

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53

**CITY OF YACHATS**  
**CITY COUNCIL MEETING**  
**Civic Meeting Room, Yachats Commons**  
**January 12, 2012**  
**Regular Meeting 2:00 P.M.**  
**MINUTES**

The regular meeting of the City Council was called to order by Mayor Ronald Brean at 2:00 p.m. in the Civic Meeting Room at the Yachats Commons. Council members present: Greg Scott, David Rieseck, Sandy Dunn and Burgundy Featherkile. Staff present: Director of Public Works, John McClintock and City Recorder, Nancy Batchelder. Audience: 35.

Brean said that he would try to move the agenda items around to get to the Transient Rental Task Force Report sooner because so many of the people attending are most interested in that issue.

**I. Announcements and Correspondence**

Correspondence: Quiet Water Home Owners Association – Thank you; Gerald Stanley, Lee Ann Bourcier and Max Glenn – Supporting the Our Coastal Village Request; Various letters: Transient Rental Task Force Report

- Movie Night will be next Thursday.
- Katie Cheshire was named Student of the Month at her school in Waldport
- State of the City Event on January 15, 2012 at 2:30 p.m.
- Yachats was listed as No. 7 in the 10 best places in the world to visit on Frommer’s website and local television stations have been running stories about that.

**II. Citizen’s Concerns**

Randy Wyman said that he just got a city business license. Wyman said that Yachats seems angry toward people who are trying to make a living and the person who approached him to tell him that he needed a business license did not provide any identification. Brean asked him to leave his contact information with the City Hall staff so that he could discuss the matter further.

**III. Consent Agenda**

- A. Minutes of December 5, 2011 Work Session and December 8, 2011 Regular Meeting.**
- B. Bills for Approval**
- C. Resolutions from December Meeting**
  - 2011-12-04 – Library Commission Membership Appointments**
  - 2011-12-05 – Risk Management Coordinator Appointment**
  - 2011-12-06 – Visitors Center Contract for 2012**

Motion to adopt the consent agenda, Aye – 5, No – 0.

**IV. Reports**

**A. City Council**

Brean said that he had a telephone conference meeting with the League of Oregon Cities Board concerning an anticipated proposal initiative to change the way that liquor is sold in the state similar to the one recently approved in Washington.

Scott gave an update on the GoYachats account access changes that will allow people who manage multiple properties or businesses to manage those multiple accounts with one log in.

1  
2 Rieseck said that in further discussions with ODOT on the Downtown Corridor plan ODOT is firm in  
3 their plans for a three-lane highway through town. They have agreed to allow the middle lane to remain as  
4 a landscaped green space from 7th Street to the north end of town until it is needed as a turn lane.

5  
6 Ways to slow traffic down were discussed with ODOT, but they will be making all the decisions about  
7 that, sidewalks, etc.

8  
9 **B. Public Works Director** – McClintock reported:

- 10 • Continuing to work on the Yachats River Rights. Need to have a joint meeting with  
11 representatives from the USFS, ODF&W and Oregon Water Resources to discuss how to proceed  
12 with the permanent monitoring equipment and installation.
- 13 • The final plat map for the partition creating the lot on which the water tank south of the bridge  
14 will be sited has been completed and signed by the owner. It will be sent to the County and  
15 should be finalized within a month.
- 16 • Looking at opportunities produce electricity using an in-stream device
- 17 • The City received the formal report from the Oregon Health Department inspection of the water  
18 system last month. Three minor problems have been corrected.
- 19 • Will begin the annual contract negotiations with the USFS for wastewater treatment plant  
20 operations at the Job Corp and Cape Perpetua.
- 21 • Dyer will be reviewing the engineering plans for the Aqua Vista Square Townhouse PUD.
- 22 • There was an increase in flow in the wastewater collection system with the rain, so there are still  
23 some inflow and infiltration issues that need to be addressed.

24  
25 **C. Written Reports: Visitors Center, Commissions, City Recorder, Marketing Director, and**  
26 **Code Enforcement Officer** – Attached.

27  
28 David Locke, President of the Chamber reported that the first annual Agate Festival will be January 21  
29 and 22.

30  
31 **V. Business**

32 **C Transient Rental Task Force Report and Recommendations**

33  
34 Brean said that the Transient Rental Task Force was established to explore ways to reduce conflicts and  
35 the members included rental agents, transient rental property owners, homeowners and City Council.

