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CITY OF YACHATS
CITY COUNCIL WORK SESSION AND REGULAR MEETING

April 5, 2017
Minutes

Mayor Gerald Stanley called the work session and regular meeting of the City Council to order at 9:30 am 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, Wastewater Department Lead David Buckwald, Facilities Manager Leon Sterner. Audience: 7.

I. Work Session Discussion Topics

A. Council Retreat

Mayor Stanley thanked Manager Davies, Councilor Glenn and Councilor Frye for their work on organizing a council retreat. Councilor Scott stated he doesn't believe the proposed approach will solve the problem. Scott said his recollection of the previous meeting where the topic was discussed was that a workshop on communications would be voluntary, but the current proposal represents more. The proposed retreat agenda is for "management", not a council. He is not in favor of hiring a consultant and believes the nuances of government such as the state limiting the councilors' interactions outside of meetings does not fit the proposal approach

Frye stated her recollection of the previous meeting was different from Scott's, elaborating that the councilors are not always clear in their intentions. She recalled that the reasons for having a retreat arose from the recognition of the councilors that they have difficulty with how they communicate, how they make decisions, and how well they know each other. A facilitator was deemed to be important. Frye stated her belief that the council has significant communication issues that slow their work down and she is frustrated with their current decision-making process. Frye argued this approach with a paid facilitator addresses communication between them, will increase their efficiency if resolved, and will be an investment in the council.

Based on his previous experience with group trainings, Glenn asserted goals cannot be achieved without an outside facilitator. Glenn's recollections of the last meeting were there was a consensus that a retreat was needed and an outside facilitator was necessary. He found the proposal to be professional and included the necessary topics. Glenn argued that the problem the council has had in getting a retreat set up is proof that a retreat is needed.

Councilor Tooke recalled the decision to have a retreat with a facilitator to be definitive and believed the current proposal to be on target. Tooke believes that as long as councilors do not deliberate City issues, there is no violation of public meeting laws.

Stanley stated he believed the concept of a retreat with a facilitator was an effective idea. He was surprised at current costs of facilitator. Stanley argued a more informal setting would be ideal. Stanley asked Scott to clarify what he believes to be the root problem. Scott believed a candid conversation about communication might be helpful, but the training as planned is a complete waste of time. Frye asked Scott if he was comfortable with the way the council communicates and makes decisions. Scott replied the process is what state law prescribes. Scott stated his belief that the council does not need a training session but instead needs to grapple with what is really bothering them.

1 Frye and Scott agreed the councilors need to do better job of stating their intentions and goals.
2 Scott stated he does not believe the retreat will do anything to help clarify intentions.

3
4 Glenn would like to see a statement from each councilor at the beginning of the retreat as to
5 what their expectations of the retreat are and what will make them happy followed by the
6 facilitator reading back anonymously the statements so they all know the group expectations.

7
8 Glenn asked the mayor and councilors to not quote what another councilor has stated when
9 they talk to one another outside of meetings because of individual biases in how they take in
10 and repeat information. Mayor Stanley concurred with this concept but wanted to ensure they
11 do not overly direct the facilitator.

12
13 Manager Davies suggested a compromise of having the start of the retreat being a short open
14 discussion without the facilitator. Scott stated he was in favor of Glenn's suggestion about the
15 opening statements.

16
17 Frye noted the current discussion was a healthy sign indicative the council's desire to work
18 better together and elaborated on the anticipated benefits of a retreat. Mayor Stanley agreed
19 with Frye's arguments and noted he would not be comfortable not having a facilitator. Tooke
20 stated he was looking forward to the learning experience of such a retreat.

21
22 Councilors set a date of April 17, 2017 from 10:00 am to 2:00 pm (3:00 pm if they have lunch) at
23 the Overleaf Event Center for a Council Retreat.

24 25 **B. 501 Building**

26 Glenn reported there is a revised copy of the subcommittee report of potential uses for the 501
27 building. He has not recently heard citizen comments on getting a bank to move back into the
28 building and concluded citizens had adjusted to not having a full bank in town. He would still
29 like to have an ATM. Glenn specifically mentioned the subcommittee's recommendation that no
30 renovations should be done to the building until the permanent use is determined.

