



CITY OF YACHATS

CITY COUNCIL MEETING

October 16, 2019, 2019

Approved Minutes

Meeting Call to Order

Mayor W. John Moore called the October 16, 2019 regular meeting of the City Council to order at 2:00 pm in Room 1 of the Yachats Commons. Council members present: W. John Moore, Max Glenn, James Kerti and Leslie Vaaler. Staff present: City Manager Shannon Beaucaire, Facilities Manager Heather Hoen, Clerk Kimmie Jackson, Water Treatment Plant Lead Rick McClung, and Wastewater Plant Lead Dave Buckwald. Audience: 44.

I. Announcements, Correspondence, and Proclamations

Councilor Glenn announced there will be a town hall meeting at 6:00 pm at the Lions Club regarding the recent changes to the ban on aerial pesticide spraying.

II. Public Comment

1. Nathan Barnard (Farm Store and Yachats Brewing) spoke against moving City Hall to the 501 Building. He believed a million-dollar City Hall for a town of Yachats' size was outrageous. He believed this Council was unbridled in its regulations and expansion. He stated he would initiate a recall petition for all Councilors and the Mayor.

2. Steven Lescai (20080 Overleaf Loop and 2120 Overleaf Loop) stated having his home as a vacation rental would not diminish his neighborhood. He claimed the Council was elitist.

III. Consent Agenda

A. September 4 and 18, 2019 Minutes

B. Resolutions Memorializing Council Action

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

IV. New Business

A. Utility Rate Study Discussion with Tim Tice, OAWU

Tim Tice from the Oregon Association of Water Utilities provided some background on the Association. He stated they provide guidance on water systems management, operations, rates, and other areas of assistance.

1 Councilor Kerti asked about the group's experience with water rate studies. Tice indicated they
2 typically work with cities who need help finishing projects or help with keeping water operations
3 solvent. He stated they do around three water rate studies each year.

4
5 Kerti asked what results the City could expect. Tice explained the process of what they work
6 with and the parameters they consider.

7
8 Glenn asked about the amount of time covered by the study. Tice stated they would provide
9 analysis for a four-year time period with recommended adjustments for each year. Glenn
10 clarified that OAWU would not be looking at history. Glenn asked if previous issues with
11 billing and with the opinions about the proportion of what residents pay would be addressed.
12 Tice indicated he would need more information to answer that question.

13
14 Mayor Moore noted that one concern was to identify how much of the revenues should go to
15 reserves, such as a \$100,000 versus \$200,000 contribution. Tice indicated the numbers he has
16 seen would indicate that the city would be wanting at least \$200,000 going toward reserves.

17
18 Councilor Tooke asked if this type of study helps with getting grants. Tice stated if the City's
19 rates fall within certain criteria, the grant process would be expedited.

20
21 Councilor Vaaler clarified that Tice has received the information he needed to do the work. Tice
22 believed he has and noted that Yachats has set their contingency at 8%, while the national
23 standard was between 10% and 20%. He noted base rates appeared to be on target and that the
24 per unit rates reflected a wide range of usage. Vaaler clarified that the City would receive a
25 report by the end of this calendar year. Vaaler also clarified that everything Tice had discussed
26 was included in the price quoted.

27
28 Nathan Barnard asked what the cost of the study would be and why the City was doing the study.
29 Mayor Moore explained the City was looking for a third party to recommend a fair pricing plan.
30 Manager Beaucaire stated the cost was \$24,000 for both water and sewer.

31
32 Tice explained the standards that would be applied, such as meter ratios. He provided an
33 example of a standard that a 5/8 meter has a 1:1 ratio and a 2" meter has 2.9:1 ratio.

34
35 Vaaler asked about factoring in longer term projects. Tice discussed the use of contingency
36 funds. He also discussed prioritizing projects. Mayor Moore added that the water improvements
37 are funded through the General Fund, noting the City has about \$1.6 million for costs, of which
38 \$1 million comes from rate revenues, \$330,000 comes from the Urban Renewal District, and
39 another portion comes from the food and beverage tax.

40
41 Duke Tracy asked what the guidelines covered for lines in the ground. Tice talked about how
42 water loss was handled.

43
44 Barnard asked if rate payers would see a tangible benefit. Mayor Moore explained that it was
45 conceivable some users could see a decrease in rate.

