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**CITY OF YACHATS
CITY COUNCIL MEETING
Civic Meeting Room, Yachats Commons
December 11, 2014
Regular Meeting 2:00 P.M.
MINUTES**

8 The regular meeting of the City Council was called to order by Mayor Ronald Brean at 2:00 p.m. in the
9 Civic Meeting Room at the Yachats Commons. Council members present: Greg Scott, Sandy Dunn
10 and Barbara E. Frye. Audience: 10.

11
12 **I. Announcements and Correspondence**

13 Charter Communications Regarding Price Adjustments

14
15 **II. Citizen's Concerns – None.**

16
17 **III. Consent Agenda**

18 **A. Minutes of November 10, 2014 Work Session and November 13, 2014 Regular Meeting.**

19 **B. Bills for Approval**

20 **C. Resolution No. 2014-11-02 – Appointment to Emergency Planning Committee**

21 **D. Resolution No. 2014-11-03 – Adopt Appendix G to Emergency Plan**

22 **E. Resolution No. 2014-12-02 – Adopting the Annual Management Discussion and Analysis
23 for the 2013-2014 Audit Document**

24
25 Motion to adopt the consent agenda, Aye – 4, No – 0.

26
27 **IV. Reports**

28 **A. Audit**

29
30 Rob Wall said that they are working under the Federal and State Standards for governmental auditing
31 and Financial Reporting.

32
33 Wall said that there are no irregularities and it is a clean report.

34
35 Wall described the format of the document and explained the various schedules and Financial
36 Statements.

37
38 **B. City Council**

39
40 Scott said that there have been two updates on the database development, mainly in the business
41 license and tax side.

42
43 Brean said that as the President of the League of Oregon Cities he attended the National League of
44 Cities conference in Austin, Texas.

45
46 Brean said that he attended the League of Oregon Cities Board Meeting. This was the last meeting he
47 served as the President.

48
49 ODOT and Lane Transit District is seeking to fill the gap in service between Yachats and Florence and
50 they are asking for people to serve on the Task Force.

51
52 Brean said that the Finance Committee Chair and he are putting together a group to discuss options to
53 raise the money required to complete the Capital Improvement Projects over the next ten years.

1
2 **C. Public Works Director**
3

4 Blanchard shared the Annual Work Plan and the Gantt chart for the CIP projects.
5

6 Blanchard reported:

- 7 • Completed the playground equipment installation and awarded a contract for the remaining
8 work.
- 9 • Published the RFP for the Engineering on the South Reservoir. A review committee made up of
10 himself, City Councilor Sandy Dunn, Public Works and Streets Commissioner Bob Bennett,
11 Water Treatment Plant Operator Rick McClung and Wastewater Treatment Plant Operator
12 Dave Buckwald will review the proposals that are submitted. Should award the contract at the
13 February City Council meeting.
- 14 • The annual work plan includes some time for the South Gateway, skate park, Labyrinth and
15 Park Entry Portal.
- 16 • Working with the engineers on the Hanley Looping project.
- 17 • Should be able to order the fueling tanks by the end of the month and have it installed by the
18 end of January. The delay is the result of complications to where the tanks can be installed, and
19 they are working on the design.
- 20 • The Wastewater Treatment Plant generator enclosure is under construction.
- 21 • Working on the design for the Decant Center.
- 22 • The waterline that is part of the Hwy 101 project should begin in February, so right now the
23 focus is on leak repair and meter replacement.
24

25 **D. Written Reports: Commission Minutes, City Recorder and Code Enforcement Officer**
26

27 Attached in writing.
28

29 Batchelder said that she has filed the Annual System Development Charges Report for the 2013-2014
30 Fiscal Year, and a copy has been uploaded to the Document Library.
31

32 **V. Business**

33 **H. Animal Control**
34

35 Mary Aebi said that she and her dogs were attacked by a pit bull two weeks ago. The pit bull attacked
36 the two dogs she was walking, and the pit bull was loose and not under control. The vet bill for her dog
37 was \$5,000.
38

39 Aebi said that she has seen quite a few dogs that were running loose, and she thinks it is important to
40 adopt a leash law.
41

42 Max Glenn said that he was asked to post a warning on the Yachats Community Facebook page.
43 Following the hearing, that pit bull was released to the owner and is now back in the community. He
44 believes the City should adopt a leash law similar to the State Parks requirement.
45

46 Ken Aebi said that 95% of all dogs that are picked up are released back to the owners. That pit bull
47 attacked one of the employees at the dog shelter while it was being held there pending the hearing.
48

49 Aebi said that dogs that are under voice control are under control until they are not, and he thinks that it
50 is important to have a leash law. It took the County a week to take the dog into custody.
51

52 Code Enforcement Officer, Don Niskanen said that this is the fourth dog attack in that area and there
53 have been other attacks near the Yachats State Park.

