

**CITY OF YACHATS
CITY COUNCIL MEETING
Civic Meeting Room, Yachats Commons
November 13, 2014
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, Sandy Dunn, Claudia Price and Barbara E. Frye. Audience: 16.

I. Announcements and Correspondence – Price Resignation

The Celtic Festival will be held this weekend.

II. Citizen's Concerns

Jan Hogan said that she wanted to thank the City for helping getting the signs installed on Diversity Drive indicating that it is a dead end street.

Paul Thompson asked about the two different references to the dates in the proposed Ordinance regarding Occupancy Tax since in one place it states "30 days or less" and in another place it states "less than 30 days" and suggested that the wording be consistent.

Thompson said that he still believes that the Code Enforcement Officer should have the authority to write citations immediately when there is a violation of the vacation rental standards.

III. Consent Agenda

A. Minutes of October 2, 2014 Work Session, October 9, 2014 Regular Meeting, October 27, 2014 Joint Meeting with Planning Commission and October 30, 2014 Special Meeting

B. Bills for Approval

C. Resolution No. 2014-11-01 – Amending 2014-2015 Budget for Library Grant

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

IV. Reports

A. City Council

Frye reported on the Central Oregon Coast Health Network progress. They wanted to have a mobile health clinic but found that they needed to scale down the proposed project to apply for a grant. However, they are moving forward.

Frye said that the Health Department will be expanding their clinic hours at the Waldport High School, and Samaritan is planning to build a clinic on Range Drive near the High School.

B. Public Works Director – Blanchard reported:

- He is making some changes in the Annual Work Plan report, converting it from a spreadsheet to a Gantt chart.

- The electricians have finished the wiring in the emergency storage containers and now waiting for PUD to make the actual connection.
- The street deep patching and 7th Street improvements will be completed in April and May, so everything should be finished by the end of the Fiscal Year.
- The tide gates in Quiet Water have been installed but large amount of leaves and sticks jammed them and the street flooded. So, in the future the crew will have to monitor the debris in the catch basin.
- The crew is working on the design for the decant center.
- On the playground the pup tent is left to be installed and the swing set needs to be moved two feet. Then the landscaping needs to be completed, particularly the access point. A two-tier step wall will be installed on the east side and there will be a gradual slope on the west side.
- Once the work is completed on the playground the crew will focus on repairing leaks in the water distribution system.
- Completed the pavement management plan, which has been reviewed by the Public Works & Streets Commission and will be included in the budget process.

C. Written Reports:

Reports from Reese & Associates regarding Hwy 101 Project, the City Recorder, and Code Enforcement Officer are attached, in writing.

V. Business

A. Ordinance No. 327 – Amending Occupancy Tax Collection Procedures

Scott said that he thinks it would be important for the City to track how many days each vacation rental is occupied so he would like to have the operators provide that information on the tax return forms.

Dunn said that she thinks the City needs to determine how the information will be used before the data is collected.

Motion to replace the definition for Rent with the suggested language provided by the City Attorney, and adopt the Ordinance, at this meeting, Aye – 4, No – 1 (Scott).

There will be a second reading in December because it failed to pass unanimously.

B. Ordinance No. 328 – Amending Vacation Rental Standards

Brean said that the City received a letter from Kate and Todd Korgan requesting that the language be modified to allow multiple ownership of vacation rental properties if the home or properties is inherited.

Dunn said that even if someone inherits a home they would have options so she still wants to leave the language as it is in the draft.

Frye said that she is concerned about the lack of long term rentals in town, and she agrees that the proposed language should be left as it is.

Brean, Scott and Price all agreed.

1
2 There was also consensus that the limit of four bedrooms for any new vacation rentals in a
3 residential zone should be left in the Ordinance.

4
5 Motion to adopt Ordinance 328 Amending Vacation Rental Standards at this meeting, Aye – 5, No
6 – No.

7
8 **C. Ordinance No. 329 – Amending Food and Beverage Tax Collection Procedures**

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10 Motion to adopt Ordinance 329 Amending Food and Beverage Tax Collection Procedures at this
11 meeting, Aye – 5, No – No.

12
13 Batchelder explained that in reviewing the Ordinances on the agenda today Councilor Scott noticed
14 that the penalty for not submitting the tax returns for recreational marijuana was not consistent with
15 the other types of taxes.

16
17 The staff was directed to draft an amendment for the Council to consider at the December meeting,
18 making the penalty amounts consistent.

19
20 **D. Ordinance No. 330 – Amending Capital Improvement Planning Committee**
21 **Membership**

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23 Motion to adopt Ordinance 330 Amending Capital Improvement Planning Committee Membership
24 at this meeting, Aye – 5, No – No.

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26 **E. Amendments to Administrative Policies No. 3 and 7 Regarding Agendas**

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28 Motion to adopt the amendments to Administrative Policies No. 3 and 7 regarding Agendas, Aye –
29 5, No – 0.

30
31 **F. Adoption of Distant Tsunami Plan as Appendix G in the City Emergency Operations**
32 **Plan**

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34 Motion to adopt the Distant Tsunami Plan as Appendix G in the City Emergency Operations Plan,
35 Aye – 5, No – 0.

36
37 **G. Contract for Planning Services**

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39 Brean explained that wording has been added to the contract to provide some additional hours of
40 planning services which will provide some flexibility.

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42 **Motion to adopt the contract for Planning Services, Aye – 5, No – No.**

43
44 **H. City Banking Services**

45
46 Max Glenn said that four credit unions are considering coming to Yachats to serve the community.

47
48 Brean said that he is working with the elected officials to see if there are things that can be done to
49 make a smooth transmission.

1 Batchelder said that the Bank of the West has offered to provide the equipment and software to
2 deposit checks electronically free of charge. However, if the City cancels the agreement within two
3 years the full cost of the equipment would be charged.

4
5 City Council agreed to enter into the agreement.

6
7 Brean shared a letter he drafted to send to the Bank of the West with the Council,

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9 Motion to accept the letter to the Bank of the West for the Mayor and Councilors to sign, Aye – 5,
10 No – 0.

11
12 **I. Continued Discussion: Medical Marijuana Dispensary Regulations**

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14 Continued to the next work session.

15
16 **J. Declare Council Vacancy**

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18 The City Council declared a vacancy. The position will be advertised and interviews will be held at
19 the December work session on December 9.

20
21 **VIII. Other Business**

22 **A. From the Council**

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24 None.

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26 **B. From the Staff**

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28 Application for Don Groth to serve on the Emergency Planning Committee.

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30 Motion to appoint Don Groth to serve on the Emergency Planning Committee, Aye – 5, No – 0.

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32 There being no further business before the City Council, the meeting was adjourned at 3:30 PM.

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37 _____
38 Ronald L. Brean, Mayor

39 Attest:

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43 _____
Nancy Batchelder, City Recorder