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CITY OF YACHATS
CITY COUNCIL REGULAR MEETING

January 12, 2017
Minutes

Mayor Gerald Stanley called the regular meeting of the City Council to order at 2:00 pm in Room 1 of the Yachats Commons. Council members present: Mayor Gerald Stanley, Barbara Frye, Jim Tooke, Greg Scott and Max Glenn. Staff present: City Manager Joan Davies, Water Department Lead Rick McClung, Wastewater Department Lead David Buckwald, Facilities Manager Leon Sterner, Code Enforcement Officer Don Niskanen. Audience: 28.

I. Announcements and Correspondence

Mayor Stanley welcomed the audience and reviewed some of his background that is relevant to council work. He then opened the floor to other announcements.

A. Announcements

1. Agate Festival on January 14-15, 10:00am-4:00pm (Sterner)
2. Talk by Greg Scott on Canadian Rockies January 16, 2:30pm, Room 8 (Scott)
3. Lions Club Crab Feed on January 28 is sold out (Glenn)
4. Agate Festival this weekend; next Sunday, Greg Scott on Canadian Rockies; follow-up by Creighton Horton at the same time, in Room 8, about his book; Movie sponsored by Friends of Commons on Feb. 5, 2:00pm (Sterner)
5. Women's March on January 21, noon, Newport (Frye)
6. Ladies Club 90th Anniversary Celebration, January 29, 2:00-4:00pm (Stanley)

B. Correspondence

- A. Lincoln Co. Board of Commissioners – Joint Session March 15 in Yachats
Mayor Stanley reported the Lincoln County Board of Commissioners is meeting in Yachats March 15 and welcomes input from councilors and citizens.

II. Citizen's Concerns

Mayor Stanley told the audience that this section is for items not on the agenda. He asked speakers to come sit at the table, give their name and address, and keep their comments about their concern to no more than five minutes. Then he will ask if anyone else has a comment about that concern. Councilor Scott asked, as a point of order, whether the Mayor was asking the council to address issues as citizens bring them up. The Mayor said, "Only if you want to." Councilor Glenn said that traditionally, the citizen comes to the table, gives their name and speaks. What the Mayor was describing sounded to him more like what is done within the agenda. Councilor Frye said there is a fine line – the Council needs to hear input, but they also need to have background on a subject before they address it. That is why there is an agenda. Councilor Glenn added that for the benefit of the audience, the Council has a work session where they discuss things that need to be on the agenda for the regular meeting.

The council discussed the role of the agenda in meetings. Mayor Stanley stated he removed "Sanctuary Cities" from the agenda because he had a misunderstanding that putting an item on the agenda meant he was advocating for that item. He stressed that this issue is one he hoped citizens would discuss.

- A. Robert Barrett, 260 Jennifer Drive, Yachats: Asked the council to consider his request to place the Diversity Coalition's "safe" signs in windows of city buildings to allay fears of minority groups not being welcome. He reported incidents in Newport of hate crimes, including the painting of swastikas on buildings. Mayor Stanley asked Manager Davies

1 to summarize what was discussed at council work session. Davies said the council had
2 approved allowing the sign on bulletin boards but not officially “posting” in city buildings.
3

4 **II. Consent Calendar**

5 Minutes from 12/02/16 Council Work Session and 12/08/16 Council Meeting; Bills for Approval
6 Scott moved to approve minutes: Aye – 3; No – 0; Abstain: Mayor Stanley and Tooke abstained
7 because they were not on the Council during the December meetings).
8

9 **III. Reports**

10 **A. Council**

11 1. Frye reported:

- 12 a. She attended meeting with Lincoln County Transit where they assessed
13 needs for next 20 years. She will be meeting with Lane County Transit at the
14 end of the month about transportation between Yachats and Florence. Lane
15 Transit has received a one-year grant to provide transportation.
16 b. She met with the group from the Lincoln Community Health Center about
17 providing health care in Yachats. The group continues to be committed to the
18 idea, with LCHC owning and managing the clinic. She noted Yachats has
19 been designated as an underserved city in terms of healthcare. Inadequate
20 healthcare is a significant reason residents have to move from Yachats.

