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**CITY OF YACHATS  
CITY COUNCIL MEETING  
Civic Meeting Room, Yachats Commons  
July 8, 2010  
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  
9 the Civic Meeting Room at the Yachats Commons. Council members present: Greg Scott, David  
10 Rieseck and Sandy Dunn. Absent: Larry Nixon. Staff present: City Attorney, Mike Dowsett,  
11 Director of Public Works, John McClintock and City Recorder, Nancy Batchelder. Audience: 8.  
12

13 **I. Announcements and Correspondence**  
14

- 15 • Movie night next Thursday.
- 16 • Yachats Music Festival and Fish Fry this weekend.
- 17 • Milo Graamans and Alexander Rose will be performing at the Newport PAC on Sunday,  
18 July 11, 2010

19  
20 Letter: Charles Beshears – Request to extend Quiet Water Homeowners Association’s riparian zone  
21 vegetation removal permit.  
22

23 **II. Citizen’s Concerns**  
24

25 Gretchen Armstrong filed a written concern regarding Quiet Water Homeowners Association’s  
26 intention to use Roundup on the paths bordering the Yachats River.  
27

28 Brean explained that while Armstrong said in her letter that she understands the City has exempted  
29 the Quiet Water Homeowners Association from City ordinances, that is not the case. The City has  
30 not exempted them from any City Ordinances.  
31

32 City Attorney Dowsett explained that use of chemical spray within the first Thirty (30) feet of a  
33 riparian buffer would be a infraction of the Yachats Municipal Code Section 5.08.110(I).  
34

35 The Code Enforcement Officer was directed to contact the Quiet Water Homeowners Association  
36 President to make sure they are aware that use of chemical spray in the riparian zone is not allowed.  
37

38 **III. Consent Agenda**

39 **A. Minutes of June 7, 2010 Regular Meeting.**

40 **B. Bills for Approval**

41 **C. Resolution from June 2010 Meeting**

42 **1. Resolution No. 2010-06-07 – Commission Membership**

43 **D. Resolution No. 2010-07-02 – Authorizing Interfund Borrowing and Interfund Loans**  
44 **During the 2010-2011 Fiscal Year**

45 **E. Resolution No. 2010-07-03 – OLCC License: Yachats Underground**  
46

47 Motion to adopt the consent agenda, Aye – 4, No – 0, Absent – 1 (Nixon).

1 **IV. Reports**

2 **A. Commissions** – Written minutes of the meetings submitted.

3  
4 Niskanen said that the Chair of the Trails Committee made a presentation at the Chamber Breakfast.

5  
6 Brean said that since the Public Works Director was not present at the Public Works and Streets  
7 Commission they deferred taking action on the acceptance of the streets and utilities for Diversity  
8 Drive and Phase 1 of Fisterra until they received a report from McClintock.

9  
10 Batchelder explained that the Public Works & Streets Commission was aware the Council may take  
11 action on the matter at this meeting if the Public Works Director was available to give a report.

12  
13 **B. City Council**

14  
15 Scott said that he attended the Samaritan Health System strategic planning meeting. They are  
16 planning to go to the voters for a bond measure for construction of expanded facilities in Newport.  
17 They are also planning to expand the clinic in Waldport and move it out of the Tsunami Zone.

18  
19 Rieseck said that the Hwy 101 Plan conceptual work is nearly complete. Some details are needed  
20 for the area of Seventh Street - North. Sharing the plan with the Council is the next step. Then  
21 discussions with business owners will need to take place to give them an opportunity to weigh in  
22 before it is opened to the public.

23  
24 Rieseck said that Lauralee Svendsgaard will help coordinate the public input on the comprehensive  
25 plan for the City property.

26  
27 Rieseck also reported that while he had hoped to have the glass in the picnic shelter installed before  
28 the fish fry this weekend that will not happen. There has been a delay and the glass panels will not  
29 be delivered until next week.

30  
31 Brean said that he also attended the Chamber Breakfast. Layne Morrill also made a presentation  
32 about Our Coastal Village, the non-profit formed to assist people in purchasing affordable homes.

33  
34 Brean reported that he attended the LinCom Executive Board Meeting. A recent 911 complaint call  
35 regarding a Deputy Sheriff's driving and the possibility of the Lincoln City and Toledo centers  
36 merging with LinCom were the topics of discussion.

37  
38 **C. Public Works Director** – John McClintock reported:

- 39
- 40 • The control mechanisms for the pumps in the East Hillside LID have arrived, but they did  
41 not have instructions included so that is presenting some problems. However, the bid  
42 package should still be out on the street by the end of the month.
  - 43 • The boulders will be removed for a short time to allow some workers and equipment access  
44 for some brushing and trimming.
  - 45 • The City water and wastewater systems were able to meet the demand over the July 4  
46 holiday without any problems.
  - 47 • The DEQ was in town last week for the one-year inspection of the new plant. The plant  
48 passed and it complies with permit standards.
  - Due to the heavy spring rains there should be no problem with the water supply this summer.

- 1 • The City has received 62 applications for the vacant public works position.
- 2 • A request for bids for paving published in the paper did not get any responses. So, the next
- 3 step will be to contact the local contractors directly.

4  
5 Dunn said that the Public Works crew did a great job of mowing, trimming and painting lines around  
6 town in preparation of the holiday crowds.

7  
8 **D. City Attorney – None.**

9  
10 **E. Written Reports:**  
11 **City Recorder, Marketing Director, and Code Enforcement Officer**

12  
13 Brean said that the City Planner reported that the owners of property east of Blackstone have  
14 expressed interest in selling that land or creating a conservation easement. That land is part of the  
15 watershed.