1 Vaaler stated she was in the minority on a previous vote on conducting this study and she now
2 believed the best approach was to get the most out of the OAWU work. Vaaler indicated she
3 shared a concern that the City did too many studies.

4
5 Manager Beaucaire added that one net benefit was to enhance water serves and to be able to
6 continue providing services.

7
8 Glenn moved to proceed with the water rate study using a \$200,000 amount for capital reserves:
9 Aye - 5; No – 0.

10
11 Drew Roslund questioned whether the study was related to System Development Charges (SDC)
12 and clarified that this study would not address SDCs.

13 14 **B. DLCD and City IGA Hazard Mitigation with Jenny Demaris, LCEM**

15 Jenny Demaris, Lincoln County Emergency Manager, stated the county was required to have a
16 hazard mitigation plan in place that was reviewed every five years. She noted this plan was to
17 provide for both disaster preparations and disaster recovery. She stated this plan was needed for
18 grants. Demaris stated that to be included as a partner, the City would be responsible for
19 providing support, which could be through in-kind services. She noted the City and benefit from
20 having a third party for doing a large amount of research and leg work. Demaris reiterated that
21 the in-kind contribution could be met with the City Manager time, Public Works time, Planner
22 time, and other personnel time.

23
24 Vaaler asked about the information required from the City. Demaris explained the City has
25 previously identified and prioritized plans for preparation and recovery. Demaris explained how
26 the mitigation plan could be used for projects and for finding funding. She also reviewed some
27 of the elements that need to be researched when putting together a plan, such as changes to
28 standards, criteria, and legislation.

29
30 Demaris explained that most of the coastal towns in Lincoln County were similar enough that it
31 was much more efficient for the cities to be included as addendum partners rather than to create
32 their own plan.

33
34 Glenn moved to approve the IGA between the City and the Oregon Department of Land
35 Conservation and Development on being addendum partner on the Lincoln County Natural
36 Hazards Mitigation Plan: Aye – 5; No – 0.

37
38 Glenn asked Demaris about the 911 program. Demaris indicated 911 services are handled by the
39 County Sheriff and the Yachats Fire Department. Glenn explained Salem answers 911 calls
40 from Yachats and an emergency vehicle was recently sent to a city other than Yachats. Demaris
41 suggested Glenn talk to the County Sheriff.

42
43 Demaris praised the Emergency Preparedness Committee members for their engagement in
44 trainings and planning.

45
46 Demaris asked everyone to participate in the Great Oregon ShakeOut tomorrow (October 17,
47 2019). She encouraged participants to register so there would be a record of participation.

1
2 **C. TSP and Quick Response Program with David Helton, ODOT**

3 Manager Beaucaire connected David Helton from ODOT and Dana Nichols from COG by
4 telephone. Manager Beaucaire asked Helton to give an overview of the plans. He stated his
5 organization provides grants for communities to do Transportation System Plans (TSP). In
6 addition, he noted they also have a transportation systems assessment.
7

8 Helton explained the Quick Response Program was an option for when a City needs additional
9 help on a specific planning issue.
10

11 Manager Beaucaire noted the City would be assuming a road that was experiencing erosion and a
12 decision was needed on traffic flow. She also noted a need for an additional crosswalk and
13 possible adjustments to curbs. Manager Beaucaire stated the City currently has a Village
14 Circulation Plan. Nichols added that the City did not have a formal TSP and such a plan would
15 be needed to meet statewide requirements.
16

17 Helton explained cities are required to have a transportation plan under Oregon Administrative
18 Rules (OAR) Section 660.012.0055. He noted subsection 7 of OAR 660.012.0055 allows cities
19 of less than 10,000 people to apply for an exemption for the transportation planning
20 requirements.
21

22 Kerti noted the three concerns for traffic flow direction, problematic curbs, and an additional
23 crosswalk or change in speed limit. He asked if these issues met the scope of a Quick Response
24 Project. Helton was not sure that any of these issues would fall under a Quick Response Project
25 because they were not urgent. He noted the City Engineer would be the one to make a
26 recommendation on traffic flow or urgency.
27

28 Mayor Moore recalled the public meeting input where one-way north was preferred, but the issue
29 with delivery trucks needed the route to be one-way south. Mayor Moore explained ODOT
30 narrowed the street openings so that trucks cannot use the side streets to reach the stores. Helton
31 indicated this issue could be addressed in the TSP.
32