21 2. Glenn reported he continues to work with Lincoln County Land Trust on new models
22 for affordable housing, and serves on the Angell Job Corps Committee.

23 3. Scott elected to delay his report to later in the meeting.

24 4. Tooke reported he will serve in six areas identified in the Shepherding Goals Matrix.

25 5. Mayor Stanley reported he had learned a lot from a meeting with mayors of Lincoln
26 County, and had a productive meeting with the Chamber Marketing Committee.
27

28 **B. Department Reports**

29 Mayor Stanley confirmed the council has received monthly reports from the Manager,
30 Code Enforcement, Public Works, Emergency Planning, and Events.
31

32 Mayor Stanley asked Code Enforcement Officer Don Niskanen about a complaint on King
33 Street. Niskanen explained there was a complaint about the porch light shining into the house
34 across the street, they put a globe on it, but that did not help. Another complaint was that an
35 apple tree was dropping apples in the other person’s driveway, and that the neighbor with the
36 light was also backing out too far, and hitting the neighbor’s bushes across the street. He said
37 the City Administrator was getting the brunt of the calls. A motion detector has now been placed
38 on the offending light, but the backing out is reported to still be a problem.
39

40 Frye asked Manager Davies for an update on the Dollar General store. Manager Davies wrote
41 a letter to the developer, Cross Development, as a follow-up to the town meeting. The most
42 recent news is that they are still planning to build. Davies noted the new store in Philomath has
43 a solid wooden border fence, and after contacting their city manager, she learned Philomath has
44 a positive working relationship with the company. Davies met with City Planner Lewis and he
45 reported back to the company about Yachats building code regulations, including building
46 height, setbacks, signage, lighting, parking, and accommodating pedestrians.
47

48 Frye asked about plans for light posts in the highway construction project. McClung reported
49 there will be 18 posts that are weather resistant, black in color, approximately 14 feet tall, with
50 LED lights that are “dark sky”-qualified. Davies noted that Waldport’s light posts on Hwy 101

1 are 20-25 feet high, while Newport's light posts along the highway are 14 feet, similar to what
2 Yachats will have, but with a different top.
3

4 Chamber Events Coordinator Robert Rubin reported on recent events, including five new
5 events: three outdoor summer concerts, a Mystery Game during the Celtic Music Festival, and
6 a Maria Muldaur concert. Future plans include a September "Plug In" as part of a national week
7 to recognize electric car use, and he has a goal to bring more people to Yachats for the
8 weekend of the total eclipse (August 21). Rubin has been looking into creating an "Escape
9 Room" in the 501 building, an event that involves having players enter a confined space, then
10 solve puzzles to escape from the room. Rubin said escape rooms are an international
11 phenomenon. He added that local artist Ruth Bass has organized an art quilt show for March
12 10-12 in The Commons multi-purpose room, sponsored by Polly Plumb Productions.
13

