

# City of Rockaway Beach

## City Council Meeting

### Agenda



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**Date:** Wednesday, May 8, 2019  
**Time:** 6:00 P.M.  
**Location:** Council Chambers, City Hall

#### **ROLL CALL**

Mayor -

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

Also present: City Manager Terri Michel, City Attorney John Putman, Public Works Director Luke Shepard, Assistant Fire Chief Shawn Vincent, Chief of Police Charlie Stewart, and Park & Rec Director Melissa McCarty.

28 guests were present

#### **CALL TO ORDER AND APPROVAL OF AGENDA**

Hayes stated regarding the vote on attorney fees it had her listed as abstained when she voted no. She mentioned the letter she had read, stating she had left a couple lines out and added some additional information. She mentioned she had received a letter from the City's attorney asking for the letter. She said she spoke to her legal consultant in regards to that letter and they said to ask for it to be transcribed into the records book. City Attorney John Putman spoke to Councilor Hayes, saying anything that hits the table becomes public record. Putman said there was no opportunity for anybody beside Councilor Hayes to read what she said other than herself. He said that was a concern. Hayes stated if she had to transcribe it herself, she would. Putman said that wasn't the point. Hayes told Putman to speak directly to her and not her attorney, that she didn't need him to run up attorney bills. Putman said Hayes had put him in a difficult position because she represented an issue with whatever was in that letter. He said she could have her attorney call and give him consent to speak directly to Hayes. Walhood had a concern, she spoke about Hayes and her husband both being involved with the Nature Preserve Committee and one having to resign. She said Hayes' husband had resigned only because he was too busy, not because of a conflict of interest.

Walhood made a motion, seconded by Beeman to approve the consented agenda which includes the minutes and check registry minus the missing attachment and the Hayes vote changed to no; motion carried.

Position #4 - Terry Walhood: Motion

Position #1 - Nathan Beeman: 2nd

Mayor -

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 minutes as corrected and the attachment to be added. Hayes issue on attorney fees to be a No, seconded correction to attached letter when it is not.

[Position #3 - Kristine Hayes: Motion](#)

[Position #1 - Nathan Beeman: 2nd](#)

[Mayor -](#)

[Position #1 - Nathan Beeman: Approve](#)

[Position #2 - Sue Wilson: Approve](#)

[Position #3 - Kristine Hayes: No](#)

[Position #4 - Terry Walhood: Approve](#)

[Position #5 - James Doyle: Approve](#)

### **APPOINT NEW MAYOR**

Doyle made a motion, seconded by Hayes, to except the resignation of Joanne Aaggard; motion carried.

[Position #5 - James Doyle: Motion](#)

[Position #3 - Kristine Hayes: 2nd](#)

[Mayor -](#)

[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](#)

Doyle made a motion, seconded by Beeman, to appoint Wilson as Mayor; motion carried.

[Position #5 - James Doyle: Motion](#)

[Position #1 - Nathan Beeman: 2nd](#)

[Mayor -](#)

[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**

Jeremy Horton, 301 N Miller, Sea Treasures Inn congratulated Wilson on becoming Mayor. He introduced himself as the new Chamber of Commerce President. He spoke about getting a preliminary approval on the dates for the Kite Festival. He mentioned the dates would be the 9<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup> and 12<sup>th</sup> of August. Wilson mentioned an application was needed in order to move forward.

### **PRESENTATIONS, GUESTS & ANNOUNCEMENTS**

#### **Enterprise Zone Re-Designation Presentation**

Terre Cooper, 4506 3<sup>rd</sup> Street, Tillamook, Oregon provided a brief overview of the Standard Enterprise Zone that had to be renewed every 10 years. She said this abatement from local property taxes lasts for three to five years and is widely used across Oregon by diverse businesses. She mentioned a new building/structure, structural modifications or additions, or newly installed machinery and equipment qualify for exemption, but not land, previously used property value and miscellaneous personal property. She said the criteria for qualifying projects for the basic, three-year enterprise zone exemption period, the business needed to increase full-time, permanent employment of the firm inside the enterprise zone by the greater of one new job or 10 % (or less with special-case local sponsor waivers). She said the eligible businesses included manufacturers, processors, shippers and a variety of operations that serve other organizations, as well as call centers and headquarter-type facilities. She mentioned hotel/resorts businesses also were eligible in some of the enterprise zones, otherwise, retail, construction, financial and certain other defined activities were ineligible. Putman said that Cooper mentioned manufacturing was covered by the zone. He said inside the document that he had read it only discusses the qualified business being hotel/motel or destination resort. She replied and said that was an addition. Wilson said the Council was amending Section 6 to include not only destination resort, qualified businesses as a hotel/motel and destination resort and to include those eligible businesses including manufacturers, processors, shippers, and a variety of operations that served other organizations, as well as call centers and headquarter-type facilities.