36  
37 From the correspondence received this week it appears that they have not yet accomplished this because  
38 most of the concerns expressed indicate that people are worried that Yachats is trying to eliminate  
39 transient rentals. This is not the case, and has never been the case. The fact that the number of rentals has  
40 increased by 100% in the past few years proves that. The proposals made by the Task Force, with one  
41 exception, are less restrictive than the current standards.

42  
43 Chair of the Task Force, Burgundy Featherkile explained that while no one on the Task Force got all of  
44 the things they wanted, all of the members did get something they asked for and everyone agreed they  
45 could live with the rest. The rental agents asked that they be given a chance to resolve a problem before it  
46 goes to the City as a complaint and they agreed with the two-hour response time, noting that it would not  
47 be difficult.

48  
49 Scott said that he had followed the Task Force's discussions particularly regarding the information that  
50 should be included on the GoYachats website.

1  
2 Rieseck thanked the business community for working with the City to arrive at these proposals.  
3  
4 Dunn reported that she received two phone calls from people who were concerned that Yachats was doing  
5 away with transient rentals.  
6  
7 Rieseck said that he also got the calls and so it appears that one of the rental agencies sent out an email  
8 blast to their mailing list and told them to contact City Council.  
9  
10 Niki Hamilton said that as she read the letters submitted to the City Council she was reminded of what  
11 Featherkile had said in the Task Force meetings – this is not a perfect world and so the results will not be  
12 perfect. Hamilton said that serving on that Task Force was a positive experience and she was able to see  
13 the issue from a different perspective.  
14  
15 Hamilton said that there are still some issues that the Task Force was not able to come to an agreement on  
16 and perhaps the Council could continue to consider options.  
17  
18 Windy Snidow said that the Task Force really tried to come together as a group and the best thing that  
19 came out of it is the education process. The only thing that she is asking that the managers be contacted  
20 first and let them have a chance to take care of the problem before a complaint is filed with the City.  
21  
22 Michael Medford said that he was the one that had sent out the mailing to his clients, which contained the  
23 Transient Rental Task Force report and a letter from Kate Korgan of the Greater Yachats Rental Agent  
24 Association. Medford said that he did not editorialize anything; he only asked them to make their voices  
25 heard.  
26  
27 David Schlesinger said that in most cases, the two-hour response time would not be a problem, but in  
28 such situations as noise, two hours (or four hours in some cases) is much too long.  
29  
30 Brean said that he believes the response time is a good way to deal with problems. In situations where the  
31 renters are breaking the law, such as disturbing the peace the Sheriff's office should be called and then  
32 this would be a complaint against the renter, not the property owner.  
33  
34 Ken Aebi said that management agencies must have a presence in Yachats or Waldport and so the  
35 response time should not be a problem.  
36  
37 Snidow said that she is available 24/7 and has responded at 2:00 a.m. Renters Rules will be posted on all  
38 exit doors in the homes.  
39  
40 Betty Johnson asked how many homes would be allowed to be Transient Rentals. Brean said that the  
41 Task Force did not make any recommendation concerning limiting the number of rentals.  
42  
43 Featherkile said that the Task Force did discuss that, but did not believe that it was necessary to limit the  
44 number.  
45  
46 Dunn asked if the recommendations from the Greater Yachats Rental Management Association were  
47 considered by the Task Force.  
48  
49 Featherkile said that the Task Force did discuss those recommendations and following discussion decided  
50 against including those recommendations.

1  
2 Brean said that in reading the letters he has seen some places where the language can be clarified, such as  
3 by adding that complaints will be verified. That is done now, but it will be good to state that specifically.  
4  
5 Scott said that he would like to a requirement that the owner keep the contact information current on the  
6 GoYachats account.  
7  
8 Featherkile said that she would like to add a statement that the purpose of the checklist is to ensure that  
9 the health and welfare of the occupants is protected.  
10  
11 Scott said that he would like to add that owners may be notified of a complaint by email as well. Scott  
12 said that he wants to have the complaint process be an online process. It could be similar to the  
13 reservation process and nothing would be made visible until it had been verified as a valid complaint.  
14  
15 Dunn reminded the Council that Hamilton had asked to have the age at which a person is considered in  
16 the occupancy count be raised from 4 to 12.  
17  
18 Featherkile said that the Task Force discussed the limit on occupancy and could not come to an  
19 agreement, so no change was proposed.  
20  
21 Snidow and Hamilton said that they believe parking limits will determine the maximum occupancy and if  
22 the age is raised to 12 it will send the message that Yachats is marketing to families rather than large party  
23 groups.  
24  
25 Rieseck said that in some cities the zones have actually been changed because people started changing the  
26 way they used their property, for example operating a small hotel in a residential zone.  
27  
28 Discussion followed about occupancy issues and if there should be a limit.  
29  
30 Scott said that it should be noted that City Council has always provided due process, and in some cases,  
31 the Council has perhaps allowed a situation to continue too long before taking action.  
32  
33 Rieseck said that he would like to add that the owner will be notified in writing when a third complaint is  
34 received, and he is concerned that it only states that a hearing may be scheduled.  
35  
36 Brean said that he would like it clear that the complaints will be transparent.  
37  
38 Motion to approve the Task Force Recommendations and direct staff to draft an Ordinance based on those  
39 recommendations and Council's suggested changes, Aye – 5, No – 0.  
40  
41 Brean said that while the City is not required by law to hold a public hearing for this type of Ordinance, in  
42 this case a hearing will be scheduled for the February City Council meeting to consider the draft  
43 amendments.

