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**CITY OF YACHATS  
CITY COUNCIL MEETING  
Civic Meeting Room, Yachats Commons  
May 14, 2015  
Regular Meeting 2:00 P.M.  
MINUTES**

Mayor Ronald Brean called the regular meeting of the City Council to order at 2:00 p.m. in the Civic Meeting Room at the Yachats Commons. Council members present: Greg Scott, Sandy Dunn, Barbara E. Frye and Max Glenn. Audience: 12.

**Joint Meeting – Local Contract Review Board and City Council**

**I. Public Hearing – Contracting Rules**

The public hearing was opened. There was no testimony and the public hearing was closed.

**II. Ordinance No. 333 – Amending the Yachats Municipal Code Chapter 2.10 Relating to Public Contracting and Purchasing; and Authorizing the Adoption of Public Contracting Rules by Resolution**

Motion to adopt Ordinance No. 333, at this meeting, Aye – 5, No – 0

**III. Resolution No. 2015-05-01 a Joint Resolution of the City Council and Local Contract Review Board Opting out of the Attorney General’s Model Public Contracting Rules and Amending Public Contracting Rules for the City of Yachats.**

Motion to adopt Resolution No. 201-05-01, Aye -5, No – 0.

**City Council Meeting**

**I. Announcements and Correspondence – Bev & Fritz Barmore re E. 2nd Street and Maxine Sheets-Johnstone re: Noise on July 4**

- Ladies Club Pie and Ice Cream Social – May 23.
- Lions Pancake Breakfast – May 24.
- YAS Event – May 30 at 6:30 p.m. – Max Glenn on Civil & Human rights Struggles in Appalachia

The Barmore letter was discussed. It was reported that the Public Works and Streets Commission discussed this letter at their meeting, and referred it to the Hwy 101 Improvement Planning Group.

Niskanen requested that something be done about the parking on E. 2<sup>nd</sup> Street because he issues more notices to vehicles parked illegally in that area than any other.

1  
2 In discussing the letter regarding excess noise from the live music played by several  
3 businesses on July 4, Brean said that he does not believe that the noise from the music on  
4 July 4 exceeds the decibel level in the location from which the letter originated.

5  
6 Brean said that decibel issues are difficult to enforce, however the Code Enforcement  
7 Officer can stop by the businesses that have live music on July 4 and ask them to turn the  
8 volume down if needed.

9  
10 Frye said that she believes that the City should send a letter to those businesses asking  
11 them to be courteous of their neighbors.

12  
13 Brean said that he would be willing to do so.

## 14 15 **II. Citizen's Concerns**

16  
17 Bob Bennett submitted a letter suggesting that performance measures be used as part of  
18 the organization study.

19  
20 Scott said that what Bennett is proposing is essentially a program-based budget and he  
21 supports that concept.

## 22 23 **III. Consent Agenda**

24 **A. Minutes of April 6, 2015 Work Session and April 8, 2015 Regular Meeting.**

25 **B. Bills for Approval**

26 **C. Resolutions**

27 **1. 2015-05-02 Older Americans Month – May 2015**

28 **2. 2015-05-05 Budget Committee Membership Appointments**

29 **3. 2015-05-06 Workers Compensation Insurance for Volunteers**

30  
31 Motion to adopt the consent agenda, Aye – 5, No – 0.

## 32 33 **IV. Reports**

34 **A. City Council**

35  
36 Glenn said that his group met with the Board from Oregon Coast Bank. They said that  
37 they had explored the possibility of opening a branch in Yachats at two different times, one  
38 of those being about two years ago when they offered to buy the Bank of the West branch.  
39 That offer was not accepted.

40  
41 Currently they are concerned about the number of accounts that have moved to other  
42 banks and how many of those accounts would return if they opened a branch.

43  
44 The Real Estate Broker has not yet received, but is expecting an offer from an investor to  
45 purchase the bank building. There are several interested parties, however those parties  
46 are not banks.

1  
2 Scott said that he is currently doing research on the replacement of the City's utility billing  
3 software.  
4  
5 Frye asked if the City has a plan for this IT update.  
6  
7 Scott said that is what he is working on now. Scott said that the staff is aware of what is  
8 needed and they will be involved in this update.  
9  
10 Scott said that he did some research last month regarding Council emails and he is  
11 looking for the authorization to proceed with implementation.  
12  
13 Scott said that the tool that he found would cost the City \$4 per mailbox per month but the  
14 domain name would not be the same as the City's so he would need to work with the  
15 vendor to find a solution.  
16  
17 There was consensus that Scott is authorized to proceed.  
18  
19 Scott said that the South Yachats Reservoir Negotiation Team met with Civil West  
20 Engineering and the committee is recommending that the City move forward with them as  
21 engineers for the project.  
22  
23 Brean said that he and Glenn spent the morning at Angell Job Corps participating in the  
24 combined Community Relations Council and the Industrial Relations Council.  
25  
26 They have a new Director who is trying to reestablish the two programs that were  
27 eliminated several years ago, including the Catering Program.  
28  
29 Brean said that he met with a group of people who have been lobbying for a "No-Spray"  
30 program along Hwy 101. Lincoln County Commissioner Bill Hall suggested that the cities  
31 contribute some money to make that program happen. That item has been added to the  
32 budget for consideration.  
33  
34 Brean said that the Yachats Money Thinkers have decided to make some  
35 recommendations, including raising the Occupancy Tax to 9%, which is more in line with  
36 the rate in other communities along the coast.  
37  
38 They are also recommending that the Urban Renewal District take out a loan to pay for the  
39 South Reservoir Project. The current tax receipts would repay that loan.  
40  
41 Another recommendation is to adjust the water and sewer rates to ensure that the  
42 revenues meet the expenses and provide reserves.  
43  
44 They are also recommending that a non-profit organization be formed to raise money that  
45 could contribute to some of the City's projects.  
46

1 Brean said that the City has been working to close the transportation gap between  
2 Yachats and Florence.

3  
4 Brean said that he talked with the Public Works Director about transitional planning  
5 through the end of May. He will then be paid for the month of June, but he will not be  
6 working.

