



Date: Wednesday, September 12, 2018
Time: 6:05 P.M.
Location: Council Chambers, City Hall

CALL TO ORDER AND APPROVAL OF AGENDA

ROLL CALL

The meeting was called to order at 6:05 pm in the City Council Chambers by Mayor Aagaard. Present were: Mayor Aagaard, Councilors Nathan Beeman, Sue Wilson, Kristine Hayes, Terry Walhood and James Doyle, City Attorney John Putman, and City Manager Terri Michel.

Mayor - Joanne Aagaard: Present
Position #1 - Nathan Beeman: Present
Position #2 - Sue Wilson: Present
Position #3 - Kristine Hayes: Present
Position #4 - Terry Walhood: Present
Position #5 - James Doyle: Present

CONSENT AGENDA

Walhood made a motion, seconded by Beeman, to approve the minutes of the August 8, 2018 City Council meeting and the August Check Register as indicated: motion carried.

Position #4 - Terry Walhood: Motion
Position #1 - Nathan Beeman: 2nd
Position #1 - Nathan Beeman: Approve
Position #2 - Sue Wilson: Approve
Position #3 - Kristine Hayes: Approve
Position #4 - Terry Walhood: Approve
Position #5 - James Doyle: Approve

CITIZEN INPUT ON NON-AGENDA ITEMS

Gary Albright expressed concern about a property in Nedonna Beach which Loren Parks had recently donated to the Pioneer Museum. Albright stated that Rockaway Beach Public Works had recently destroyed marsh property while clearing the City's easement which runs through the property in question with heavy equipment. He said that he wanted to be notified when work was done on the easement and asked that the City not trespass on any part of the land which was not a part of the easement. He also asked that water not be destroyed and mentioned the Clean Water Act. Councilor Wilson asked if it was the property was cleared for off-road use. Albright answered no but that people were indeed using the easement for off-road use.

PRESENTATIONS, GUESTS & ANNOUNCEMENTS

STAFF REPORTS

Parks & Recreation Director Melissa McCarthy said the Summer Youth Program was a great success, as was the Old Fashioned Carnival in the Park. She thanked all volunteers and donors for helping to raise over \$5,000 at the carnival over Labor Day weekend. Wilson asked how many were served by the Summer Youth Program this year. McCarty answered that between 25-30 children of various ages attended the program in 2018.

Police Chief Charles Stewart stated that August was busy but successful month. He said the Police Department was not going to apply for the ODOT grant this year. He added that the police have been working on an active shooter response training called ALICE with the Neah-Kah-Nie School District 56 which would be ongoing. Stewart said that many items were retrieved from recent burglaries in the area. He said that National Night Out had a big turnout this year and then gave an update about the bicycle safety program in detail. Stewart stated that he had received a lot of positive feedback about Officer Rondeau and Sergeant Ahlers due to their outstanding efforts while on the job. He said that program to assist families in the community are currently being developed. He said that high activity level used forty-three percent of the Police Department's overtime budget for the year and added that he is monitoring overtime closely but is concerned. Hayes asked about calls difference between 2017 and 2018 and wanted to know if the lower amount of calls was due to the decrease in staffing levels. Stewart said difference in call loads was indeed related to staffing levels.

Public Works Director Luke Shepard said that due to increased use he was looking into options to get adequate bathroom facilities at the wayside. He discussed the addition of new water and sewer installations. He said that in addition to the water line work his department had been working on projects including a crosswalk, the Nature Preserve project, installation of culverts, and multiple paving projects. He said that the nature trail should open in October once the final touches are finished. A citizen asked if anything could be done about the deep potholes on Alder. Shepard answered that Alder was a County road and to contact Tillamook County's Public Works Department about the issue. Shepard said he did try to work with Gary Albright in the Nedonna Marsh area and said the City must maintain the easement in question. He added that he is willing to look at the options and recommended a new survey and the possible addition of gates. Shepard stated that he could not locate a stream on the land but did see that the area was overrun with culverts. Shepard was asked by a citizen if the City was responsible for paving at the intersection of 19th and Miller. Shepard said that the portion of road in question was in city limits but was a County road. The citizen then commented that he was happy that the railroad track had recently been paved. Shepard said that the City does make efforts to share the cost of paving near the railroad tracks with the Port of Tillamook Bay when possible because it benefits the City to do so. Citizen Nancy Webster commented that the Nedonna marsh property in question and should be open to public for recreational use.

