning Commission	Frye	
Improve the visual appeal of Yachats: a. Address "blight" appearance in neighborhoods and business areas. b. Devise a method of encouraging and displaying public art, especially kinetic art.	Convene an ad-hoc Committee	Glenn	
Re-visit and solidify City policies related to vacation rentals.	City Council	City Council	
Foster "Seventh Generation" thinking			
Goal/Objective	**Individual or Team Assigned**	**Shephard**	**Progress**
1. Participate in alternative energy projects. a. Encourage solar systems. b. Explore opportunities for city participation in EiP wind energy project.	Finance Committee	Brean	
Work with Planning Commission to develop appropriate policies for industrial businesses.	Planning Commission	Scott	
Work with other governmental entities to explore more efficient and productive use of wastewater bio-solids.	Public Works	Brean	
Plan for the long-term development of additional raw water storage.	Finance Committee and Public Works	Brean	
Work with the Planning Commission on developing policies that might lead to certification as an International Dark Sky Community.	Planning Commission	Scott	

Created: March 29, 2016

Last update: April 11, 2016