1 **D. Our Coastal Village Request – City Assistance in Paying System Development Charges for**  
2 **the Affordable Home Project**  
3

4 Dennis Snider, Our Coastal Village Director said that he was here to represent the Board but he was not  
5 here to speak, just listen.  
6

7 Dunn said that she is concerned that at a time when the City is trying to find money to run the City it  
8 would not be good to give up revenue.  
9

10 Featherkile said she agrees but she is willing to agree to the installment schedule.  
11

12 Scott said that he is concerned about the System Development Charge reserves and revenue. He is willing  
13 to consider an installment schedule but would favor a three-year term instead of a five-year term.  
14

15 Rieseck said that he agrees the City cannot afford to reduce income in the current economic state.  
16

17 Motion to deny the request for a donation and agree to a five-year installment term, Aye – 5, No – 0  
18

19 **B. Commission and Budget Committee Membership**  
20

21 The City Council interviewed Wyatt Feichtner, Parks and Commons Commission’s recommended  
22 candidate for the Commission.  
23

24 Feichtner said that he loves the community and wants a chance to give back; he is willing to serve the  
25 mission of the Commission even if there may be times when he has a different personal opinion.  
26

27 Motion to appoint Feichtner to serve on the Parks and Commons Commission as recommended by the  
28 Commission, Aye – 5, No – 0.  
29

30 Motion to reappoint Douglas Johnson and Larry Nixon to the Public Works & Streets Commission, Mari  
31 Irvin to the Parks and Commons Commission, and Keith Perkins to the Budget Committee, Aye – 5, No –  
32 0.  
33

34 **A. A Resolution Referring A Measure Asking Shall The Voters Of Yachats Approve A New**  
35 **City Charter And Certifying The Ballot Title And Explanatory Statement And Filing Them**  
36 **With The City Recorder To Be Submitted To The Voters At The May 15, 2012 Statewide**  
37 **Election**  
38

39 Motion to adopt Resolution 2012-01-01, Aye – 5, No – 0.  
40

41 **E. Parks and Commons Commission Recommendations: Amendments to the Commons Policy**  
42

43 Motion that the events sponsored by individuals for commemorative life events be included in the  
44 Community Rate and specify that the event shall be for community members, Aye – 5, No – 0.  
45

46 Motion to approve the recommendation that hardship fundraising benefit events not involving  
47 commercial activities organized to benefit another community member in need be included in the  
48 community rate, Aye – 5, No – 0.  
49

1 Motion to approve the recommendations that fundraising benefit events that involve commercial activities  
2 and memorials services be included in the Private Rate, Aye – 5, No – 0.  
3

4 **F. Adopt 2012 City Council Goals**

5  
6 Motion to adopt the Goals, Aye – 5, No – 0.  
7

8 **VI. Other Business**

9 **A. From the Council**

10  
11 Rieseck said that he, McClintock and PUD looked at some other sites for the electric vehicle stations and  
12 several suggestions were made, but the City has not received any response.  
13

14 Rieseck has suggested to the City Planner that charging stations be allowed through a permit process and  
15 Lewis said that he would take this to the Planning Commission.  
16

17 **B. From the Staff – None.**

18  
19 There being no further business before the City Council, the meeting was adjourned at 4:20 PM.  
20  
21  
22

23 \_\_\_\_\_  
24 Ronald L. Brean, Mayor

25  
26 Attest:  
27  
28  
29 \_\_\_\_\_  
30 Nancy Batchelder, City Recorder