

**CITY OF YACHATS
CITY COUNCIL MEETING
Civic Meeting Room, Yachats Commons
June 14, 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: 6.

I. Announcements and Correspondence - Lincoln County Board of Commissioners: Ocean View Trail Plans and Greg Scott: Budget Request

Ladies Club – Dinner – fundraiser for the Community College Scholarship Fund – June 15, 2012

Leon Sterner and Don Niskanen reported on the US Forest Service National Trails Day event. The special focus was on the Amanda's Trail. The Confederated Tribes of Siletz Indians, the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians participated in a ceremony at the Amanda Bridge. There were speakers and flutists honoring Amanda and the history of Native Americans in the area.

Sterner reported that YYFAP graduated 15 pre-school students last week and thanked the City for the support given to YYFAP.

Brean explained that the County Board of Commissioners has indicated that they are very supportive of the development plan proposed for the Ocean View Trail and that they are ready to assist the City in realizing the vision. They did not commit any funds at this time for the project.

Scott explained that he would be willing to grant the City \$10,000 to complete the software code needed to finish the work on the Business License online database.

II. Citizen's Concerns – None.

III. Consent Agenda

A. Minutes of May 7, 2012 Work Session and May 10, 2012 Regular Meeting

B. Bills for Approval

C. Resolutions from May 7, 2012 Meeting

Resolution No. 2012-05-04 – Clean Air Action Plan

Resolution No. 2012-05-05 – State Park Solstice Education Project

D. Resolution No. 2012-06-03 – Canvass of Votes

E. Parade Permit – Yachats Chamber of Commerce

Motion to adopt the Consent Agenda, Aye – 4, No – 0, Absent – 1 (Scott was out of the room when the vote was taken.)

1 **IV. Reports**

2 **A. City Council**

3
4 Dunn reported that a group called Dark Thirty wants to come to the city for an extreme sporting
5 event. 100 people will participate in a marathon type event, which will include a 100-mile cycle race
6 in the local forest. The USFS will need to approve the route, and the Rural Tourism group is
7 working with the group.
8

9 Dunn said that she and the Waldport Mayor have been discussing a joint meeting, and it has been
10 tentatively scheduled for July 12, at 7:00 p.m., Dunn suggested that the meeting be held in Waldport
11 since they have more Council members.
12

13 Brean said that he will be attending a LOC meeting tomorrow and one of the committees he serves
14 on will be continuing their discussion about the State requirements for legal notices, which are a hold
15 over from earlier days before people started getting their information from other sources. Publication
16 in the newspaper is an expensive thing for most cities and it may not be the most effective way to
17 share the information with the public. The Oregon State Bar is also interested in this issue.
18

19 Brean said that he met with representatives of the Confederated Tribes. They are interested in trying
20 to reacquire some of their ancestral lands and they may be interested in purchasing the timberlands
21 east of the city. They would then harvest the timber. If the City could obtain a conservation
22 easement, the impact on the watershed could be mitigated.
23

24 Scott said that he has been working with some of the local transient rental managers to ensure that
25 the information on the GoYachats web site is updated and accurate.
26

27 **B. Public Works Director – John McClintock reported:**

- 28 • The yard debris dump box at the Public Works yards is being used by the residents. There
29 have been a few people who tried to dump items that cannot be accepted, and/or are not
30 residents, but the program is working.
- 31 • Received the contract document from Oregon Water Resources for the monitoring on the
32 Yachats River. The contract price is a little more than anticipated.
- 33 • A representative from the National Water Association visited last week and was impressed
34 with the plant operation.
- 35 • A representative from DEQ was in town as well. He toured the City wastewater treatment
36 plant and the new plant at Cape Perpetua.
- 37 • The City sent in a notice of intent to apply for grant funds to ODOT to complete the Hwy 101
38 Refinement Plan. The City will know by the end of July if the pre-application made the cut.
39 If it makes the cut, the City will be asked to submit the formal application for a 1.2 million
40 grant. The City will be required to provide a 10.27% match. The notice of intent included a
41 letter of support from the Oregon Speaker of the House, Arnie Roblan.
- 42 • A public hearing on the plan will be a part of the process if the City is asked to submit the
43 formal application.

1 **V. Public Hearing**

2 **A. State Revenue Sharing – Proposed Uses**

3
4 Brean opened the public hearing. There were no comments. Brean closed the public hearing.

5
6 **D. Adoption: Resolution No. 2012-06-02 – Declaring the City’s Election to Receive State**
7 **Revenues**

8
9 Motion to adopt Resolution No. 2012-06-02, Declaring the City’s Election to Receive State
10 Revenues, Aye – 5, No – 0.

11
12 **B. Hearing: Yachats Budget for 2012-2013**

13
14 Brean opened the public hearing. There were no comments. Brean closed the public hearing.

15
16 Scott said that he believes it is important for the City to complete the software database development
17 for the online business license and transient rental license and he is willing to grant the City the funds
18 to do so since the item was cut from the budget by the Budget Committee.

19
20 Motion to increase the General Fund revenue by \$10,000 and the expenditures by \$10,000, Aye – 5,
21 No – 0.