14 **IV. Business**

- 15 A. Council President – nomination and discussion. Glenn nominated Greg Scott. Frye
16 expressed praise for Scott and his leadership. Scott stated he hoped to incorporate
17 more mentoring into the position. Motion to appoint: Aye - 5; No - 0.
- 18 B. Resolution 2017-01-01 Setting Recreational Marijuana Tax Rate: Manager Davies
19 read the resolution into the record. Scott clarified that the City tax does not increase
20 the existing state tax, but is a part of it. Scott moved for approval: Aye - 5; No – 0.
- 21 C. Ordinance 346 Amending Marijuana Tax Ordinance 345: Manager Davies read the
22 ordinance into the record. Glenn moved for approval: Aye – 5; No – 0.
- 23 D. Resolution 2017-01-02 Department of Revenue Intergovernmental Agreement for
24 Collecting Recreational Marijuana Taxes: Manager Davies read the resolution into
25 the record. Frye moved for approval: Aye – 5; No – 0.
- 26 E. Council meeting and work session days: Manager Davies reviewed discussion on
27 meetings at council work session. She presented a new option to have both
28 meetings be regular meetings with the option to also have a work session during the
29 regular meeting. Frye asked for clarification on meeting flow. Scott requested that
30 work session occur during the first part of meeting. Glenn wanted to be clear that
31 the agenda for the second monthly meeting be set at the first monthly meeting.
32 Scott was not in favor of taking Citizen's Concerns at the first work session meeting.
33 Frye reminded the council that citizens can request items on the agenda for a work
34 session, so their opportunity to contribute is not hindered. Scott suggested the
35 decision be made in three parts: meeting days, work session part, and time of day.
 - 36 1. Scott moved that the Council have two meetings each month on the first and
37 second Wednesday: Aye – 5; No – 0.
 - 38 2. Frye moved that the first meeting of the month be a work session followed by
39 a regular meeting in which motions can be made: Aye – 5; No – 0.
40

41 Regarding meeting times, Scott argued that local citizens do not like to come to evening
42 meetings. Frye and audience member Jan Hogen believed people do want evening meetings.
43 Stanley pointed out that the audience addressed at the last meeting did not include people who
44 could not come to daytime meetings. Frye posed that people need time to learn about and
45 adjust to new meeting schedules, so a trial period of six or more months is necessary. Scott
46 argued that council should learn from the history of people not showing up for evening
47 meetings. Frye believed Scott's argument neglects allowing people to learn a new system.
48 Glenn suggested that they assess survey results before moving the meeting time.
49

50 Audience member Bette Perman stated that not having an evening meeting is a statement from
51 the council that working people and business owners are not invited. Leon Sterner stated his

1 experience indicates lower attendance at evening meetings and suggested having evening
2 meetings only when there are agenda items of particular interest to businesses. Frye reiterated
3 her belief that the council should make itself as available as possible to constituents and an
4 evening meeting creates more opportunity. Don Niskanen believed meetings that start at
5 7:00pm run too late into the evening. Robert Rubin suggested that the season (early darkness)
6 and weather impacts likely attendance at evening meetings.

7
8 Mayor Stanley recessed for a ten-minute break at 3:31pm. Meeting resumed at 3:50pm.
9

10 **V. Council Shepherding Goals – changes and assignments**

11 Mayor Stanley announced that the Council Shepherding Goals are agreed upon annually. Scott
12 and Frye agreed that goals should be assigned a priority level to occur at a future work session.
13 Glenn asked Manager Davies to read the goals.

- 14 1. Provide for the effective governance of the City of Yachats
- 15 2. Improve administrative process to maintain and surpass previous high standards
- 16 3. Improve city infrastructure
- 17 4. Provide/Facilitate opportunities for self-growth, education, and participation in
18 programs/projects to enhance quality of life
- 19 5. Foster “Seventh Generation” thinking

20
21 Glenn moved that the council approve these five goals with the objectives and shepherding
22 assignments: Aye – 5; No – 0.
23