City Manager Terri Michel said she walked the Nedonna marsh area in question and found it to be in good condition. She stated that the Carnival in the Park was very successful and also said the carpeting in civic facility had been replaced. Michel said that City Planner Cassandra Dobson of Fregonese & Associates had been working on ordinance amendments for FEMA flood maps adoption. She explained that Dobson had to make the amendments to the ordinance exactly as directed by FEMA. She added that Rockaway was fortunate because many properties were going to be removed from the floodplain with the adoption of the new FEMA maps. Michel explained many details of the FEMA maps and said that mortgage companies would only contact property owners if they were going into a floodplain.

OLD BUSINESS

PUBLIC HEARING FOR FLOOD HAZARD OVERLAY ZONE AMENDMENTS TO ADOPT NEW FEMA FLOOD INSURANCE RATE MAPS

City Planner Cassandra Dobson said the amendments to the City's Flood Hazard Overlay Zone in question had been approved by FEMA an Oregon State Department of Land Conservation and Development DLCD. She explained that the modifications were FEMA requirements and that the specific language used was mandatory in order to be in compliance with FEMA. She added that the code must be adopted to be in effect by September 28, 2018 or else Rockaway Beach would be suspended from National Flood Insurance Program. Dobson showed the FEMA maps and explained them in detail. Councilor Hayes stated that Rockaway Beach was in a good position because a lot of properties were coming out of the flood zone. Michel explained the properties which were being added to the flood plain on the maps. Mayor Aagaard opened the Public Hearing at 6:39. A woman asked why hard copies of the map were not available and Michel said the maps are too large in size and added that the maps would soon be available to view online. Citizen Kurt Ahmen asked if the map was current and also asked for clarification of the forms that would be on City's website. Dobson said the map was current. Michel said the form was called Out as Shown and said the form would be available on the City's website the following day. Citizen Sean Smith asked if all

property owners impacted by the new map would be notified. Michel stated that DLCD informed the City that if a property was to be impacted in a way that they would be added to the floodplain they would be notified by their mortgage company. She added that citizens could contact her directly if they wanted to know the impact on their land. Mayor Aagaard closed the public hearing at 6:45 p.m.

Tom Bristow then addressed Mayor Aagaard and asked if Rockaway Beach could get some steps to the ocean and stated his concerns about safe beach access. Mayor Aagaard said she was working on solving that problem, explaining that the State owns the land which is part of the problem but commented that Oceanside had recently succeeded on getting steps to the beach approved by the State.

Hayes made a motion, seconded by Doyle, to approve the first reading of the flood hazard overlay zone amendments for the new FEMA flood insurance rate maps; motion carried.

Position #3 - Kristine Hayes: Motion
Position #5 - James Doyle: 2nd
Position #1 - Nathan Beeman: Approve
Position #2 - Sue Wilson: Approve
Position #3 - Kristine Hayes: Approve
Position #4 - Terry Walhood: Approve
Position #5 - James Doyle: Approve

Hayes made a motion, seconded by Beeman, to approve the second reading Ordinance #18-431, an amendment of the flood hazard overlay zone for the new FEMA flood insurance rate maps; motion carried.

Approve second reading.
Position #3 - Kristine Hayes: Motion
Position #1 - Nathan Beeman: 2nd
Position #1 - Nathan Beeman: Approve
Position #2 - Sue Wilson: Approve
Position #3 - Kristine Hayes: Approve
Position #4 - Terry Walhood: Approve
Position #5 - James Doyle: Approve

Wilson made a motion, seconded by Beeman, to approve the adoption of Ordinance #18-431, an amendment of the flood hazard overlay zone for the new FEMA flood insurance rate maps; motion carried.

