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CITY OF YACHATS

CITY COUNCIL MEETING  
November 14, 2018

Draft Minutes

Mayor Gerald Stanley called the November 14, 2018 meeting the City Council to order at 6:12 pm in Room 1 of the Yachats Commons. Council members present: Gerald Stanley, Jim Tooke, Barb Frye, Craig Berdie, and Max Glenn. Staff present: City Manager Shannon Beaucaire, Clerk Judy Richter, and Facilities Manager Heather Hoen. Audience: 20.

**I. Announcements, Correspondence, Proclamations**

Mayor Stanley announced he was removing Resolution 41 (Item IV.A) from the agenda.

Councilor Glenn announced the Oregon Coast Chamber Orchestra would be playing at 7:00 pm at the Presbyterian Church on Friday, November 16, 2018

Mayor Stanley announced:

1. Land-Sea Symposium is November 15, 2018 from 5:00 to 8:00 pm
2. Ladies Club Holiday Bazaar runs November 30 to December 2, 2018
3. YYFAP Breakfast with Santa is December 1, 2018 at the Lions Club

Mayor Stanley read a letter from Penelope Kaczmarek of the Mid-Coast Water Partnership thanking the City for hosting the Mid-Coast Partnership meeting and noting the event went smoothly and was fun. Mayor Stanley thanked Councilor Tooke for organizing that event.

Councilor Berdie added that the Land-Sea Symposium asked that people make reservations and was free.

**II. Public Comment**

James Kerti (252 Highway 101 South) reported he had heard from several people about the possibility of a marijuana dispensary opening across from the Commons, where there is a preschool and afterschool program operating. He noted the programs at the Commons do not fall under the State's 1000-foot buffer from a school regulation.

Helen Anderson, Chair of the Planning Commission, explained the Planning Commission reviewed the regulations about dispensaries related to land use. She concurred the State Law on the 1000-foot buffer did not apply to Yachats. She indicated the Commission looked at 1000-foot and 500-foot buffers and noted that incorporating one of these would limit dispensaries to a few lots north of the Dollar General. She added the Commission noted that State regulations around on-site consumption and security were very strict, and the Commission did not recommend to Council that they implement a buffer.

Councilor Glenn recalled the Council had discussed that it was better to have a dispensary on the 101 corridor rather than on side streets. Frye recalled the Council had lengthy discussions on the topic. Councilor Tooke noted there was already a bar next to the potential dispensary and another bar two buildings from the Commons to the south. Mayor Stanley stated the normal procedure would be to put it on the agenda for December.

1 Shelly Shrock (121 Green Hill) reported she met the gentleman who would be leasing the  
2 building and operating the facility. She reported he stated that as long as no load-bearing walls  
3 were moved, a building permit was not required.  
4

5 Glenn asked Manager Beaucaire to present a summary of the process for getting a building  
6 permit and the involvement with the County. Berdie asked about the tax implications and how  
7 taxes were collected. Mayor Stanley noted he heard consensus that the Council was  
8 requesting the information of Manager Beaucaire.  
9

10 **III. Minutes**

11 **A. October 3, 2018 Work Session**

12 Page 8, Line 32: Mayor Stanley clarified that the hearing on Ordinance 355 Update to  
13 the Comprehensive Plan was continued to the December meeting.

14 Page 4, Line 7: add "years" after "two"

15 Page 5, Line 9: "committee several" should read "committee included several"

16 Berdie moved to approve the October 3, 2018 meeting minutes of the City Council as amended:  
17 Aye – 5; No – 0.  
18

19 **October 10, 2018 Facilitated Work Session**

20 Page 3, Line 45: replace "Council only" with "Council currently only"

21 Page 5, Line 20: "beings" should be "begins"

22 Page 6, Line 33: add "have access to" after "allow Yachats to"  
23

24 Frye noted that the Volunteer Handbook, City Charter, and Council Rules indicated that Council  
25 does appoint members to Committees. Frye asked to see the rate sheet when Parks and  
26 Commons presents the revised Policy Manual to Council. Berdie suggested they keep the rate  
27 document separate from the Policy Manual.  
28

