

BAY CITY COUNCIL MEETING

December 13, 2022

6:00 P.M.

Members Present: Mayor McCall, Councilor Kathy Baker, Councilor Tom Imhoff, Councilor Melissa Rondeau, Councilor Tim Josi, Councilor Helen Wright

Staff Present: City Manager Liane Welch, Public Works Director Roy Markee, City Recorder/Finance Director Lindsey Gann, Division Chief Christensen, Fire Chief Kamrath

Others present: Bob Miles, Will Chappell, Pat Papineau, Mayor Elect for Rockaway Beach Charles McNally, Justin Howard, Ralph McRae, Becky Smith, Mark Harguth, Anthony Boatman, Pat Vining

- A. Call to Order, Pledge of Allegiance, Roll Call
- B. Public Hearing – Ordinance 700, An Ordinance Regulating Short-Term Rental Units to Provide for Short-Term Rental License Requirements; and Providing for Repeal of Bay City Ordinance 685.

Public hearing open at 6:04pm. City Manager Welch presented the Ordinance and gave an overview of changes from the public hearing in November. Changes are marked in red in the ordinance in the meeting packet.

Citizen Pat Papineau addressed the council with comments and concerns regarding the notification of tenants/owner of issues, fire extinguishers, and the exclusion of ADU's on the same property of a STR. The ADU as a STR allows more control of who the home is rented to and allows an income for a person who is living on the property. Comments were emailed to City Manager Welch and are available for review in the meeting packet.

Citizen Becky Smith expressed concerns with changes to the Short-Term Rental Ordinance. Feels that the need for a go bag is financially an unfair expectation. Go bags are based on the number of occupants and can be very expensive for a short term. Difficult to check in between renters and does not give time to replace if go bag is stolen.

Citizen Mark Harguth expressed concern regarding the go bag and the financial / logistical issue. Wants the city to hold STR's to the same standards as his units, such as parking requirements. He was required to have assigned parking and dedicated off street parking.

Public comments closed at 6:21pm, brought back to council for comments.

Councilor Wright feels the requirement for to go bags should be removed. Feels a lot of the items are common sense and do not need to be in an ordinance.

Councilor Imhoff recommended the to go bag be a suggestion not a requirement.

Councilor Baker explained that the to go bag is for the first 72 hours of a worst-case scenario evacuation. Not opposed to it being a suggestion. Understands the concern of theft and the cost, but theft is always a possibility, and the cost is a part of doing business. City's such as Manzanita and Nehalem have also required a to-go bag for STR's.

Councilor Rondeau stated that ADU's are being pushed as Long Term Rental (LTR) in the county, Section 11 #4- Single family STR's shall not be operated on a property where a legal ADU exists. Could there be a stipulation that if the owner or LTR is on the property it could be allowed?

Councilor Josi is torn between the idea of having the to-go bag and the issue of making it a requirement.

Mayor McCall stated that the reason the Ordinance is being revised is because the original Ordinance was too flexible, and that flexibility was being taken advantage of. If we make the to-go bag an option, it most likely won't be done. There are risks that come with visiting the coast.

Councilor Josi motioned to approve the second hearing of Ord 700 by title only, seconded by Councilor Baker.

Motion passes 4-1

Ordinance 700 was read by title only by City Recorder Gann.

Councilor Josi made a motion to adopt Ordinance 700 by title only, seconded by Councilor Baker.

Roll called:

Councilor Baker – Aye

Councilor Rondeau – Aye

Councilor Wright – No

Councilor Imhoff – Aye

Councilor Josi – Aye

Motion passed 4-1

C. Visitor Propositions (Public Comment on Non-Agenda Items)

Citizen Justin Howard was present to suggesting an addition to the skate park with a small, covered area. Manager Welch will meet with him to discuss the idea and how it can be incorporated with the current Al Griffin masterplan.

Citizen Pat Papineau expressed her frustration and did not feel her voice was heard during the process for Ord 700.

