



CITY OF YACHATS

CITY COUNCIL MEETING

May 14, 2019

Approved Minutes

I. Meeting Call to Order

Mayor W. John Moore called the May 14, 2019 regular meeting of the City Council to order at 6:00 pm in the Multipurpose Room of the Yachats Commons. Council members present: W. John Moore, Jim Tooke, Max Glenn, James Kerti, and Leslie Vaaler. Absent: none. Staff present: City Manager Shannon Beaucaire and Clerk Kimmie Jackson. Audience: 51.

II. Announcements, Correspondence, and Proclamations

Mayor Moore read the following proclamations:

A. Mental Health Month, May 2019

Councilor Glenn introduced Andrea Sutherland from Angell Jobs Corps. Sutherland introduced students Cameron, Jordan, Andrew, MJ, Jason, Carli, Jake, Cody, Benji, and RJ. MJ spoke about her experience with the Jobs Corps Program, the help she has received, and the lessons she has learned.

B. Emergency Medical Services, May 19-25, 2019

C. Older Americans Month, May 2019

D. Police Week, May 12-19, 2019

III. Public Comment

1. Bob Bennett, Chair of Yachats Public Works and Streets Commission, announced the Clean Sweep event on June 20-23, 2019 and asked for volunteers to help staff the event. Bennett also reported the Commission moved today to notify the businesses that have either been overcharged or undercharged, to consult with the attorney to decide the best legal approach to manage these overages and underages, and to have a professional contractor conduct a water rate study.
2. Tom Lauritzen (205 Shell Street) noted his water bill was lower this month. He reported his history of over and under charges, concluding he has been overcharged \$56 for the past two years. He asked how he would get his money back, whether this was an isolated event, and whether there were other billing issues.
3. Drew Roslund (Overleaf Lodge) recalled he previously provided an article on how third-party administrators are abusing the vacation rental system. He noted additional articles have appeared in Eugene Register Guard and other publications. He had concern for the trustworthiness of companies like Airbnb sending in one, lump-sum check for rentals.

- 1 4. Nathan Bernard (8628 Yachats River Road) wanted to submit a request for adjustments
2 on water and sewer charges. He submitted a copy of his letter that he read aloud. He
3 also read from City documents that encouraged remediating blighted properties, which
4 Bernard believes he has done with this property.
5

6 **IV. Consent Agenda**

7 **A. April Minutes**

8 **B. Resolutions Memorializing Council Actions**

- 9 1. Resolution 2019-72 Authorizing the City to enter into a contract with Yachats Farmers
10 Market
11

12 **Glenn moved to approve the consent agenda: Aye – 5; No – 0.**
13

14 **V. New Business**

15 **A. Draft CIS Volunteer Policy Manual**

16 Manager Beaucaire explained the three documents in the packet. She reported the City's
17 insurance company, CIS, provided the City with a five-page template of what they would accept.
18 Councilor Vaaler suggested the five-page summary does not work very well with the Trails
19 Committee and how they manage volunteers. Vaaler noted the requirement for approval prior to
20 volunteering and limitations on transporting volunteers. Vaaler suggested sending the
21 documents to volunteer groups for their input. She also noted the requirements for recording of
22 hours and for feedback from supervisors.
23

24 Mayor Moore suggested Council revisit this topic at one of their June meetings.
25

26 **B. Public Comment on Vacation Rental Pilot Program**

27 Mayor Moore recalled the previous Council adopted a pilot program in 2017 that implemented a
28 cap, and he wanted to start reviewing the program now prior to the August 2019 deadline to
29 make a decision about the program.
30

- 31 1. Candy Neville (1430 King Street, Aha Lodge) read a letter she previously sent to Council
32 asking that licenses transfer to heirs or with property transfer and/or to grandfather
33 existing rentals
34 2. Noreen Franz-Hovis (575 Aqua Vista Loop) asked that short term rentals be "grand-
35 personed" in or allowed to transfer the license to their heirs.
36 3. Cedric "Duke" III (178 Yachats Ocean Road) noted they previously had a vacation
37 rental, moved into it, and wanted to be able for his children to do the same. He handed
38 out a document presenting four proposed changes.
39 4. Sharon Neuschwander (40 Surfside Drive) stated the program puts the occupancy limit
40 on the home as well as the owner, and she cannot have all of her children and
41 grandchildren there at the same time. She also favored the transferability issue because
42 her property can no longer be sold as an investment property.
43 5. Lisa Rola (900 Ocean View Drive) stated her daughters own vacation rentals and she
44 cleans them. She has noted so many homes that remain empty and did not believe the
45 program has increased work force housing.