33 Vaaler reported the curbs were causing legitimate concerns about someone getting hit and/or
34 injured and asked if this would meet the urgency criterion under a Quick Response. Helton
35 noted there could be a case for a Quick Response given the larger issue Vaaler noted.
36

37 Vaaler noted there was a new housing development that was causing increased concern because
38 of the increase of people who need to cross Highway 101. Helton noted this issue could be
39 addressed on a one-on-basis with ODOT. He also reported that cities can request a speed study
40 from ODOT. Manager Beaucaire stated she spoke with someone from ODOT who indicated a
41 crosswalk would require a pedestrian island and lighting at a cost of \$150,000. Helton indicated
42 the City could apply for a grant for this work.
43

44 Barnard noted every issue Mayor Moore brought up to Helton was raised by citizens with the
45 ODOT plans for Highway 101. Mayor Moore told Barnard that Yachats was the first project
46 after ODOT settled a lawsuit about ADA compliance so ODOT approached the project very
47 conservatively.

1
2 Manager Beaucaire asked if a TSP would help prioritize projects or to get grant funding. Helton
3 indicated a TSP would prioritize projects and could be helpful in getting grants. He stated his
4 organization did provide grants for this project. He stated they get 15-20 applications each year
5 and award 5-6 projects each year. He noted some cities need to apply multiple times to get the
6 grant. He suggested an application from Yachats would likely score high due to the absence of
7 an existing plan.

8
9 Manager Beaucaire asked about what the City could do to help get the grant and if a community
10 survey could be beneficial. Helton stated the process of creating the plan would involve the
11 community. Nichols added that she had previously stated that community surveys or visioning
12 might help with a grant. Helton clarified that ODOT was looking for support from the
13 community and a community survey was not required. He stated something like the trucks
14 having problems accessing the businesses could be a justification for receiving a grant.

15
16 Kerti asked what the advantage of a Quick Response was over a TSP. Helton stated the Quick
17 Response would be faster, noting a TSP would not be getting under way until 2021 and a Quick
18 Response could happen in three to six months. Helton stated a speed study could be requested
19 separately or as part of the TSP. Vaaler clarified that a single application for the traffic direction
20 and the curb issue was possible. Helton stated having the State Park be part of the issue would
21 greatly enhance the chances of getting a Quick Response.

22
23 Helton stated a Quick Response program was partially grant funded and the City could provide
24 its required match in the form of staff time and related expenses.

25
26 Mayor Moore clarified that it would take three to six months to conduct the Quick Response in
27 addition to three to six months to find a consultant. Helton summarized it would take six to
28 twelve months to get recommendations.

29
30 Helton indicated a TSP was most useful when a new development was planned and design
31 standards were needed.

32
33 A resident stated there has already been a traffic fatality in the area where the crosswalk was
34 needed. Doug Connor noted there was a State Park right by that area. Connor also noted the
35 addition of the fire department to that area.

36
37 Helton apologized for having caused problems with the new curbs installed by ODOT.

38
39 Glenn asked if the City could do both studies. Helton indicated it was possible to do both and to
40 get funding for both. He stated the findings of a Quick Response project could be used to help
41 supplement the application for a TSP.

42
43 Tooke suggested the City apply for the Quick Response now, then go ahead with the TSP. Kerti
44 suggested the City do the Quick Response, then see if a TSP was needed.

1 Glenn moved to proceed with applying for a Quick Response grant and study for addressing the
2 directionality on Ocean View Drive and the curbs on the side streets and to proceed with
3 contacting Helton at ODOT about the crosswalk issue: Aye – 5; No – 0.
4

5 **D. Parks and Commons Rental Deposit Increase Recommendation**

6 John Purcell, Chair of Parks and Commons Commission, thanked the Council for the work they
7 do. Purcell explained there was a recent event where the deposit was \$100 and the group
8 decided to forego their deposit in order to not have to clean up after the event. Purcell stated the
9 cleanup work took 2 ½ days. He stated the Commission was recommending a \$500 deposit for
10 private events and holding a credit card on file to cover potential damages. Drew Roslund
11 explained that holding a credit card on file does not guarantee a payment as if the cardholder
12 does not sign a receipt, they can ask their issuing company to deny the charge and they will win.
13 He explained the hotel industry knows that one must have a signature.
14

