

**CITY OF MANZANITA
NOVEMBER 9, 2016
CITY COUNCIL MEETING**

CALL MEETING TO ORDER: The meeting was called to order at 7:00 p.m. in the City Council Chambers by Mayor Garry Bullard.

ROLL: Members present were: Garry Bullard, Leila Salmon, Hans Tonjes, and Mike Scott. Member absent and excused was: Linda Kozlowski. Staff present: City Manager Jerry Taylor, Public Works Director Dan Weitzel, Visitor Center Manager Dan Haag and Administrative Assistant Kristin Grasseeth.

AUDIENCE INTRODUCTION: There were 22 citizens in attendance.

PUBLIC COMMENTS & COMMUNICATIONS: Mick Taylor asked if the City would make a proclamation of its dedication to the protection of human rights.

CONSENT AGENDA:

- A. APPROVAL OF MINUTES – October 5, 2016 Regular Council Meeting, October 7, 2016 Special Council Meeting, and October 19, 2016 Special Council Meeting
- B. APPROVAL OF BILLS FOR PAYMENT

Motion was made by Tonjes, seconded by Salmon to approve the consent agenda that includes approval of the minutes of the October 5, 2016 Regular Council meeting, October 7, 2016 Special Council Meeting, and October 19, 2016 Special Council Meeting; and, to approve payment of bills and all subsequent bills subject to approval by the Mayor or Council President and City Manager. Motion passed unanimously.

NEW BUSINESS:

A. Progress on Tornado Debris Removal - City Manager Jerry Taylor said he had observed that a significant amount of woody debris from private properties had been removed from the public right-of-way since the Council meeting on October 19. Public Works Director Dan Weitzel did a survey before the Council meeting and reported that there were roughly ten loads of the City's dump truck of debris left around town. Staff recommended that the City continue to hold off until private property owners could work issues out with their insurance companies. The Council discussed options for dealing with the 1800 yards of debris that had been removed and is at Winslows (Mohler Sand & Gravel). The estimated cost of chipping the debris and shipping it out of the area is \$14,000. The City is still looking into options and could possibly be able to receive a grant from the County or State. Tom Bender announced a tree replanting date had been set for November 25th, starting at Pine Grove Community House. Bender also said that to date \$43,000 had been donated through all the different avenues towards tornado relief.

B. Ordinance Amending Ordinance No. 10-03 Relating to Short Term Rental Regulations (First Reading) - City Manager Jerry Taylor explained how the Council and staff have been working on language to clarify the regulations for short term rentals and make them easier to enforce. In addition to work sessions with short term rental operators, a public workshop was conducted on September 23, 2016 to get public comment. The current proposed Ordinance only contains the housekeeping provisions of draft Ordinance No. 16-00A. The proposed Ordinance is the

last in a series of Ordinances designed to clarify and strengthen the rules before the staff initiates a serious enforcement program to identify chronic violators of the short term rental regulations.

Changes being proposed:

1. Clarifies that one license only covers one side of a duplex.
2. Establishes procedure for lack of response by person on waiting list to notification of availability of short term rental license.
3. Lowers timeframe from 12 months to 9 months where lack of utilization of the license is considered abandonment of the license.
4. Establishes limit on reservations for short term rental properties put on the market for sale.
5. Clarifies notification requirements for change in local contact person and sets standard for response to rental issues by local contact person.
6. Establishes late fee for license renewal fee not paid by August 1 and provides for loss of license if not paid by August 31.
7. Requires new health and safety inspection for properties where there has been substantial damage to the property or substantial modification of the structure.
8. Identifies violation of provisions of the Ordinance as Class A or Class C Civil Infractions under the new Civil Infractions Ordinance.

Motion was made by Scott, seconded by Salmon to read “AN ORDINANCE AMENDING SECTIONS 1 THROUGH 6 OF ORDINANCE NO. 10-03 RELATING TO RULES AND REGULATIONS FOR SHORT TERM RENTALS” by title only for its first reading and to tentatively approve said Ordinance as of its first reading. Motion passed unanimously.