Position #2 - Sue Wilson: Motion
Position #1 - Nathan Beeman: 2nd
Position #1 - Nathan Beeman: Approve
Position #2 - Sue Wilson: Approve
Position #3 - Kristine Hayes: Approve
Position #4 - Terry Walhood: Approve
Position #5 - James Doyle: Approve

NEW BUSINESS

PROCLAMATION ON NATIONAL PREPAREDNESS MONTH 2018

Mayor Aagaard stated that September is National Preparedness month. Michel said David Elkins serves on Emergency Management and had brought National Preparedness Month to her attention. Michel added that Gordon McCraw will have a meeting for preparedness planning on October 25 which she planned to attend and she encouraged all people to attend the meeting. Michel stated that she made copies of the to-go bag checklist items available because it was good information to have.

Position #2 - Sue Wilson: Motion
Position #1 - Nathan Beeman: 2nd
Mayor - Joanne Aagaard: Approve
Position #1 - Nathan Beeman: Approve
Position #2 - Sue Wilson: Approve
Position #3 - Kristine Hayes: Approve
Position #4 - Terry Walhood: Approve
Position #5 - James Doyle: Approve

APPROVE OLCC LICENSE REQUEST FOR UPPER CRUST PIZZA

Michel explained that there was a recent change in ownership of Upper Crust Pizza and said the owner would like to serve beer and wine. She said that the City would need to sign off on Upper Crust Pizza's OLCC application.

Position #1 - Nathan Beeman: Motion
Position #3 - Kristine Hayes: 2nd
Mayor - Joanne Aagaard: Approve
Position #1 - Nathan Beeman: Approve
Position #2 - Sue Wilson: Approve
Position #3 - Kristine Hayes: Approve
Position #4 - Terry Walhood: Approve
Position #5 - James Doyle: Approve

COUNCIL CONCERNS

Councilor Hayes said she had a consultation with Fire Department and stated her concerns that Twin Rocks and Nedonna do not pay the same rate for fire protection as the rest of Rockaway Beach. Michel said that a recent Fire Department consultant had already identified that a problem. Michel added that the fire protection contracts were over 20 years old and would be modified soon. Councilor Hayes asked if her stipend could go directly to the Parks & Recreation Department. City Attorney John Putman said he had already addressed that issue in the past and said the way to make that happen would be for Hayes to take her stipend check and then donate it to anywhere she chooses. Putman added that the Council has no control over what any City Council member does with their own money.

Councilor Beeman said he had no comments.

Councilor Wilson read aloud quotes from Councilor Hayes which were published in the August 29, 2018 Tillamook Headlight Herald newspaper and quoted Hayes comments in that article. Councilor Hayes said transparency could be improved and cited her concerns. Hayes said that she was recently asked to follow the City's policy on public records requests but added that she expected City Council members to be excluded from following the City's public records request policy. Mayor Aagaard explained the public records request procedure in detail and said that Rockaway Beach uses the same procedure as all cities and all counties.

Councilor Walhood asked City Manager Terri Michel who would be responsible for paying if a special election is on the ballot. Michel answered that the City would pay rather than the chief petitioner for a special election and added that the last special election cost the City approximately \$3,000. Walhood said that she thought the Carnival in the Park was wonderful this year.

Councilor Doyle said he was offended that Councilor Hayes was backing term limits. He stated that he did not believe that City Council members should attack each other.

MAYOR'S REPORT

Mayor Aagaard explained in detail the public records request process. She added that the City Hall office was currently running with less staff than usual.


ATTORNEY COMMENTS

City Attorney John Putman said he had no attorney comments.

ADJOURNMENT

Wilson made a motion, seconded by Beeman, to adjourn the meeting; motion carried. Mayor Aagaard adjourned the meeting at 7:11 pm.


City Manager Terri Michel


Mayor Joanne Aagaard