24 **VI. Council Rules Handbook and Matrix – continuing review of changes**

25 Manager Davies presented a copy of Council Rules with highlighted sections to be addressed.

- 26 A. Recommended council meeting times to be less specific in handbook, while complying
27 with what is stated in the Charter, “the council will meet once each month and can meet
28 more often” (pg. 4, item 2.2)
- 29 B. Noted “work session meetings” needs to be updated (pg. 5, item 2.5)
- 30 C. Suggested work session subjects section as written is too specific and lessens options
31 (pg. 5, item 2.5.1). Frye suggested including a definition of work sessions. Glenn
32 wanted to retain the finalizing agenda item.
- 33 D. Suggested softening language on citizen discussions (pg. 6, item 3.1.6). Glenn stressed
34 importance of citizens stating name and address for the record. Frye wanted instructions
35 to be stated in a positive way. Mayor Stanley stressed the importance of allowing
36 citizens to comment on actions of the council.
- 37 E. Asked why the Rules of Order item is in the guide (pg. 8, item 3.3). Frye would like to
38 see parliamentary changed from Keesey to Roberts Rules of Order. Scott asked to table
39 this discussion for this meeting and to discuss in a work session.
- 40 F. Noted the order of business section is limiting and includes items the council does not
41 currently do (pg. 8, item 3.4). Davies was asked what items were not addressed. She
42 pointed to Consent Agenda, stating it is a more common practice to refer to this item as,
43 “Consent Calendar” and identified “Resolutions memorializing actions taken by previous
44 meeting,” “Resolutions not requiring further action by council,” and “Other actions not
45 requiring further discussion by council and those actions outlined in council rules” as not
46 having been addressed since her tenure as City Manager. Frye asked if this document
47 was rule or a guideline. Frye suggested changing language to indicate suggestion or
48 example rather than requirements.
- 49 G. Noted the Rules referenced the adoption of an “Exhibit A – Mayor and Council Duties”
50 when an “Exhibit A – Hearings/Procedures for Land Use Matters” already existed in the
51 document (pg. 22). Suggested making the Mayor and Council Duties, Exhibit B.

1 Manager Davies reported former Mayor Ron Brean confirmed that the decision to use “City
2 Administrator” instead of “City Manager” was just a choice and not based on legal advice. Glenn
3 moved to change the City Administrator title to City Manager: Aye – 5; No – 0.
4 Mayor Stanley asked if his position as described in the Matrix as “political head of the five-
5 member city council” implies he is also political head of the City of Yachats. Manager Davies
6 cited the City Charter, stating the mayor is the political head of the City of Yachats and she will
7 amend the statement to reflect the charter.
8

9 Mayor Stanley asked that the evaluation of the City Manager be included under Council Duties.
10 Frye and Glenn are in favor of this addition. Scott stated that should include the evaluations of
11 the City Attorney, Judge, Engineer and Auditor, but said the Manager supervises the Planner.
12 Mayor Stanley would like to review the list of meetings to be attended by the Mayor as indicated
13 under City Charter Provisions. Manager Davies noted the duties need to include the City
14 Manager is to supervise contractors. She will make the indicated changes and bring the
15 handbook back to the council for a vote.
16

17 **VII. Other Business**

18 A. Mayor’s Report: Mayor Stanley commented he is still learning procedure, and
19 revisited the issue of posting “safe” signs. He clarified while posting on bulletin boards is
20 allowed, posting the sign as an official city statement is not warranted. Frye wanted to
21 generate a statement on the justifications for this decision. Manager Davies noted Bob
22 Barrett wanted to be told the rationale for denying his request.

23 B. From the Staff: None

24 C. From the Council:

25 1. Frye expressed dissatisfaction with the reading of a Biblical passage at the start of
26 the meeting. Mayor Stanley explained his action was intended to reflect on his beliefs
27 and perspectives. Frye wanted to go on record as stating religion has no place in civic
28 meetings. Scott observed people in the audience who were uncomfortable, as was he.
29 Glenn welcomed the statement as an introduction to the Mayor, but objected to the
30 practice to be continued.

31 2. Due to technical difficulties, Scott was unable to make his video presentation on
32 technological updates. Scott pointed to the following new features of the website:
33 - ability to edit menus without the assistance of the proprietary coders
34 - water date integration is complete
35 - addition of color-coding to identify categories
36 - plans to work on water consumption reports by month, by year, by filtered category
37 - work on water loss reports with assistance of McClung
38 - wants to create a master list of city activities done on an annual basis, such as sending
39 out business license renewals in November. Frye noted scheduling program exists.
40 - new web developer will begin at the end of the month.
41

42 Meeting was adjourned at 5:00pm.
43

44 _____
45 Gerald F. Stanley, Mayor

_____ Date

46
47 Attest:

48
49 _____
50 Joan Davies, City Manager