31
32 Scott asked Glenn if the subcommittee had considered Linda Hetzler's idea for an events
33 center. Frye's recollection is that Hetzler's idea was for a temporary usage. Glenn wanted to
34 emphasize the report is for informational purposes only and is not a definitive recommendation.
35 Mayor Stanley asserted that the use of the building as an events center is no longer an option
36 and reported he has heard significant talk about the facility being used for the Library.

37
38 Scott said he was an early advocate of moving the Library to the 501 building, but he is not the
39 one behind the current conversations. As the shepherd of the Library, Frye reported from her
40 recent meeting with the Library group their goals to have additional storage, to expand the
41 children's section, to have a more private worktable area, and to do other improvements
42 requiring more space. Frye stated the Library Commission needed clarification on their role and
43 responsibilities around decision-making and funding of projects so she, Manager Davies, and
44 Commissioner Nikki Carlson met to discuss the commission's concerns. Frye noted the
45 urgency of the commission to indicate interest soon, because of the budget cycle.

46
47 Davies reported she learned from the March minutes of the Library Commission that they had
48 said they didn't want to buy new shelving, if they might be moving. She asked the Library
49 managers to clarify that, which led to a discussion about the possibilities for the Library. They do
50 not want to share the building space and do not want to use their bequest monies for a move, if
51 they were approved to move to the 501. Since that discussion, Davies has talked to Library

1 Commission members and gave them access to tour the 501 building. She advised the
2 Commission to bring their ideas to the Council.

3
4 Tom Lauritzen summarized the financial issues around the 501 Building.

5 1. Since the Library does not pay rent, moving the Library to the 501 building would
6 mean that the 501 building is not revenue-generating.

7 2. The City pays just over \$17,000 each year to Fund 24 of the Parks and Commons for
8 rent for their current office space and would be freed of that encumbrance, if they were to move
9 to the 501 building. Parks and Commons could rent the vacated City Hall space in The
10 Commons building to recoup the loss of rental income.

11 3. The space in the Commons building is more “rentable” than the 501 building.

12 4. The City could refinance the loans on the 501 building, but the opportunity to lock in
13 4% or 5% interest rate is disappearing as interest rates are predicted to continue to rise.

14 6. The current Library space could be used to park expensive maintenance vehicles and
15 equipment that are currently parked in open air.

16 7. The building, representing a \$500,000 investment, has been vacant for two years.
17

18 Buckwald clarified the current plans for moving the fence between the Library and public works
19 21 feet to the west will only affect one ten-foot parking space.
20

21 The Mayor and council discussed other ideas for the facilities:

22 1. Frye believed the old Library building would be a great space for a health clinic.

23 2. Mayor Stanley believed YYFAP would be a good fit for the 501 space.

24 3. Mayor Stanley suggested if the 501 did house the Library, there would be room
25 to implement other items on the suggested uses list such as a Native American Interpretive
26 Center or display for the Trails Committee.

27 3. Glenn suggested revisiting Steve and Brad Burkle’s interest in establishing their EIP
28 energy technology manufacturing plant in the 501 space. Glenn suggested the City should
29 lease, rather than sell, to EIP and grow returns by raising rent as the business grows.
30

31 Scott recommended the council have a special work session on this topic. Mayor Stanley noted
32 he was not aware EIP Technologies was still interested in the facility and wanted to delay
33 making decisions about the use until more was known about EIP plans.
34

35 Manager Davies stressed the importance of getting the rolling equipment stock of public works
36 into a protected building. She noted in the current plan, there is 21 feet on the Library side of
37 the fence into which they could build a pole barn addition for some of the equipment.
38

39 Manager Davies and the Council discussed settling the EIP prospect before further deliberation
40 on other uses. Tom Lauritzen urged the council to not let the building sit empty for another year,
41 citing a need to begin repayment of the existing loans on the facility. Scott stated he was under
42 the impression from the former mayor that payments on those loans were in the budget for the
43 next ten years. Lauritzen was not aware of that arrangement.
44

45 Tooke agreed that the council should set time parameters on making a decision about the
46 building. Scott argued that the time constraint is artificial and that the decision needs to be
47 more strategic. Scott and Manager Davies are meeting with Brad Burkle in late April.
48

49 **C. Commission Appointees**

50 Manager Davies reported both the Planning and Parks & Commons commissions have asked
51 that appointees for commissioner positions for expiring terms be considered in November.