29 Tooke moved to approve the October 10, 2018 special work session minutes of the City Council  
30 as amended: Aye – 5; No – 0.  
31

32 **C. October 23, 2018 Regular Meeting**

33 Page 1, Line 18: strike sentence beginning with, "Councilor Frye stated it would be an  
34 odd time . . ."

35 Page 5, Line 17: "was to personalize" should read "ways to personalize"

36 Glenn moved to approve the October 23, 2018 meeting minutes of the City Council as  
37 amended: Aye – 5; No – 0.  
38

39 **IV. Resolutions**

40 **A. Resolution 41: EEO Affirmative/Action Policy Update – withdrawn**  
41

42 **B. Resolution 42: Appointment of John Purcell to the Parks and Commons  
43 Commission**

44 Purcell could not attend due to illness. Berdie indicated he knows Purcell well and believed he  
45 would be a great addition to the Commission.  
46

47 Glenn moved to pass Resolution 2018-42 appointing John Purcell to the Parks and Commons  
48 Commission: Aye – 5; No – 0.  
49

50 **C. Resolution 44: City Manager Evaluation Format**

1 Mayor Stanley listed the process for the City Manager evaluation. He explained he and  
2 Manager Beaucaire pulled information from several evaluation forms to create this draft.

3  
4 Frye indicated she was very pleased with this evaluation format. Frye asked if the City Manager  
5 was to present a self-evaluation. Manager Beaucaire indicated the plan was to write a memo to  
6 Council summarizing her accomplishments. Frye suggested this step should be included in the  
7 process statement. Frye suggested there be a second person to review the tabulations. Glenn  
8 did not believe the tabulation required a second person. Glenn wanted to include the actual  
9 written comments from Councilors rather than providing a summary of these comments.

10  
11 Councilors discussed the following changes:

12 Section 1 INDIVIDUAL CHARACTERISTICS: Glenn noted there was a blank for the  
13 denominator where there should be a "5".

14 Section 1 INDIVIDUAL CHARACTERISTICS: Berdie was concerned that "Mental and  
15 physical stamina appropriate for the position" was putting the City at risk around a  
16 person with a disability. Council agreed to strike this item.

17 Section 2 PROFESSIONAL SKILLS: Berdie suggested, "Demonstrates capacity for  
18 innovation and creativity" was more of a personality characteristic rather than a  
19 professional skill. Council agreed to keep this item.

20 Section 4 POLICY EXECUTION: Berdie suggested the first two items seem to be  
21 redundant with Council Relationships. Mayor Stanley argued that the two different  
22 topics change the point of view of the. Council agreed to keep these items.

23 Section 6 CITIZEN RELATIONS: Change to read, "Demonstrates to the community and  
24 its citizens a dedication to service." Council agreed to this change

25 Section 7 STAFFING: Remove "and informal" from "Develops and maintains a friendly  
26 relationship..." Council agreed to this change

27 Section 7 STAFFING: Berdie suggested rewording to, "Sustains or improves staff  
28 performance by evaluating the performance of staff members and sets goals and  
29 objectives at least annually. Encourages development through training opportunities,  
30 assessing progress, and consistently providing feedback." Councilors agreed to this  
31 change.

32  
33 Frye suggested removing the parenthetical identification of sources on the document and noted  
34 the evaluation would be based against the list of job duties.

35  
36 Mayor Stanley asked Councilors to get him their reviews before November 21, 2018.

37  
38 Rebecca Bloch (549 Aqua Vista Loop) asked if Council was planning to include evaluations  
39 from subordinates to have a full 360 evaluation. Manager Beaucaire reported she and the  
40 Mayor discussed this issue and, given time constraints, decided to leave that item off. Frye also  
41 thought that the community should provide input.

42  
43 Frye moved to accept Resolution 2018-44 developing a protocol and an evaluation document  
44 for the City Manager Performance Review: Aye - 5; No - 0.