15 Clerk Jackson stated that cards are charged for deposits when a user comes in to get keys and the
16 city gets a signature.
17

18 Mary Coello stated that she works with the preschool and asked that users put items back where
19 they find them. She suggested this could be part of a decision to keep a portion of a deposit.
20

21 Kerti moved to approve the recommendation from Parks and Commons to set a \$500 deposit for
22 wedding events and to keep on file a credit card to cover other possible damages: Aye – 5; No –
23 0.
24

25 **E. Library Commission Update**

26 Marv Wigle, Chair of the Library Commission, stated that, after 11 years, Janet Hickam has
27 stepped down as Head Librarian and, after eight years, Janet Ratcliff has stepped down as the
28 Children's Librarian. He reported the Commission appointed Dianne Allen and Rose Valentine
29 to be Co-Head Librarians. He noted that Jane and Michael Shay will be appointed as Co-
30 Children's Librarians.
31

32 Wigle reported Marg Petersen has graciously donated the personal library of her late husband,
33 Bent Petersen, and also made a \$150,000 donation to the Library.
34

35 Wigle reported the City received one bid for the Library expansion project for \$320,000. Wigle
36 provided pros and cons of three options to:

- 37 1. Complete the current expansion
- 38 2. Expand the project by the legally allowed 25% to a total amount of around \$400,000
- 39 3. Reject the current bid and leverage the funding on hand to get additional grants for an
40 expanded project.
41

42 Wigle reported the Commission was recommending Option 3. He stated their recommendation
43 included a recommendation to assess the potential for grants and to conduct a library needs
44 assessment at a cost of \$12,000-\$20,000. He believed this option provided the most
45 comprehensive approach to meeting library needs. Mayor Moore clarified Wigle's cost estimate
46 was based on projections.
47

1 Vaaler summarized that the Library has \$350,000 on hand, including 100,000 of the Hall
2 Bequest. Wigle stated they were reserving \$50,000 of the Hall Bequest for future needs. Wigle
3 indicated the \$350,000 included \$50,000 from the City and \$50,000 in grants and fundraising
4 from the Friends of the Library. Vaaler noted the bid received was 65% above the expected
5 number rather than an expected 25%.

6
7 Kerti thanked the Petersen family for their generous donation. Kerti asked Facilities Manager
8 Hoen how rejecting this bid would impact grant opportunities. Hoen explained the City has yet
9 to apply for grants for this project. She noted the Commission's recommendation would require
10 drafting a whole new scope of work. Wigle stated the Friends have a grant for \$11,500 that
11 would likely time out if Council goes with the recommendation of the Commission.

12
13 Wigle stated the primary grant target was the Ford Family Foundation. Tooke noted the water
14 partnership has worked with the Ford Family Foundation and the Foundation definitely supports
15 rural communities.

16
17 Hoen noted the performance bonds required in the intent to bid added an additional 30% to the
18 estimate, which accounts for the 65% difference Vaaler had previously noted. She stated the
19 performance bond was \$70,000 per contract worker.

20
21 Hoen explained there were no legal ramifications if they were to reject the bid before the deadline
22 of November 15, 2019. She noted the attorney and herself were concerned about losing this
23 bidder on this and other possible contracts. She stated any job over \$100,000 requires the
24 performance and surety bonds. She explained how these requirements complicate the ability to
25 estimate a cost because different contractors have different costs associated with their
26 performance and surety bonds. She also noted the bond requirements limit the type of bidder.
27 She stated it was very important to identify the project fully before going out to bid due to
28 constraints around asking the contractor to engage in design work.

29
30 Kerti noted the current Commission proposal stipulates hiring a person to conduct a needs
31 assessment. Kerti suggested holding a joint work session with the Library Commission to go
32 over the needs of the Library that are not met by the current bid.

33
34 Vaaler thanked the Library Commission for their work. She stated a work session with the
35 Library Commission could be beneficial. Vaaler stated she was comfortable rejecting the current
36 bid but wanted to hold off on approving the expense on consultants until the Council could get
37 more information.

38
39 Manager Beaucaire stated it would be courteous to give the bidder as much notice as possible if
40 the decision were to reject the bid.

41
42 Tooke moved to approve the Library Commission's recommendation: Aye – 2; No – 3 (Vaaler,
43 Moore, and Kerti).