1 Manager Davies noted the recent delays the Planning Commission had around having a
2 quorum because of term expirations.

3
4 **D. Temporary Membership on Two Commissions**

5 Manager Davies explained the need to have the ability to allow a commission member to belong
6 to more than one commission, on a temporary basis, to enable a leader to be utilized when
7 needed. Frye said a policy of not having ongoing dual commission membership is appropriate,
8 but temporary appointments are sometimes necessary. Glenn and Frye debated whether to
9 change the rule or waive the rule in the case of the Public Works Commission. Tooke was in
10 favor of flexibility.

11
12 **E. Parliamentary Procedures**

13 Mayor Stanley asked councilors for their opinions of the currently used Keesey's Rules versus
14 Robert's Rules of Order. Frye stated Robert's Rules is better known and no one appears to
15 know Keesey's rules. Frye suggested that if the council sticks with Keesey, they get training on
16 the procedure. Scott believed Robert's Rules are more complicated, someone who is very
17 familiar with the procedures can dominate discussions, and Keesey's Rules are simple and
18 efficient. Scott noted any council member who makes a motion gets an up or down vote
19 because of no need to second. Tooke had no preference. Mayor Stanley stated he would like to
20 have more formal ways of deciding, rather than simple consensus and would recommend
21 switching to Robert's Rules. Frye stated whatever system is used, she just wants to understand.
22 Scott agreed the councilors need to understand procedure but stated he does not believe this
23 particular issue is a priority for the council. Tooke asked if League of Oregon Cities had a
24 person to conducting a training. Manager Davies offered to draft a comparison of methods.

25
26 **F. Resolution 2017-04-01 – Amend IFA agreement for South Reservoir Loan**

27 Manager Davies reported the existing safe drinking water revolving loan needs revision because
28 of the purchase of a second lot increased the cost by \$15,000. She has obtained a \$15,000
29 grant for the project, which offsets the increase. Davies read the resolution into the record.

30
31 **G. OLCC License Renewal**

32 Manager Davies reported the City gets a list from the OLCC for recommendations of approval. If
33 there have been no liquor-related complaints, the Council would then recommend approving.
34 Manager Davies noted the previous recorder had the council address the review via a formal
35 resolution, but that is not necessary. Scott said the Council had never been shown the list in the
36 past. He also noted that Sea Perch is not within the City limits. Manager Davies will check to
37 see if The Wine Place should be de-activated, since the physical store has been closed. She
38 will investigate the location of Sea Perch and the license status of The Wine Place.

39
40 **H. Council Shepherding Goals**

41 Tooke reported:

- 42 1. He has contacted State Parks Department representative Preson Phillips.

43
44 Frye reported:

- 45 1. They have gotten funding go-ahead to work on getting a new south gate sign.
46 2. Plans are still moving forward on locating a clinic in Yachats.
47 3. She has been working with the Lane County transportation group on a grant-funded
48 bus route between Yachats and Florence. The bus will start July 1, 2017. The committee is still
49 working out stop locations, and will have bike racks. Frye recommended the bus stop in such
50 places as Ten Mile and at state parks.
51 4. The Lincoln County Transit group is working on a 20-year plan. She noted LCT

1 plans to install signs to designate stops, and LCT is looking into bus shelters. Mayor Stanley
2 noted Planet Yachats, the current bus stop, does not want a shelter and would likely not want
3 another bus stopping there. Frye would like to find a stop in Yachats where riders can sit. The
4 post office and W. 7th Street were identified as possible stop locations.

5
6 Glenn reported:

7 1. The emergency planning committee received invitation to an open house at
8 county emergency operations center on April 22.