## 45 46 **V. Guests**

### 47 **A. Tom Kerns on Climate Change**

48 Mayor Stanley introduced Tom Kerns, PhD and summarized his work on preserving the  
49 environment and climate change. Kerns recommended that the Council create a Climate  
50 Change Commission that would keep other Commissions and the Council informed on climate  
51 change issues. He noted the City's adoption of the Declaration of Human Rights and Climate

1 Change had served as a model for other Cities. He cited the International Panel on Climate  
2 Change (IPCC) who recently reported that significant changes in fossil fuel changes must be  
3 made within in twelve years to avoid cataclysmic problems. Kerns referenced an Oregon report  
4 that identified low-lying coastal communities as being especially at risk. He cited a few of the  
5 long list of impacts: Draught, water insecurity, water insufficiency, decreased water quality,  
6 increased risk of fire, higher sea levels, more frequent and more violent storms, impacts on  
7 tourism, and increase in climate refuges. He suggested governments exist to secure rights,  
8 noting current law suits against governments for not protecting rights.

9  
10 Kerns highlighted reasons for the Climate Change Commission:

- 11 1. To help the City be informed about and how to incorporate climate change
- 12 2. To urge the Council to adopt policies that enable Yachats to do its part in mitigating  
13 climate change. He noted a grant program to help low to moderate income people get  
14 solar power.
- 15 3. To serve as a model for other cities.

16  
17 Jacqueline Danos (Spring Hill Road) commented that a Climate Change Commission was a  
18 great idea, noting that some cities are hiring full-time staff to work on climate change issues.  
19 She noted how this commission could help find grants. She noted there are water systems that  
20 could reduce water use (gray water etc.).

21  
22 Berdie was supportive of the concept, but worried that Commissions or Committees can lose  
23 momentum. He suggested they could instead establish a project or action item. Frye stated the  
24 City still needed to look at the structure of Committees and Commissions and believed this idea  
25 should be incorporated into that work. She noted the rich base of people resources within the  
26 City. Kerns indicated this work would not just be a project as many people in town were  
27 committed to this work. He suggested he was offering free resources. He did not believe  
28 interest would wane with time and instead believed interest would grow.

29  
30 Glenn suggested Yachats attracts people from all over the world who would be interested in the  
31 expertise Yachats has. He suggested there could be programs that would attract visitors in the  
32 winter to learn more about climate change through the local experts.

33  
34 Tooke noted this work must happen at the grass roots, and Yachats could be a good place to  
35 start. He added that the recent fires were more structure fires than forest fires and action  
36 needed to be taken to address this problem.

37  
38 Mayor Stanley recalled he previously had suggested they have a commission that addressed  
39 the future. Berdie noted he would want such a commission to provide action to mitigate  
40 problems rather than reports on what would happen. Tooke reported in his work with the Mid-  
41 Coast Partnership and how they were addressing climate change.

42  
43 Mayor Stanley asked that this topic be on the December work session agenda. Manager  
44 Beaucaire suggested she could provide a review of the organizational structure study as part of  
45 this discussion. Frye recalled all the work done by a committee that studied the organization.  
46 Glenn suggested Manager Beaucaire's suggestion be presented to the incoming Council.

47  
48 Glenn clarified that he only wanted to deal with Kerns' ideas for a Commission and to not  
49 discuss the larger organizational issue. Frye asserted it would not be wise to discuss creating a  
50 new commission without looking at the bigger picture. Berdie indicated he tended to agree with

1 Frye in that they should look at the larger organizational structure before recommending the  
2 formation of a new commission.

3  
4 **Berdie moved that Council hear the report of the second phase of the City's organizational  
5 structure and include in that discussion how a Climate Change Commission could fit into that  
6 structure: proceed to discussion**

7  
8 Glenn asked if Council was trying to determine a new structure before they leave office. Berdie  
9 explained that his suggestion was only for a discussion.

10  
11 **Call for vote: Aye - 4; No – 1 (Stanley).**

## 12 13 14 **VI. Reports**

### 15 **A. Financial Report**

16 Mayor Stanley noted they were to primarily look at the format of the report. Frye asked how  
17 long it took to prepare the report. Clerk Richter explained she could not provide an exact  
18 number and noted not all reports needed to be done monthly. Richter noted she could email  
19 Council the Excel spreadsheets before the Council meeting. Berdie did not think it was  
20 appropriate to send out Excel spreadsheets. Frye asked if the accounting software company  
21 was able to generate a report, and Richter indicated that report would be 36 pages.

