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**CITY OF YACHATS  
CITY COUNCIL MEETING  
Civic Meeting Room, Yachats Commons  
January 14, 2016  
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, Barbara E. Frye and Max Glenn.

**I. Announcements and Correspondence – Letter: Meals on Wheels**

**II. Citizen’s Concerns**

Yvonne Wulff said that she wanted to thank Rick McClung, the Public Works Department and the local motels who helped following the slide.

Nathan Bernard said that he was just told that there would be an upgrade to the water line in front of his business and it seems that now would be a good time to upgrade the service to his business as well. The current service was meeting the needs of the previous business and his current needs, but with the brewery going online he would like a 2” meter installed. He only wants to fill vessels faster and he is not actually looking to increase capacity so he does not believe that he should be charged the additional System Development Charges that a developer would be charged and he is requesting a waiver of those additional fees.

Brean said that the City Council would like to think about this proposal.

Scott said that he would like to think about how this could impact future applications.

Brean asked that this be added to the February work session agenda.

**III. Consent Agenda**

- A. Minutes of December 7, 2015 Work Session and December 10, 2015 Regular Meeting.**
- B. Bills for Approval**
- C. Correction to Resolution No. 2015-12-01**
- D. Mardi Gras Parade Permit**

Motion to adopt the Consent Agenda, Aye – 5, No – 0.

**IV. Reports**

**A. City Council**

Scott said that a temporary employee was hired to populate the fields in the property database.

Frye said that she attended a meeting held by Samaritan regarding their annual needs survey.

Frye said that she is on the Lincoln County Community Health Clinic Advisory Council. They are trying to expand the hours of the Waldport High School Clinic for adults but that is going to work out so she suggested that they try opening one in Yachats. They have indicated interest in doing so.

1  
2 Glenn said that he has spent quite a bit of time working on different possibilities for banking  
3 opportunities, including interactive ATMs for the old bank building.  
4

5 Glenn said that the City would not have to have a bank charter in order to rent out the safe deposit  
6 boxes.  
7

8 There should be two more alternative proposals for the Bank Use Task Force to consider at their  
9 next meeting, including one from the Chamber of Commerce for an Events Center.  
10

11 Brean said that he had a meeting with Dennis Comfort who is now the Regional Director for State  
12 Parks and he is very willing to work on resolving the 804/Ocean View Drive problem.  
13

14 Brean said that he is working with a group at the Angell Job Corps.  
15

16 Brean said that the Annual Peace Hike took an alternative route due to the slide. Three trees fell in  
17 the exact place where the group would have been gathered if the Hike had gone to the Amanda  
18 Statue as normal - at the very time when they would have been standing there.  
19

20 Brean said that he attended a meeting of the other coastal community mayors. It was discussed  
21 that Mayors and Councils are the governments that are the closest to their citizen and usually the  
22 first to work to solve the problems of their communities in ways that the State and Federal  
23 governments cannot.  
24

25 **B. Written Reports:**

26 Public Works Department, City Recorder and Code Enforcement Officer, attached in writing.  
27

28 **V. Public Hearing - Ordinance No. 340 – Shoreland Protection**  
29

30 Brean opened the public hearing and asked if there was any testimony. He referenced the written  
31 testimony received. There was no additional testimony and the public testimony portion of the  
32 public hearing was closed.  
33

34 Dunn said that she was confused about why the amendment was necessary.  
35

36 Brean said that in the last Comprehensive Review there was more focus on Shoreland Protection  
37 and very specific setbacks were added.  
38

39 Several years later when a property owner wished to build on a lot along Gender Creek some of  
40 the property owners in the area believed the lot should not be developed in that way, and it  
41 became apparent that there was some confusion about the language in the Code regarding the  
42 setbacks and the way that creeks were designated.  
43

44 So, for the past two years the Planning Commission has been working to provide specific setbacks  
45 and protection for rivers, streams, and waterways and to bring the Code in line with the City's  
46 Comprehensive Plan.  
47

48 Scott said that there was an appeal filed by a group with the Land Use Board of Appeals and the  
49 Planning Commission has been working to craft the amendment in such a way as to provide the  
50 needed protection while addressing the concerns of those that filed the appeal.  
51

1 Scott said that since she was present at the work session on Monday Planning Commission Chair,  
2 Nan Scott has suggested that the words “on either side of the stream” should be added to two  
3 places in Subsection D.2. and “around the wetland” as follows:  
4

5 D. Protection Standards.

6 1. Ocean Protection Standards. Prior to development on ocean shoreland a site  
7 specific geotechnical report shall be submitted to the City in accordance with Section 9.52.050.  
8 Setbacks shall be a minimum twenty-five (25) feet from the top of the bank or greater if  
9 recommended by an Oregon certified engineering geologist.

10 2. Riparian Corridor Protection Standards. The riparian corridor for fish bearing  
11 streams shall be 50 feet [on either side of the stream](#). The riparian corridor for non-fish bearing  
12 streams identified on the Designated Streams Map shall be 25 feet [on either side of the stream](#).  
13 The riparian corridor for a significant wetland shall be 25 feet [around the wetland](#). See Section 3  
14 below for additional Yachats River Protection Standards.  
15

16 Brean said that while there may still be an appeal filed with LUBA, he believes that the City will be  
17 in a stronger position with this amendment.  
18

19 Motion to adopt Ordinance No. 340 – Shoreland Protection, with the amended wording proposed  
20 by the Chair of the Planning Commission, at this meeting, Aye – 5, No – 0.  
21

22 **VI. Business**

23 **New Item: Election of Council President**  
24

25 Scott was unanimously elected as Council President.  
26

27 **New Item: Joint Meeting with Lincoln County Commissioners**  
28

29 City Council selected the March 9, 2016 at 6:00 p.m. for the Joint Meeting with the County  
30 Commissioners. Agenda items will be discussed at the February Work Session.  
31

32 **A. Recruitment Services**  
33

34 Motion to hire Prothman as the Recruiting Service for the City Administrator and authorize the  
35 Mayor to sign the agreement, Aye – 5, No – 0.  
36

37 **B. Update – Sanitary Sewer Maintenance Policy**  
38

39 Wastewater Treatment Operator, Dave Buckwald said that the Sanitary Sewer Maintenance Policy  
40 and the Municipal Code are slightly different and this update will make the two consistent.  
41

42 Motion to adopt the updated Sanitary Sewer Maintenance Policy, Aye – 5, No – 0.  
43

44 **C. Update – Employee Handbook**  
45

46 Motion to adopt the updated Employee Handbook, Aye – 5, No - 0  
47

48 **D. Commission Membership**  
49

50 Lisa McGrath was present to interview for the Budget Committee and asked about the Finance  
51 Committee.  
52

1 Brean explained the duties of the Finance Committee.

2

3 McGrath said that she has worked on governmental auditing for the past 18 years.

4

5 John Moore was present to interview for the Budget Committee.

6

7 Moore explained that he has many years experience in finance and non-profits and wishes to  
8 become involved in the community.

9

10 Motion to reappoint Brad Webb to the Budget Committee, appoint Lisa McGrath to the Budget  
11 Committee, appoint Lisa McGrath and John Moore to the Finance Committee, Aye – 5, No – 0.

12

13 **VII. Other Business**

14 **A. From the Council** – None.

15 **B. From the Staff** – None.

16

17 There being no further business before the City Council, the meeting was adjourned at 3:30 p.m.  
18 PM.

19

20

21

22

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

24

25 Attest:

26

27

28

29 \_\_\_\_\_  
Nancy Batchelder, City Recorder