Mayor McCall asked if anyone was in attendance that would like an item on the agenda moved forward. Also need to add item to the agenda for approval of the audit. After hearing for Justin Howard, it was decided to move item C under new business ahead on the agenda.

- a. Oregon Parks and Recreation Department for the Local Government Grant Program Agreement for the Hiker/Biker project at Al Griffin Park for \$318,001. City Manager Welch explained the grant to the council and will need approval from the Council for the Mayor to sign.

Motion by Councilor Baker to accept the Local Government Grant program agreement and designate the mayor as signer, seconded by Councilor Wright.

Motion passes 5-0

D. Committee, Department, and Staff Reports

- a. City Manager,

City Manager Welch introduced interim Fire Chief Kamrath to the city council and presented the City Manager report. Additional information available on the report in the council packet.

- b. Finance Director/City Recorder – no report
- c. Fire Department- City Manager Welch presented the report, copy is available in the council packet.
- d. Fire Committee Report – City Manager Welch stated the Fire Committee is working towards the formation of a fire district. Will be requesting direction from the council in the future regarding the formation of the district.
- e. Public Works – City Manager Welch present the public works report, copy is available in the council packet. Discussion was held at the council workshop regarding vandalism of the bathrooms. Public Works Director Markee has decided to remove the porta-potty from the Al Griffin Park campground.
- f. Emergency Preparedness,
 - i. Next meeting Monday December 19, 2022, 5:30 pm at Ad Montgomery Community HallManager Welch presented the report, copy available in the council meeting packet.
- g. Planning Department,
 - i. Next Planning Commission – December 2022 meeting canceledManager Welch presented the report, copy available in the council meeting packet.

E. Minutes

- a. Council Workshop – November 7, 2022

b. Regular Council Meeting – November 8, 2022

Motion to approve minutes as corrected by Councilor Baker, seconded by Councilor Wright.

Motion passes 5-0

F. Treasurers Report – no questions or comments, file for auditors

G. Bills against the City – total of \$314,656.63 presented to council, motion to approve by Councilor Josi, Seconded by Councilor Imhoff.

Motion passes 5-0

H. Unfinished Business

a. Resolution 2022-29. A Resolution of the City Council of the City of Bay City Setting Fees for all Permits and Applications Provided for in Bay City Development Ordinance, Public Works, and Administrative Services, and Repealing Bay City Resolution 08-14 and all Prior Resolutions setting Fees for Development Permits, Applications and Administrative Fees.

City Manager Welch present the resolution and final fee recommendations, final change made was to have the business license / registration will be changed to TBD, has not been changed in the packet.

Motion by Councilor Imhoff to amend item L from \$100 to TBD, seconded by Councilor Baker.

Motion passes 5-0 to amend

Motion by Councilor Josi to approve Resolution 2022-29, seconded by Councilor Rondeau.

Motion passes 5-0

b. Accept final audit – No discussion

Motion to accept final audit by Councilor Baker, seconded by Councilor Rondeau.

Motion passes 5-0

c. Letter to Secretary of State, Division of Audits, discussion, and approval for Mayor to sign. Attached final 2021-2022 Audit.

Motion to approve the mayor to sign the letter to the Secretary of State by Councilor Josi, seconded by Councilor Wright.

Motion passes 5-0

I. New Business

a. Certification of Election Votes

Councilor Josi asked if Greg Sweeney has accepted the write in position. City Recorder Gann explained he has not accepted but the City still needs to certify

that he won the tiebreaker. Mayor McCall stated if he does not accept it will become a vacant position.

Motion by Councilor Baker to approve, seconded by Councilor Rondeau.

Motion passes 5-0

- b. Resolution 2022-30. A Resolution of the City Council of the City of Bay City Setting the Policy for Credits for Water Consumed via Unintentional Water Leaks and Breaks in the Line and Repealing Resolution 15-12.