1
2 Niskanen said that the Order issued by the Judge has no teeth in it. And, if the Aebis would have to take
3 the pit bull's owner to Small Claims Court to get their vet bill paid.

4
5 Niskanen said that he thinks the City should adopt a leash law.
6

7 Brean said that the City Code currently says that no person shall allow any animals to run at large and
8 he does not have any problems with enforcing what is already in place. Confrontations with dogs and
9 owners can be some of the most dangerous any officer can become engaged in, and he does not want
10 to put the Code Enforcement Officer in that position.

11
12 Brean said that he would like to begin an educational campaign to remind pet owners that the Code
13 prohibits animals to run at large and begin enforcing the current Code.
14

15 Brean said that although the City cannot buy land for a dog park the City should work on developing
16 a dog park someplace in town.
17

18 **G. Blackstone Streets**

19
20 Lawrence Musial said that when the developer went bankrupt the streets in the subdivision were
21 deemed to be substandard and were never accepted by the City. At a meeting of the Homeowners
22 Association they agreed to ask the City to accept the HOA's offer to pay \$10,048 (Option A) to improve
23 the road system in Blackstone and then adopt them as City Streets.
24

25 There was discussion about the deficiencies that resulted in the City rejecting the street system in the
26 subdivision.
27

28 Blanchard said Option A includes only a slurry seal, but if the core samples come back showing that
29 more work would be necessary then Option B would be required to bring the streets up to City
30 Standards.
31

32 There was consensus to spend \$250 for the core samples so that the Homeowners Association can be
33 told which Option will be necessary before any decisions are made.
34

35 **D. Visitor Center Contract for 2015**

36
37 Dunn said that the proposal is about \$2,000 less than the current contract amount.
38

39 David Locke said that fewer people are requesting brochures, so there will be less printing and postage
40 costs next year.
41

42 Motion to award the contract for operations of the Visitors Center to the Chamber of Commerce for 2015
43 with an automatic renewal for three years, adjustments to the services and contact amount to be
44 negotiated annually if requested by either party , Aye – 4, No – 0.
45

46 **A. Ordinance 327 – Amending Code Chapter 3.08 – Occupancy Tax**

47
48 Scott said that he still believes the City needs to collect data about the number of days each vacation
49 rental is rented each month in order to be able to track the level of activity in the various areas of town.
50 That can be done administratively, and does not need to be included in the draft Ordinance.
51

52 Brean said that he would like to wait to discuss this idea further at a later time.
53

1 Scott said that the Finance Committee made a recommendation that the taxes be collected on a
2 monthly basis, so he would like to know what the rationale was for rejecting that recommendation.
3
4 Finance Chair, Tom Lauritzen said that the Finance Committee agreed to the quarterly collection but still
5 wishes to receive monthly reporting.
6
7 Discussion followed regarding the monthly reporting. There was consensus to set up the online
8 database with the ability for monthly reporting, but not implement it at this time. Operators will need to
9 complete three monthly returns each quarter.

10
11 Motion to adopt Ordinance 327 – Amending Code Chapter 3.08 – Occupancy Tax, Aye – 4, No – 0.

12
13 **B Ordinance 331 – Amending Marijuana Tax**

14
15 Motion to adopt Ordinance 331 – Amending Marijuana Tax, at this meeting, Aye – 4, No – 0.

16
17 **C. Resolution No. 2014-12-01 – Canvass of Votes**

18
19 Motion to adopt Resolution No. 2014-12-01 – Canvass of Votes, Aye – 4, No – 0.

20
21 **E. Appointment: Cascades West Area Commission on Transportation**

22
23 Motion to appoint Mayor Brean, Aye – 4, No 0.

24
25 **F. Reappointment to the Public Works & Streets Commission**

26
27 Motion to reappoint Douglas Johnson and Larry Nixon to serve on the Public Works and Streets
28 Commission, Aye – 4, No – 0.

29
30 **VIII. Other Business**

31 **A. From the Council – None.**

32
33 **B. From the Staff– None.**

34
35 There being no further business before the City Council, the meeting was adjourned at 4:45 PM.

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40 _____
41 Ronald L. Brean, Mayor

42 Attest:

43
44
45 _____
46 Nancy Batchelder, City Recorder