22  
23 Richter explained the first two pages contained revenues and expenditures for the fiscal year to  
24 September 30, 2018. Frye asked Richter to explain as an example the columns of one row on  
25 the table.

26  
27 Richter explained that state law requires that the budget be balanced, meaning revenues and  
28 expenditures have to be the same. She noted that they included contingency or unallocated  
29 expenses as a rainy day fund. Richter reported the Finance Committee has been discussing  
30 how much reserves are needed, such as two or three months of operational costs.

31  
32 Berdie noted the differences between the October and September numbers and asked Richter if  
33 there was a way to explain those differences in the report. Richter clarified that Berdie wanted a  
34 narrative to go with the numbers.

35  
36 Richter explained the third page contained the labor costs. Richter explained that labor is  
37 allocated between various departments. Richter noted these numbers were for employee labor,  
38 not contractor labor. Frye wanted to see information for contracted labor costs. Berdie  
39 suggested this page of the report was more appropriate for the City Manager. Richter  
40 explained she and Manager Beaucaire review these numbers line by line.

41  
42 Mayor Stanley stated he hears rumors that the City spends \$180,000 each year on the  
43 Commons and only raises \$22,000 to cover those costs. He wanted to know how he would  
44 generate this conclusion based on these sheets. Richter offered to go through the Commons  
45 revenues and expenses at another Council meeting.

46  
47 Council asked to receive another financial report in December 2019.

48  
49 Richter explained the long-term debt summary page. She noted:

- 50 - Bonds issued in 1993 and 1998 were refinanced at a lower interest rate enabling a  
51 sooner payoff.

- 1 - A general obligation bond was refinanced
- 2 - Current loans of:
  - 3 1. WaFed 5821
  - 4 2. WaFed 5854
  - 5 3. DEQ loan for the waste water treatment plant
  - 6 4. IFA for the waste water treatment plant
  - 7 5. IFA for the south water tank.
- 8 - Property taxes cover the general obligation bond
- 9 - Loan 5821 was paid through water reserves.
- 10 - The waste water treatment plant was mostly paid with food and beverage tax revenues.
- 11 Tooke clarified the \$20,258 under Fees with DEQ was an annual service/loan
- 12 insurance fee.
- 13 - Urban Renewal District taxes also help cover loans

14  
15 Berdie suggested they only see this report annually.

16  
17 Frye suggested the new Council have an orientation to government budgets.

18  
19 Richter explained the last page of her report contained information on tax collections. Richter  
20 noted these tax revenues would eventually level off due to reaching the capacity of hotels and  
21 restaurants.

22  
23 Lauritzen asked if there was staff labor charges to CIPs were lagging. Richter reported Public  
24 Works was backing away from some of the in-house projects due to priorities with catching up  
25 on maintenance work.

## 26 27 **B. Council Reports**

28 Tooke reported he attended an Oregon Water Resources Department (OWRD) Place Based  
29 Planning of the Mid-Coast Water Partnership meeting in La Grande. He reported the  
30 Partnership hoped to complete the planning phase by 2020 and then go into implementation.  
31 Tooke noted the representative from the Ford Family Foundation suggested smaller  
32 communities like Yachats could take greater advantage of philanthropic programs to support  
33 water issue enhancements.

34  
35 Glenn reported the permanent director of Jobs Corps, Brian Wilson, arrived on November 13,  
36 2018. Glenn also attended the League of Oregon Cities Small Cities support network in  
37 Newport where he talked with the ODOT Project Director for the Yachats region. He learned  
38 small cities under a population of 5,000 could apply for annual grants up to \$100,000 to use for  
39 streets, and a city could apply for up to two grants each year.