44
45 Glenn was ready to approve the rejection of the bid but not to spend money on a consultant until
46 more information could be presented.

1 Kerti noted the Commission made a recommendation to do a needs assessment and thought it
2 would be fruitful to have a joint meeting with the Commission and Council to ensure they were
3 considering all of the needs. He also wanted to hold off on rejecting the bid until they know
4 where they were with meeting the needs.

5
6 Vaaler moved to reject the current bid for the Library Expansion project: Aye – 4; No - 1
7 (Kerti).

8
9 Mayor Moore asked if it would be acceptable to the Library Commission to have a joint meeting.

10
11 Purcell noted the Library just received a gift of \$150,000 and the recommended study was only
12 8% of that.

13
14 Tooke moved to authorize the Library Commission to conduct a needs assessment study:
15 discussion

16
17 Hoen stated the needs assessment study would help determine some issues about what grant
18 funding was available. She explained that to officially be a “public library,” there needs to be a
19 paid librarian. She believed it to be extremely useful to get this information.

20
21 Call for vote: 3 - 2 (Kerti and Vaaler)

22
23 Mayor Moore announced a change in agenda to accommodate the Finance staff.

24 25 **VI. Reports**

26 **A. Financial Report**

27 Sue Forty from COG introduced the new COG Finance Manager, Martha Jirovic. Forty
28 explained that the COG Executive Director had resigned and she was going to serve as interim
29 Executive Director. Starting in December 2019, Ellen Myhrvold would no longer be contracting
30 with Depot Bay and would be in at City Hall five days each week.

31
32 Forty reported that it normally takes six months to do a full conversion and the City has done it
33 in two months.

34
35 Forty highlighted that the beginning balance numbers would be input once the City’s audit
36 comes back, likely in December 2019. She noted some items were low because of the timing of
37 funds. Forty also noted COG typically separates out legal fees and thought this would be
38 valuable for Yachats to do. She noted some items have been moved from the contracts category
39 to their own category. Forty stated interfund transfers will be done quarterly.

40
41 Forty explained the financial software has the ability to do project management. The feature
42 creates a single line for CIPs, and the individual project information can be obtained through a
43 separate report.

44
45 Forty stated she would be in Yachats on November 13 and 14, 2019 and was willing to take
46 questions.

1 Vaaler asked what numbers to expect for COG expenses going forward. Forty explained many
2 of her staff were on site to get the software implemented over five days and were on site to work
3 with the auditors. She believed their work has stabilized. She noted Myhrvold's contract would
4 continue to be \$6,500. She added that mileage and overnight expenses would go away.

5
6 Don Groth asked that Forty attend the Finance Committee meeting at 10:00 am on November 13,
7 2019.

8 9 **IV. New Business – continued from above**

10 **F. Resolution 2019-92 Setting Fees for Vacation Rental Licenses and Inspection Fees**

11 Mayor Moore read the proposed license fees amounts. He stated the increase in fees was to
12 cover administration and code enforcement costs associated with vacation rentals. Diane Allen
13 asked if code enforcement was actually happening, noting it has been absent for some time.

14
15 Kerti stated that the Resolution asserted that the inspections are every five years and asked if that
16 should be changed to match what was going to be discussed in the ordinance to have inspections
17 every two years. Mayor Moore indicated it was proper to make this change now so that these
18 rates would be in effect for renewals in December 2019.

19
20 **Glenn moved to accept Resolution 2019-92 setting fees for vacation rental licenses and**
21 **inspection fees: discussion**

22
23 1. Drew Roslund (2090 Overleaf Lodge) provided some history on how the Overleaf manages
24 their vacation rentals, including multiple drive-by inspections of their homes. Roslund stated the
25 City was penalizing all vacation rentals for a few bad apples. He believed the fees were
26 vindictive and felt like a "kick in the mouth."

27
28 Roslund speculated that a new code enforcer would find something minimal to be addressed,
29 then the owner would be charged another \$100 for a return visit. Roslund argued each home
30 contributes an average of \$2,000 per year in transient rental taxes. He believed this money
31 should cover the costs stated above. He noted the City has one code enforcer for 700 people
32 while Bend has one code enforcer for 80,000 people. He noted the license fees have increased
33 by over 1000%. He also noted the Overleaf is zoned R-4. He stated he had previously worked
34 with the Planning Commission and City Council about allowing for a resort community which
35 included no limits on vacation rentals.