C. Agreement for State Parks Grant for Neah-kah-nie Mountain to Beach Trail- Jerry Taylor reminded Council the City had agreed to sponsor a grant prepared by Connie Soper and the Northwest Coast Trails Coalition which would design and construct a trail from Neahkahnie Mountain to Manzanita Beach. This project would fill in one of the gaps in the Oregon Coast Trail. Oregon State Parks has awarded the grant to the City. The City would not be paying anything for the project except for some staff time. The match for the grant is almost entirely in-kind services from Connie Soper, City staff and volunteer advisory committee members. The City Attorney has reviewed the agreement and has no concerns.

Motion was made by Scott, seconded by Tonjes to approve the grant agreement with Oregon State Parks for the design and construction of the Neahkahnie Mountain to Beach Trail and authorize the Mayor to sign it on behalf of the City.

D. Off Season Tourism Promotion Committee Recommendation on Post-Tornado Advertising - Staff reported that the Off-Season Tourism Promotion Committee met on October 28 to consider possible ideas for advertising after the tornado to welcome people back to our community. The Committee felt that Visitors Center Manager Dan Haag should be given the authority to purchase up to \$7,000 in advertising on electronic media to get the word out quickly so that the misconception of Manzanita’s condition would not harm the holiday season. The City Tourism Promotion and Facilities Fund has enough budgeted funds to support this effort and still have enough to support a second round of off-season tourism promotion grant projects in January. Staff recommends approval of the Committee’s recommendation.

A motion was made by Tonjes, seconded by Scott to approve the expenditure of up to \$7,000 from the Tourism Promotion and Facilities Fund for promotion and advertising to inform the public that the City is open for business. Motion passed unanimously

OLD BUSINESS:

A. Ordinance Amending Zoning Ordinance No. 95-4 Relating to Zoning and Development Standards (Second and Final Reading) As reported at the October 5, 2016 City Council meeting, the Planning Commission has been discussing a number of amendments to the Zoning Ordinance over the past year or so and the amending Ordinance was read for its first reading at the October Council meeting. Staff recommends approval.

Owen Nicholson read a prepared letter to the Council regarding trees and requirements. The letter was submitted into the record as well.

Motion was made by Scott, seconded by Salmon to read "AN ORDINANCE AMENDING SECTIONS 1.030, 3.010, 3.020, 3.025, 3.040, 3.060, 4.137, 4.156 AND 6.030 AND ADDING SECTION 4.142 OF CITY OF MANZANITA ORDINANCE NO. 95-4 RELATING TO ZONING AND DEVELOPMENT STANDARDS" for its second and final reading by title only and to adopt said Ordinance as of its second and final reading. Motion passed unanimously.

CITY MANAGER'S REPORT:

A. Visitor Center - Dan Haag, Manager of the Visitor Center, spoke to the Council on the summers hours, volunteers and the number of people who came through the Visitors Center. Haag informed the Council on the current events planned for tornado relief and the cash mob happening the weekend of November 12th. Haag expressed how excited the Visitors Center volunteers are to be getting the beach wheelchairs and how he also has started a monthly photo contest.

MISCELLANEOUS:

- 1. ICS Training** - Nehalem Bay Fire and Rescue will host Incident Command System training on December 3rd. Interested Councilors should contact the City staff.
- 2. Carmel Ave Project** - Contactor has asked for an exception to construction noise time limit so they can start and finish the manhole on Pacific in one day. This could possibly go until midnight but the Public Works Director would be on site the entire time. No objections were raised by Council.
- 3. 455 Laurel** - No further action required for this nuisance property except to encourage the owner to dispose of the woody debris on the site and in the right-of-way.

Mayor Bullard adjourned the meeting at 8.52 p.m.

**MINUTES APPROVED THIS
7TH DAY OF DECEMBER, 2016**

Garry Bullard, Mayor

Attest:

Jerald P.Taylor, City Manager/Recorder