Resolution presented by City Manager Welch; this resolution gives the staff direction on how to/how much credit a person will receive if a leak occurs. Discussion was held on what is considered a timely manner/how long the break goes unnoticed. Manager Welch explained that the utility clerk, Public Works Director Markee, and Manager Welch review the reads and the system puts out a re-read if any of the reads are erroneous, they are then reviewed for possible leaks. Councilor Imhoff expressed concern for those who pay annually, and they do not receive a monthly statement. Finance Director Gann stated the process for annual payments will be changed and the utility clerk will be sending out monthly bills to everyone, including the annual pay accounts.

Motion by Councilor Baker to approve Resolution 2022-30, seconded by Councilor Wright.

Motion passes 5-0

- c. Contract – Water Fund Technical Assistance Project for \$20,000 for Water Master Plan from Oregon Business Development Department (OBDD)

City Manager Welch explained the contract to council. Requesting approval for the mayor to sign the contract.

Motion by Councilor Wright for Mayor to sign the contract, seconded by Councilor Rondeau.

Motion passes 5-0

- d. Bay City Water System Contract with Water Districts

Manager Welch stated will be meeting with the districts tomorrow and would like approval for the mayor to sign the contract.

Councilor Imhoff suggested that in section 7.4 of the contract, a line be added to state “except for those noted in 7.1”.

Councilor Imhoff also asked if there is power at the reservoir. Section 11.11 states standby power for the reservoir, Public Works Director Markee believes that should state there needs to be standby power at the Well.

Motion by Councilor Imhoff for approval of the mayor to sign the District Contract as modified in discussion, seconded by Councilor Baker.

Motion passes 5-0

- e. Destination Management Report by Nan Devlin with Tillamook Coast Visitors

Association.

City Manager Welch presented the Destination Management Plan, requesting direction to move forward and finalize the report. Copy of the destination management plan is in the council packet.

Motion by Councilor Rondeau to approve, seconded by Councilor Wright.

Motion passes 5-0

- f. Draft Ordinance 701 Bay City Fiscal Policy discussion. Preliminary discussion prior to Public Hearings.

Ordinance is for review only prior to public hearings. Auditors suggested a fiscal policy for the City. The stabilization policy needs to be updated with recommendations from the council. Discussion was held on a percentage for the stabilization policy, suggesting 15% or less to start.

- g. Proclamation 2022-003 – Support of US Postal Workers

Mayor McCall presented the proclamation, would like to thank the US postal workers who are working while short staffed and overwhelmed.

Motion to adopt the proclamation by Councilor Wright, seconded by Councilor Baker.

Motion passes 5-0

- h. Community Action Team – Low Income Household Water Assistance Program (LIHWA) Contract discussion and approval for City Manager to sign.

City Manager Welch explained the contract is for water assistance to citizens that need payment assistance on their water/wastewater bill. Pat Vining stated the boosters provide funding to the city for bill assistance and he will discuss with the boosters about participating in the assistance and can covering the street maintenance fee for citizens who receive assistance from LIHWA.

Motion to approve by Councilor Baker, seconded by Councilor Imhoff.

Motion passes 4 – 1 Abstain

- J. Mayor's Presentation – would like to thank the clerk's office for their hard work during the election. He also presented a gift to councilor Wright on her final night as a councilor for the city.

- K. Council Presentation

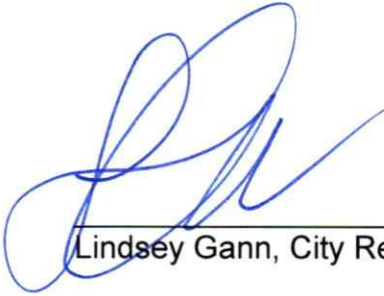
Councilor Wright announced that she will be taking over the pearl festival and it will be held on 8/23/23. She plans to apply for a TLT fund and needs match funding. She is requesting a \$1,000 from the city to put towards the pearl festival for match funding. Councilor Wright made a motion for the city to donate \$1,000 to the pearl festival, seconded by Councilor Rondeau.

Motion passes 5-0


L. Attorney Presentation-none

Motion to adjourn by councilor Wright, seconded by councilor Baker.

Meeting adjourned at 7:52pm.



Lindsey Gann, City Recorder



David McCall, Mayor