36
37 2. Bob Bearworth (34 Highway 101 S) stated his house has three living units, including three
38 kitchens. He explained his situation of not being able to get back a vacation rental license he did
39 not renew because he was doing a temporary longer-term rental. He was against the cap and
40 thought Council was too greedy.

41
42 Mayor Moore stated the cap was to prevent the rapid escalation of vacation rentals in Yachats
43 and the cap was to create a balance.

44
45 3. Mike Ruane (591 Aqua Vista Loop) asked for an explanation of the point of the cap. He
46 argued the cap does not create affordable housing.

1 4. Candy Neville (631 Shoreline Way, Eugene and vacation rental at 1430 King Street) stated
2 she thought \$400 was greedy and \$900 was way too high. She recalled Council discussed how
3 they could double the revenues from the fees. She did not want to pay \$900 just to be monitored.
4 She wanted to be respected for being an honest person.

5
6 5. Mike Rufner (562 Highway 101 S) stated he felt like a cash cow for the City and like he was
7 treated differently than a resident. He did not believe owners had been given a justification for
8 the fee increases. He claimed his property value went down \$150,000 in value because of the
9 cap.

10
11 6. Tricia Rains (491 and 497 W 3rd Street) suggested the City was getting in the way of itself.
12 She stated Yachats was a fabulous vacation town and was centered around vacationers. She
13 stated Yachats was lacking services and was not a real town. She asserted vacation rental owners
14 make the town beautiful.

15
16 7. Helen Anderson (77 E 8th Street) stated the 400 people who live in Yachats year-round think
17 of themselves as a town and it was insulting to say we were not a town. She said the City was
18 not taking away vacation rentals. She said the issue was about maintaining a balance.

19
20 Glenn noted this issue has been discussed before and there was consensus to move forward with
21 the resolution. Vaaler stated there was transparency when Mayor Moore first presented his
22 numbers on fees. She noted there could be discussion on the percentage of code enforcement
23 that fees covered. She researched fees along the coast and noted Garibaldi had a flat fee of \$725.
24 Kerti has reservations about the fee increase. He noted the budget for code enforcement was set
25 before Council suggested the fee increase. He noted the City was still assessing the exact needs
26 of the code enforcer and suggested they wait to reassess the need for a fee increase until these
27 needs have been identified. Tooke agreed with Kerti. Kerti asked to hold off on looking at fees
28 until next year. Tooke noted he has consistently heard complaints about code enforcement.
29 Glenn had concerns about the inactive users and he recalled the increase was to encourage those
30 holders to drop their licenses. Vaaler preferred to go forward with the resolution. Mayor Moore
31 also preferred to not delay the resolution and believed keeping the fees at the current level would
32 not result in inactive users dropping their license.

33 .
34 Mayor Moore postponed a vote until the November 7, 2019 work session.

35
36 Diane Allen (111 Greenhill Drive and a vacation rental owner on 17 Shell Street) stated her
37 home holds up to 14 people. She stated she has an inactive rental license and did not believe
38 penalizing others was a way to get her to give up her license. She asked the Council to start a
39 waiting a list.

40 41 **G. Resolution 2019-93 Termination of the Water Shortage Emergency**

42 Vaaler moved to approve Resolution 2019-93 terminating the water shortage emergency: Aye –
43 5; No – 0.

44 45 **V. Hearings**

46 **A. Ordinance 364 Amending Section YMC 4.08 Related to Vacation Rentals**

47 Mayor Moore opened the public hearing on Ordinance 364 at 5:27 pm.

1
2 Item 9 - New licenses as conditional use: Mayor Moore reviewed the attorney comments and
3 noted, for item 9, the attorney suggested having a vacation rental be a conditional use be done by
4 separate ordinance and be first addressed by the Planning Commission.