- 1 6. Paul Neville (1430 King Street) read a statement on behalf of William and Robin Stinnett
2 (979 Ocean View Drive) that asked that the vacation rentals be allowed to transfer to
3 their children.
- 4 7. Drew Roslund (280 Overleaf Lodge Lane) agreed there was a point where there would be
5 too many vacation rentals and suggested zoning changes where more vacation rentals
6 could be allowed in some areas of the City.
- 7 8. Tom Lauritzen (204 Shell Street) stated he sees four vacation rentals from his house and
8 his home is deed restricted, and there are two homes near him that have licenses on deed
9 restricted properties. He suggested a two-tier license system where a business (vacation
10 rental) in a residential zone required a conditional use permit. He also noted the absence
11 of a code enforcement officer to help generate data on the program. He stated the second
12 type of vacation rental would be a family that wanted to rent a limited amount to help
13 cover the cost of the home.
- 14 9. Lance Bloch (549 Aqua Vista Loop) cited Cannon Beach where vacation rentals and
15 second homes make up 60% of the residential homes. He noted Cannon beach has a
16 much larger population and has limited their rentals to 92, adding they have three
17 categories: unlimited rentals tied to the property with ongoing renewal, five-year license
18 which then goes to a lottery system for renewals, and an unlimited number of 14-day
19 vacation rental permits. He strongly suggested the City better enforce vacation rental
20 codes by having someone available on weekends when most rentals occur.
- 21 10. Nathan Barnard (8628 Yachats River Road) stressed the importance of the quality of life
22 in this town. He suggested that rather than putting such energy into a regulatory system
23 and enforcement, they put their efforts into quality of life issues, and caps and non-
24 transferrable licenses do not contribute to quality of life.
- 25 11. Lisa Rola stated the majority of people with vacation rentals in Yachats are family-run
26 businesses.
- 27 12. Paul Thompson (1153 Driftwood Lane) stated he has been complaining for nine years
28 about lack of code enforcement. He agreed regulations are a waste of time if you do not
29 enforce the codes you have. He also thought licenses should transfer to family members.
- 30 13. Linda Johnson (21 Catkin Loop) stated the cap was reasonable and believed the system
31 was not being enforced. She looked online and found 300 rentals advertised. She noted
32 73 units in the central area had average of 6.6 people per unit. She stressed that vacation
33 renters do not volunteer. She also asked if they have 800 renters and 750 residents, how
34 do they get through the summer with water.
- 35 14. Wendy Snidow (Coastal Homes Real Estate) stated property owners have lost a lot of
36 value in homes in the \$400,000 - \$700,000 range.
- 37 15. Jacqueline Danos (Spring Hill) stated she has sent a letter to Council. She wondered why
38 so many people say this program has impacted them when they still have their license.
39 She was in favor of passing a license to their children. However, she suggested that when
40 selling houses based on marketing of vacation rental outlets, the owner was not investing
41 in the community and was treating their home as a business. She also thought a home
42 with eight or more occupants were hotels, not homes.
- 43 16. Craig Berdie (319 E 3rd Street) argued that vacation rentals near his home lower the value
44 of his home, and cited a jurisdiction that is implementing a policy where an owner must
45 declare vacation rentals as neighbors as a disclosure. He suggested looking at a
46 technology solution for finding unlicensed rentals. He provided an example of a time

- 1 when there were eight people and six dogs in a home. He also noted they felt less secure
2 with unknown cars driving on their dead-end street. He believed other factors are more
3 important to the value of a home than the ability to rent it.
- 4 17. Ron Spiso (610 Lemwick Lane) noted his 6-bedroom home was built to be a vacation
5 rental. He believed the ordinance was written specifically about his home. At the very
6 least, he wanted the license grandfathered in. He did not agree that having 14 people in
7 the house made it a hotel. He argued that his home provides \$8,000 in taxes, and if it
8 were not a vacation rental, no one would live there. He also stated Yachats has always
9 been a vacation town. Spiso's daughter stated they are a family that cannot inherit their
10 family home. She argued the renters keep this town vibrant. She was very much against a
11 program that would put the license into a lottery for renewal.
- 12 18. Jack Koehler (625 Lemwick Lane) echoed many of the comments that already been
13 made. His house was built 22 years ago to be a rental and the City approved it, and they
14 were never told that their ability to rent would go away. He favored the grandfathering in
15 and putting the limit on transferability on building going forward.
- 16 19. Lisa Glenn (not from Yachats) asked if there were fines for violations. She speculated
17 there were solutions to help with enforcement.
- 18 20. Jamie Michelle (Sweet Homes Vacation Getaways) wanted licenses to be inherited but
19 not necessarily transferred with property sales. She wanted to remove the rental cap. She
20 argued that people who have vacation rental licenses should have minimum rental
21 requirements (she called, "license hoarding"). She asked for a clear explanation of how
22 the waiting list would be handled once vacation rental license become available. She was
23 in favor of efforts to enforce compliance.
- 24 21. Mary Coello (Ten Mile) asserted the housing bubble greatly impacted the community and
25 stressed the need for enforcement. She believed transferring to heirs was essential.
- 26 22. Jack Koehler asked what the problem was that started all of the regulation changes.
27 Mayor Moore stated the answer was too lengthy to get into at this meeting.
- 28 23. Candy Neville stated that there were lots of people in town who do not volunteer and that
29 there were other ways to contribute to the community.
30

31 **VI. Reports**

32 **A. Financial Report**

33 **B. Council Reports**

34 Mayor Moore reported he attended:

- 35 1. April 23 bi-monthly meeting of Mayors
- 36 2. April 26 roundtable with Kurt Schrader and David Gomborg
- 37 3. The grand opening of Fistera Town Homes and noted 13 of the new tenants were
38 employed in Yachats

39 **C. City Manager's Report**

40 Manager Beaucaire reported:

- 41 1. The City entrance signs will be in place by May 31, 2019
- 42 2. She met with engineer of record regarding Oceanview Drive, and the engineer noted how
43 fair the county was being in what they were willing to accommodate. They did discuss
44 rumble strips in the pavement and the county does have that equipment to create those.
45

1 The engineer favored reflectors placed closer together to effectively act as rumble strips.
2 She stated paving could begin in June 2019.

- 3 3. The City received bids on W 1st and E 2nd Streets paving that came in just under budget.
4 She asked for permission to go forward with the bids. Council concurred with Manager
5 Beaucaire proceeding with the contracting.
6

7 **VIII. Other Business**

8 **A. From Mayor** - none

9 **B. From Council** - none

10 **C. From Staff** - none
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12 Mayor Moore adjourned the meeting at 8:29 pm.
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18 _____
19 W. JOHN MOORE, Mayor

20 ATTEST:
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22

23 _____
24 Shannon Beaucaire, City Manager

Date