9 2. Manager Davies has begun the process of getting the old building west of the Doyle
10 property removed.

11 3. He has asked City Planner Lewis to investigate safety issues in the Yachats
12 Municipal Code regarding unfinished construction, especially around dangers posed to children,
13 pointing to the unfinished condominium project on the east side of Highway 101.

14 4. The City got the abandoned vehicle on the Nessel's property moved. However, he is
15 still getting complaints on Nessel's decaying building.

16 5. Frye asked Glenn to look into old Landmark as an unsightly and dangerous building.
17 Mayor Stanley asked Glenn to contact Landmark owners.

18 6. His committee will get more into art as highway project nears completion.

19 7. Audience member Rhonda Moran asked what could be done about properties with
20 uncontrolled weed growth. Glenn state the City's weed abatement program can request the
21 owners mow the property, and if they do not, the City will mow and charge the property owner.
22 The council encouraged people to submit complaints to Manager Davies to start the process.

23
24 Scott reported:

25 1. The coders have started work on document Library migration project.

26
27 Stanley reported:

28 1. He sees a need to have a general discussion on use of visitor amenities funds.
29 Glenn wanted to receive an update on what the fund is and how it can be used, at a future work
30 session before making decisions. Manager Davies noted pending legislation on transient
31 lodging taxes, which could affect this fund.

32
33 2. He noted that Manager Davies skillfully handled a vacation rental complaint during
34 the previous week, and he had received a good report.

35
36 **I. Approve Agenda for April 12, 2017 City Council meeting**

37 The council moved this item to the end of the meeting

38
39 Council recess from 11:25 to 11:34 am.

40
41 **REGULAR MEETING**

42
43 **A. Commission Appointees**

44 Scott made a motion for the council to authorize the City Manager to make a change in the
45 policy to allow for earlier considerations for appointments to replace commissioners who are not
46 renewing a term, from January back to November of the previous year: Aye – 5; No – 0.

47
48 **B. Commission Membership**

49 Frye made a motion to direct the City Manager to change the policy to allow the City Council to
50 appoint a person to an additional commission for no more than one year if the best interests of
51 the City are served: Aye – 5; No – 0.

1
2 **C. Parliamentary Procedures** – no motion. Manager Davies will provide Council with a
3 comparison between Keesey’s, Robert’s and Sturgis Rules of Order at the regular meeting.
4

5 **D. OLLC License Renewal**

6 Glenn made a motion to approve the OLCC licenses, with the exception of Sea Perch, which is
7 out of the City limits, and The Wine Shop which may be closed, both of which the City Manager
8 will investigate: Aye – 5; No – 0.
9

10 **E. Resolution 2017-04-01 – Amend IFA agreement for South Reservoir Loan**

11 Tooke made a motion to approve Resolution 2017-04-01 to amend the IFA agreement for the
12 south reservoir loan: Aye – 5; No – 0.
13

14 **F. Revisiting Approval of Council Agenda for April 12, 2017**

15
16 Manager Davies noted Resolution 2017-04-01 will be removed, since they were able to approve
17 it at this meeting.
18

19 Mayor Stanley noted the Library Commission will be making a presentation at the meeting and
20 asked if the councilors need to have additional discussion on the 501 building. Scott wanted to
21 start a discussion focusing on priorities. Glenn would not be ready to take action in a week, but
22 supported discussion without a vote. Frye asked the council to clarify who has authority to
23 make decisions about the Library location and facilities sharing. Scott stressed the importance
24 of getting volunteer input on the Library decision. Stanley asked if other contenders would have
25 an opportunity to present their case at the meeting. Glenn recommended the council proceed
26 with the information on hand rather than opening the meeting to new ideas from citizens. The
27 council discussed uses to be considered, future public input, and the urgency of reaching a
28 decision.
29

30 The meeting was adjourned at 12:00 pm.
31

32 _____
33 GERALD F. STANLEY, Mayor
34

35 ATTEST:
36
37

38 _____
39 Joan Davies, City Manager

_____ Date
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