40  
41 Mayor Stanley reported he attended the League of Oregon Cities (LOC) Advocacy Planning  
42 meeting on October 19, 2018 and noted the vast amount of opportunities offered by the LOC.  
43 On October 27, 2018, he attended state conference on mental illness. He met with the county  
44 mayors met on October 19, 2018 where it was noted all county Mayors would be new in  
45 January 2019. Mayor Stanley reported the Marketing Committee was working on history tour  
46 apps, and the Honey Lovers and Agate Festival planning were well underway. He added the  
47 Holiday Season opening begins on December 7, 2018.

48  
49 Frye reported she was appointed Vice President of Lincoln County Health, and she was still  
50 advocating to get health services in Yachats.

1 **C. City Manager Report**

2 1. South Tank: Manager Beaucaire updated the status on the four final issues to be  
3 completed for the South Tank project, and she reported the IFA considers the project complete  
4 so the City would get its loan forgiveness of approximately \$750,000. Manager Beaucaire was  
5 still negotiating liquidation and damages with Clackamas. She reported \$75,000 withheld in  
6 payment, and she calculated damages to result in a payment of \$31,000 sent.

7 2. Affordable Housing: the Lincoln County grant on affordable housing will cover a  
8 meeting with a consultant in January 2019.

9 3. Ocean View Drive:

10 a. Originally, the County was not willing to address the culverts, but they were now  
11 willing to put in sleeves to extend their life

12 b. The County was drafting legal documents on easements, saving the City legal fees

13 c. The County was willing to help with signage in trail areas where the path is not clear.

14 d. The County would get clarification about archeological issues around repairing the  
15 guardrails.

16 4. Little Log Church: Manager Beaucaire distributed photos of the state of the walls in  
17 the Little Log Church. She indicated the contractor's report would enable the City to generate  
18 the specifics for an RFP.

19 5. Maintenance: Facilities Manager Hoen was drafting maintenance plan.

20 6. Cyber Security: The network server was now located in the hall by the copier, and it  
21 ideally should be in a locked area

22 7. Archives: The archives were deteriorating in the Public Works building (images  
23 provided), as the storage area was not protected from the environment. Additionally, staff  
24 needs to easily access archives.

25 8. Staff Space: The small office space was shared by three full-time employees and  
26 eventually two new employees. The space also houses room for contracted support staff.  
27 Additional space would allow for the Sheriff's Department to have space to write reports so they  
28 have physical presence in Yachats.

29 9. Private Space: The City needs a private room for the Mayor and Council to meet with  
30 citizens.

31  
32 Manager Beaucaire also indicates she wants to develop relationships with local colleges and to  
33 offer internships. She reported the International City Managers Association (ICMA) has a  
34 fellowship program and offers year-long fellowships. Past fellows have conducted a study for  
35 emergency management, designed an asset management system for a city, provided economic  
36 development strategies, and coordinated with the Department of Defense on its smart card  
37 initiative.

38  
39 Manager Beaucaire emphasized the current unavailability quiet space to conduct confidential  
40 meetings and phone calls, staff supervision, and work requiring concentration. Manger  
41 Beaucaire noted a recent call with a vendor where Richter sneezed and the vendor said,  
42 "gazuntite" to her. There was no open room in the Commons to make a confidential call, so she  
43 had to talk outside the building. In a private conversation in the Civic Meeting Room, three  
44 people opened the door and entered and four knocked on the hall window.

45  
46 Manager Beaucaire reported she had a citizen look into how the Commons could be used to  
47 meet all of the space needs of City Hall, and that person indicated it was not possible.

48  
49 Berdie asked Manager Beaucaire to research solutions other than stacked condos when  
50 meeting with Lincoln County on affordable housing.

1 Frye clarified that decisions on one-way traffic on Ocean View Drive had not yet been made.  
2 Manager Beaucaire noted they were waiting on report from the engineer.

3  
4 Regarding a crosswalk at Fistera Gardens, Manager Beaucaire noted it would require a  
5 pedestrian refuge and an expansion of 101 to go around the refuge at a cost of \$150,000.  
6 Berdie suggested the developer bear some of those costs.

7  
8 Mayor Stanley asked if it was premature to entertain a motion to move City Hall to the 501  
9 Building. Glenn noted he was ready at the last meeting to make motion for the City Manager to  
10 work with the architect on conceptual drawings, and Council wanted instead a report from the  
11 City Manager on the needs of City Hall.