7  
8 Brean said that he believes the Public Works crew will manage the upcoming projects just  
9 fine. The crew is professional and capable of performing all of the necessary work.

10  
11 In discussing the possibility of hiring an interim City Manager, Frye expressed concerns  
12 that it seems the decision to have a City Manager structure was made before the  
13 Organization Study Group has even met.

14

15 **B. Written Reports:**

16

17 Reports from the Public Works Director, City Recorder, and Code Enforcement Officer  
18 attached, in writing.

19

20 Water Treatment Plant Operator Rick McClung reported that the City's vac truck needs  
21 major repairs and was unreliable. So, the City rented a vac truck, but it has been broken  
22 down four times in the last two months.

23

24 McClung said that it might be around \$30,000 to repair the City's vac truck.

25

26 **V. Public Hearings**

27 **A. Supplemental Budget for 2014-2015**

28 **Resolution No. 2015-05-03 – Adopting Supplemental Budget for 2014-2015**

29

30 The hearing was opened, there was no testimony and the hearing was closed.

31

32 Motion to adopt Resolution No. 2015-05-03, Aye – 5, No – 0.

33

34 **B. Capital Improvement Plan for 2015-2016**

35 **Resolution No. 2015-05-04 – Adopting the Capital Improvement Plan for 2015-2016**

36

37 The hearing was opened, there was no testimony and the hearing was closed.

38

39 Motion to adopt Resolution No. 2015-05-04, Aye – 5, No – 0.

40

41 **VI. Business**

42 **New Item: Contract for South Reservoir Project**

43

44 Motion to award the contract to Civil West for the engineering of the South Reservoir  
45 Project, contract price not to exceed \$162,310, Aye – 5, No – 0.

46

1 **A. Ordinance No. 334 – Amending Yachats Municipal Code – 3.08 Occupancy**  
2 **Tax**

3  
4 Motion to adopt Ordinance No. 334, at this meeting, Aye – 5, No – 0.

5  
6 **B. Ordinance No. 335 – Amending Yachats Municipal Code – 3.12 Prepared**  
7 **Food and Beverage Tax**

8  
9 Motion to adopt Ordinance No. 335, at this meeting, Aye – 5, No – 0.

10  
11 **C. Ordinance No. 336 – Amending Yachats Municipal Code – 3.14 Marijuana Tax**

12  
13 Motion to adopt Ordinance No. 336, at this meeting, Aye – 5, No – 0.

14  
15 **D. Ordinance No. 337 – Amending Yachats Municipal Code – 4.04 – Business**  
16 **Licenses**

17  
18 Motion to adopt Ordinance No. 337, at this meeting, Aye – 5, No – 0.

19  
20 **E. Appoint Library Commission Members**

21  
22 Motion to appoint Nikki Carlson and Marion Godfrey to serve on the Library Commission,  
23 Aye -5, No – 0.

24  
25 **VII. Other Business**  
26 **A. From the Council**

27  
28 Glenn said that he was approached by the owner of a business that was upset because  
29 he did not receive the renewal notice by email because the person that had received the  
30 emails in the past had been fired and the new person that was responsible had a different  
31 email. He was upset by the way that he had been treated by City Hall and that he had  
32 been assessed a late fee. He also said that he will no longer donate to the local non-profit  
33 organizations because of the way they were mistreated by City Hall Staff.

34  
35 Batchelder, Brean and Niskanen all said that the web based renewal process has been in  
36 place for three years now, and that staff sent out multiple notices, including by regular  
37 mail. Although he may not have liked the answer he received, City Hall staff does not  
38 mistreat anyone.

39  
40 Glenn said that he thinks the City needs to make sure the business owners are well aware  
41 that they are responsible for keeping their information up to date so they receive all notices  
42 on time.

43  
44 Food and beverage tax delinquent issues were discussed. A hearing will be scheduled for  
45 two businesses that have been chronically delinquent since opening.  
46

1 Dunn said that there is a vacancy on the Finance Committee and asked if the Council  
2 wants to fill the position with another Councilor or a citizen.

3  
4 Scott said that he thinks there should be another citizen appointed.

5  
6 Brean said that he has received a letter from the Code Enforcement Officer asking for an  
7 increase in his contract price.

8  
9 There was consensus to have Glenn and Dunn will meet with Niskanen to discuss this.

10  
11 **B. From the Staff – None.**

12  
13 There being no further business before the City Council, the meeting was adjourned at 4:07 PM.

14  
15  
16  
17  
18 \_\_\_\_\_  
19 Ronald L. Brean, Mayor

20 Attest:

21  
22  
23 \_\_\_\_\_  
24 Nancy Batchelder, City Recorder