5
6 Council agreed to send this item to the Planning Commission.
7

8 Item 15 - Waiting List: Mayor Moore noted the attorney stated that, per section 4.08.040(C), this
9 issue was already addressed and that the City should already have a waiting list. He recalled
10 Council wanted to give people a reasonable amount of time to submit an application, then have
11 the order of those submissions determined by lottery.
12

13 Vaaler wanted to have commercial properties at the top of a waiting list. She also wanted to give
14 R-4 zoned properties a higher priority. Mayor Moore noted there have been requests to allow
15 unlimited number of vacation rentals in a commercial zone. He was open to allowing unlimited
16 licenses in R-4 zones. Clerk Jackson indicated they did not currently have a list of vacation
17 rentals by zone, but she would provide a list of vacation rentals in the R-4 and C-1 zones.
18

19 Council agreed to discuss this issue at the November 7, 2019 work session.
20

21 Comment 3 – Parking regulations for trailers: Mayor Moore stated that more clarification was
22 needed for parking a boat trailer as the “moderate size” designation was unclear. Vaaler noted
23 there was a definition for a parking space in YMC 9.040.030, specifically a space must be nine
24 by eighteen feet. She suggested the boat size should be limited to this size. Manager Beaucaire
25 noted there were different standards used in the recent paving of E 2nd Street.
26

27 Council agreed to discuss this issue at the November 7, 2019 work session.
28

29 Comment 4 – Penalty amount: Mayor Moore noted the attorney stated a fee lower than \$1,000
30 per day would be preferable on vacation rentals operating without a license.
31

32 Council agreed to discuss this issue at the November 7, 2019 work session.
33

34 Item 7 – Inspection frequency: Vaaler asked that they clarify who would be inspected if they
35 were to move from every five years to every two years, noting there would be a need to inspect
36 every unit that was not inspected last year in the coming year. Manager Beaucaire stated she has
37 been talking with the code enforcer about a process for doing these inspections.
38

39 Vaaler asked about the possibility of requiring a permit number on advertising vacation rental
40 because there were people who used online advertising who were not reporting taxes and/or were
41 operating an unlicensed rental. Manager Beaucaire indicated she would follow up on this issue.
42

43 An audience member asked why Council was assuming so many people would be applying for a
44 license.
45

1 Duke Tracy suggested that Council define what a complaint is as referenced in Item 17. Mayor
2 Moore indicated that, after thinking about the issue, the requirement for providing a list of
3 complaints be stated as an option rather than an outright requirement.

4
5 Moore indicated they should talk about this item at the November 7, 2019 work session.

6
7 At 5:40 pm, Mayor Moore continued the public hearing to the November 7, 2019.

8
9 **B. Ordinance 363 Amending YMC Sections 9.04.030, 9.52.030 and 9.64.010 Design**
10 **Standards for Street Construction and Design**

11
12 Mayor Moore opened the public hearing on YMC 9.04.030, 9.52.030 and 9.64.010 at 5:40 pm.

13
14 Planning Commission Chair Helen Anderson explained this issue arose when someone
15 complained about a hedge and a previous code enforcer did not think the height limit in the
16 required yard could be enforced because the street was a private street. She stated the Planning
17 Commission believed the requirement applied regardless of street type, and the attorney noted
18 the section of the code on clear sight was in the wrong section of the code.

19
20 Anderson stated this ordinance moves the relevant section of code and revises the definition of
21 streets to specifically state a reference to streets includes both public and private.

22
23 Mayor Moore noted there was a stipulation in YMC 9.64.010(B) for fences, hedges and walls
24 located in any required yard which abuts a street other than an alley. He explained abut could be
25 interpreted to mean a hedge that is perpendicular to the street. He suggested adding a clause that
26 indicates, "and runs parallel to."

27
28 Doug Connor (Lemwick Lane) asked if corrective action could be taken immediately. Manager
29 Beaucaire expected the code enforcer would speak with the owner as soon as the change was in
30 effect. Manager Beaucaire clarified Connor did not need to file another complaint but it would
31 not hurt to do so.

32
33 Connor noted there was no height limit on fences other than this clear sight area. He recalled
34 previous planner Lewis had said there was an eight-foot limit. He asked that the City implement
35 some fence height restrictions.

36
37 Christine Lothrop (15 Reeves Cir) asked about the hedge on her property that runs along
38 Highway 101. Anderson indicated she would need to know where her property line was and she
39 could apply for a variance if the hedge was in the required yard.

40
41 Glenn moved to approve Ordinance 363 amending YMC Sections 9.04.030, 9.52.030 and
42 9.64.010 design standards for street construction and design with the modification to add,
43 "required yard which abuts and runs parallel to:" Aye – 5; No – 0.

44
45 Mayor Moore closed public hearing at 6:00 pm.

46
47 **VI. Reports**

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