12  
13 Frye asked if there was money budgeted to move City Hall to the 501 building. Manager  
14 Beaucaire reported there was some funding available and Richter indicated she could find more  
15 funding.

16  
17 Berdie wanted to set limits on conceptual planning and suggested there should be discussion  
18 around repurposing the existing City Hall space.

19  
20 Jacqueline Danos suggested the operations of City Hall seem more important than the  
21 remodeling of the Library. Frye indicated the Library had raised its own funding.

22  
23 Glenn moved to authorize the City Manager to ask Carlson Viet to develop conceptual drawings  
24 to relocate City Hall, staff, and the Civic Meeting Room to the 501 Building and to bring to  
25 Council a report of projected sources of revenue for renovating and moving. proceed to  
26 discussion

27  
28 Glenn noted he wanted to get conceptual drawings rather than just getting a cost estimate for  
29 conceptual drawings.

30  
31 Mayor Stanley questioned whether Council had made a firm decision to move City Hall. Glenn  
32 asserted his motion makes this assumption.

33  
34 Leslie Vaaler noted the new Council might want to participate in this decision.

35  
36 Berdie did not want to leave open the amount to be paid for the architect's work. Tooke noted  
37 Carlson Viet already had information about the 501 from working on the Library concepts, so  
38 costs should not be as great as they were for the Library concepts.

39  
40 Call for vote: Aye – 5; No – 0.

41  
42 **VI. Other Business**

43 **A. From Mayor**

44 Mayor Stanley reported he and Mayor Elect John Moore decided, with all the activities around  
45 the holidays, to move the discussion on the ban on single use plastic bags to January 2019.

46  
47 **B. From Council**

48 Tooke highlighted the rain totals reported by Public Works indicated lower than average rainfall  
49 in recent years.

50  
51 **C. From Staff - none**



1  
2 Mayor Stanley adjourned the meeting at 8:58 pm.

3  
4  
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7 \_\_\_\_\_  
8 GERALD STANLEY, Mayor

9 ATTEST:

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12 \_\_\_\_\_  
13 Shannon Beaucaire, City Manager

\_\_\_\_\_ Date

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CITY OF YACHATS

CITY COUNCIL SUPPLEMENTAL BUDGET HEARING  
November 14, 2018

Draft Minutes

Mayor Gerald Stanley called the November 14, 2018 supplemental budget hearing to order at 6:00 pm in Room 1 of the Yachats Commons. Council members present: Gerald Stanley, Jim Tooke, Barb Frye, Craig Berdie, and Max Glenn. Staff present: City Manager Shannon Beaucaire, and Clerk Judy Richter. Audience: 19.

**I. FY19 Supplemental Budget**

**A. Hearing**

Clerk Richter explained any adjustments in line items in the budget require a supplemental budget. She noted there were also some unanticipated revenues, which will help cover the cost of the floor. Manager Beaucaire read Resolution 2018-43 into the record.

Tom Lauritzen (204 Shell Street) explained that historically the City had found funding by switching funds between projects rather than drawing down the reserves. He noted this supplemental budget did not shift monies between projects. Frye had reservations about approving this supplemental budget because she did not have background on the expenses. Manager Beaucaire indicated the Finance Committee did review these changes over several meetings. Frye asked why they were not shifting monies between projects. Richter explained the South Sign and Driftwood Water Project both were reauthorizations of spending allocated last year. Mayor Stanley suggested the financial report might clarify some questions.

Councilor Berdie noted there were several more substantial expenses such as \$34,000 for the floor in the Multipurpose Room. Richter explained \$8,500 was refunded from the prior floor installer and the remainder came from reserves.

**B. Vote**

Glenn moved to adopt Resolution 2018-43 adopting the supplemental budget changes for FY2018-19: Aye – 3; No – 2 (Frye and Berdie).

Mayor Stanley adjourned the hearing at 6:12 pm.

\_\_\_\_\_  
GERALD STANLEY, Mayor

ATTEST:

\_\_\_\_\_  
Shannon Beaucaire, City Manager

\_\_\_\_\_  
Date