16  
17 **V. New Business**

18 **A. Request from Helping Hands to Paint a Mural on Commons Wall**

19  
20 It was noted that the section of the wall that the Helping Hands would like to paint would be  
21 replaced shortly as part of the Commons siding project.

22  
23 Motion to approve the request, Dunn and Rieseck will review and approve the concept drawing prior  
24 to the work being done, Aye 4, No – 0, Absent – 1 (Nixon).

25  
26 **B. Recommendation from Parks and Commons Commission: Stage Use Policy**

27  
28 Niskanen said that a previous Council put a height restriction for any arts and crafts vendor booths  
29 that were on the stage. Since the floor was refinished, the Parks and Commons Commission is now  
30 requesting that stage use be limited to pre-approved theater and performance types of use.

31  
32 Niskanen said that The Friends of the Commons have spent about \$50,000 on stage improvements  
33 and they would like to see those assets protected. The Friends will be constructing a storage area  
34 soon, which will make Room 7 available for vendor space.

35  
36 Dunn suggested that a repair deposit for using the stage could be a way to protect the stage while  
37 still making it available for vendor use.

38  
39 Rieseck said that the City Council discussed this request at some length at the work session and it  
40 was noted that the City does not want to lose the arts and crafts fairs as renters.

41  
42 Violet Young asked if it would be possible to use part of the Civic Meeting Room for vendors if the  
43 stage area is not available.

44  
45 Brean said that he did not think use of the Civic Meeting Room would be a viable option.

1 Discussion followed about impact on renters, uses that may be allowed on a case-by-case basis, and  
2 the possibility of adopting the policy but making it effective when the storage room has been  
3 constructed.

4  
5 Jean O'Hearn said that she does not like to use the stage anyway and would be happy to use Room  
6 7.

7  
8 Motion to adopt the stage use policy amendment, effective when Room 7 is available for use, Aye 4,  
9 No – 0, Absent – 1 (Nixon).

10  
11 City Council asked the Parks and Commons Commission to discuss a damage deposit again  
12 sometime in the future.

### 13 14 **C. Residency Requirements for Commissions**

15  
16 Motion to approve the residency requirements as follows:

17 In order to be considered a resident of Yachats for purposes of serving on commissions or  
18 in an elected capacity the following must apply:

- 19 1. Voter Registration to an address in Yachats
- 20 2. Primary Residence in Yachats

21 Primary residence is defined as either the sole residence of the individual  
22 or, if multiple residences are a factor, the home at which the individual  
23 spends the majority of his/her time. Primary residence will be the location  
24 where mail is received, where vehicles are registered, and where the  
25 individuals family (if any) resides).

26 Aye 4, No – 0, Absent – 1 (Nixon).

### 27 28 **D. Adoption: Personnel Policies, Job Descriptions and Performance Measurements**

29  
30 Discussion followed and some modifications were suggested.

31  
32 Motion to adopt the personnel policies and procedures as amended, Aye 4, No – 0, Absent – 1  
33 (Nixon).

34  
35 The job descriptions and performance measurements will be continued to the August meeting.

### 36 37 **E. Adoption: Emergency Operations Plan**

38  
39 Motion to accept and adopt the Emergency Operations Plan, Aye 4, No – 0, Absent – 1 (Nixon).

### 40 41 **F. Resolution No. 2010-07-01 - Maintenance and Dedication as City Systems: Water, 42 Sewer, Storm Drain, Dry utilities, Streets and Sidewalks – Phase 1 Fisterra 43 Development and Diversity Drive**

44  
45 McClintock said that he worked closely with the general contractor and sub-contractors on the  
46 project. The water, sewer and storm drains are up-sized from what they actually need and they  
47 met all ODOT requirements for the culvert. The streets are well constructed.

1 Motion to adopt Resolution No. 2010-07-01, Aye 4, No – 0, Absent – 1 (Nixon).

2  
3 **G. Discussion: GoYachats Accounts for Local Not-for-Profit Organizations**

4  
5 Scott submitted revised language to allow other Yachats organized groups whose efforts center  
6 around bringing recurring community based events to Yachats, as approved by the City Council,  
7 to have a GoYachats account.

8  
9 Motion to adopt the revised policy language, Aye 4, No – 0, Absent – 1 (Nixon).

10  
11 **F. Request for Support: Lincoln County Geocaching Event at County Fair**

12  
13 Brean explained that the Town & Country Fair & Rodeo Associations is asking the City to  
14 sponsor the Geocaching event at the County Fair by contributing \$225 to purchase 250 Geocoins  
15 to be used as part of the Geocaching event held at the Fair.

16  
17 Motion to authorize the expenditure of \$225 to purchase 250 Geocoins to be used as part of the  
18 Geocaching event held at the Fair, funds to come from the GoYachats fund; and, to authorize  
19 Bob Bennett to act on behalf of the City to obtain a number of Geocoins not used during the Fair  
20 to promote Geocaching in Yachats, Aye 4, No – 0, Absent – 1 (Nixon).

21  
22 **VIII. Other Business**

23 **A. From the Council** – None.

24  
25 **B. From the Staff**

26  
27 Batchelder explained that the organizers for the Coastal Celtic Music Festival would like to get  
28 permission to promote the event with a banner across Hwy 101.

29  
30 Banner request will added to the August agenda.

31  
32 There being no further business before the City Council, the meeting was adjourned at 3:50 p.m.  
33 PM.

34  
35  
36  
37 \_\_\_\_\_  
38 Ronald L. Brean, Mayor

39  
40 Attest:

41  
42  
43 \_\_\_\_\_  
44 Nancy Batchelder, City Recorder