22
23 **C. Resolution No. 2012-06-01 – Adopting, Appropriating, Imposing, and Categorizing Taxes**

24
25 Rieseck said that he wanted to thank Scott for the very generous offer to grant the City funds to
26 complete the online database.

27
28 Motion to approve the budget as amended, and to adopt Resolution No. 2012-06-01, Aye – 5, No – 0.

29
30 **VI. Business**

31 **A. Updated Marketing Plan**

32
33 Dunn reported that the Marketing Committee has been working on the annual update of the
34 Marketing Plan, which was distributed to the Council earlier today. No action was necessary.

35
36 **B. Resolution No. 2012-06-04 – Application for Oregon Department of Transportation Small**
37 **Cities Allotment Grant for Fiscal Year 2012-2013**

38
39 Motion to approve, Aye – 5, No – 0.

40
41 **C. Dyer Engineering Contract – Proposed Amendment**

42
43 Scott suggested that the City extend the contract to the end of the year, and take that time to put the
44 engineering out for bid. This would allow the new Public Works Director a chance to participate in
45 the process.

46
47 Rieseck said that he has received help from them on other projects because they have information in
48 their records.

1
2 McClintock said that Dyer has a lot of history in their file that they are able to access quickly.

3
4 Motion to extend the contract for one year from this date, aye – 5, No – 0.

5
6 **D. Discussion: Compensation for Yachats Tax Collections**

7
8 Brean said that it was suggested to amend the Code to reduce the amount operators are paid to collect
9 the taxes if they fail to submit the taxes on time.

10
11 Scott said that after he spoke with the City Recorder, he has decided to withdraw the suggestion
12 because it has not been a major problem with the exception of the recent experience.

13
14 **E. Discussion: Election Results**

15 **1. Next Steps, if Any**

16 **2. Council Interpretation: Mayor's Role as Administrative Head of City**

17
18 Brean said that the media seemed to suggest that the proposed change in the Mayor's designation
19 from a Political Head to the Administrative Head in the Charter on the May ballot was a power grab.
20 The other issue that raised concerns was the proposed wording describing the duties of the Municipal
21 Court and Judge. It seems that people believed that would give the City too much authority - even
22 outside the city limits. In fact, the City has had a Municipal Court and Judge for many years, the
23 wording was proposed for clarification.

24
25 Brean said that he believes the most important issue was the proposed change in the Council's
26 authority to make decisions about real estate transactions. The requirement for voter approval for
27 any real estate transaction has limited the Council's ability to deal with watershed protection in a
28 timely manner, and guarantees that the City will always pay top dollar for any property.

29
30 Scott said that he believes that too many questions were being asked at one time. The most important
31 issue was the real property issue, and he would like to see some more public engagement to see if the
32 problem was the lack of information or if the election result was a true reflection of the community's
33 attitude.

34
35 Featherkile said that she thinks the housekeeping issues, such as the wording for the Municipal Judge
36 and Court should be a separate Ballot Measure, and then use various methods to provide information
37 about the more important issues.

38
39 Rieseck said that he believes that many of the voters believed that the changes would mean that their
40 taxes would be increased because the City Council could just go out and buy property then raise
41 taxes to pay for it.

42
43 Featherkile said that even if the Council could enter into negotiations no land could be purchased
44 until the voters approve the money.

45
46 Rieseck said that he believes that has not been mentioned often enough.

1 Scott said that he thinks it is important for the City to protect the watershed in order to be able to
2 meet the demand for water in the future for residents and visitors alike.

3
4 Brean said that he believes the Charter needs to be changed because it is not possible for the City
5 Council to do their job efficiently and at the least possible cost.

6
7 In the past, the Council believed that the Mayor was the Administrative Head of the City, and was
8 authorized to deal with staff in the same way a City Manager would. However, the Charter states
9 that the Mayor is the Political Head, and that term does not clearly define what that role means.

10
11 Motion to direct staff to draft a Resolution designating the Mayor as Administrative Head of the City
12 for adoption at the July City Council Meeting, Aye – 5, No – 0.

13
14 Motion to move forward with a single subject Charter Amendment on the November Ballot, related
15 to real estate transactions, Aye – 5, No – 0.

16
17 **VII. Other Business**
18 **A. From the Council**

19
20 Dunn said that it should be noted that the Yachats City Council is the only one in the area that is not
21 talking about raising taxes or fees.

22
23 Brean said that the Finance Committee is looking ahead to ensure that Yachats is staying ahead of the
24 infrastructure needs, and it may be necessary to raise taxes or fees in the future; but not in the same
25 way other cities have done, with steep and seemingly sudden increases.

26
27 Scott said that he and the Mayor are willing to ride on the manure spreader in the July 4 parade, and
28 he has invited Niskanen to participate as well.

29
30 Dunn said that the Chamber decided to limit the use of motor vehicles because it would make it too
31 much like other parades and they wanted to keep it whimsical and unique.

32
33 Chamber President, David Locke said that they would be willing to consider vehicles on a case-by-
34 case basis.

35
36 There being no further business before the City Council, the meeting was adjourned at 3:43 PM.

37
38 Attest:

39
40
41
42
43 _____
Ronald L. Brean, Mayor

Nancy Batchelder, City Recorder