Hayes made a motion, seconded by Beeman to add the highlighted yellow to the Standard Enterprise Zone Program to the Resolution No. 19-678; motion carried.

[Position #3 - Kristine Hayes: Motion](#)

[Position #1 - Nathan Beeman: 2nd](#)

[Mayor -](#)

[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](#)

Putman said the title of the document was a resolution. He stated normally that was an informal non-binding form of an action. He said on the line above the Mayor signature line it said approved and adopted by the City Council and effective, when it said approved and adopted, he suggested the City Council take a vote on the resolution. He said that would be his recommendation.

Hayes made a motion, seconded by Wilson, to approve and adopt the Resolution No. 19-678 as amended to include the additional language; motion carried.

[Position #3 - Kristine Hayes: Motion](#)

[Position #2 - Sue Wilson: 2nd](#)

[Mayor -](#)

[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](#)

## **GRAND OPENING OF THE NATURE PRESERVE**

Bill Hassell presented the Council with a drone footage of the Nature Preserve Phase 1. He said the things they wanted to do was make the trail assessable during the time between Phase 1 and the completion of Phase 2. He mentioned he wanted to propose a grand opening having the local newspaper and social media on site to talk about the Nature Preserve and put Rockaway Beach on

the map. He stated May 18 2019, was an open weekend, so he proposed that the City have the Grand Opening on that Saturday at 10 am. He said prior to the grand opening he would like to clean up the trail, he was asking for volunteers. Luke Shepard mentioned the City had the insurance company come and evaluate the Nature Preserve for cautions, but no issues arose. He said when the City goes for Phase 2, one of the requirements would be to present Phase 1 and Hassell's footage would be excellent for that. Don Best provided a brief history of the area.

## **STAFF REPORTS**

Melissa McCarty Park & Rec's director reported that the Easter Egg Hunt was a success. She thanked Rockaway Beach Fire Department, Rockaway Beach Police Department, Rockaway Merchants Association, Papa Murphy's, Dairy Queen, and Rockaway Beach Community Church. She spoke about the summer program which would take place in July. She said Park & Rec would be in the 4<sup>th</sup> of July Parade. She mentioned hiring new staff. She thanked everyone that had supported the Park & Rec program. Wilson questioned what the cost was for a child to attend the summer program. McCarty said it ranged from nothing to \$10.00 dollars. She mentioned there were scholarships and donations that covered some of the fees.

Shawn Vincent Assistant Fire Chief, stated that there was no County wide burn ban in effect. He mentioned that some of the volunteers would be attending a training class in Tillamook. He said the Rockaway Beach Fire Department Facebook page shows a demonstration of a drone over the ocean, he said they would continue to use that company and he had invited the news to come and do a story on water rescues using the drone. He said there were 18 calls this month.

Charlie Stewart, Chief of Police, stated during the month of April the Police Department had seen an increase in criminal activity. He said on Sunday April 28, 2019, around 9:00 p.m. and 9:40 p.m. there was a hit and run accident in the 400 block of S. Anchor. He stated a pedestrian was hospitalized. He said if there was anybody that had seen or heard anything about that event please relay the information to the Police Department. He mentioned he would like to recognize Officer Rondeau on April 20 2019, while affecting a dangerous felony arrest. He said on April 20,2019, the Police Departments had their annual appreciation dinner for the FEBBs program, and recognized David Elkins as the 2018 Police Department volunteer of the year. He mentioned the Police Department was looking for volunteers.

Luke Shepard, Public Works Director, spoke about this summer out in Salem they would be presenting a grant application for Phase II of the Nature Preserve trail. He said Hassell's drone footage was really going to be valuable. He spoke about the sewer project; all the new pipe was in the ground and in use. He said it looked like the project was about \$20,000 under the contract price because the project went quickly and smoothly. He mentioned that they had started prepping on N 3<sup>rd</sup> Avenue for the paving project that was scheduled for the 21<sup>st</sup> and 22<sup>nd</sup> of May. He mentioned there was one more grant the City would be applying for which was the Safe Routes to School Grant Program through ODOT.

City Manager Terri Michel spoke about the excitement of the grand opening of the Nature Preserve. She said there was a lot of development going on in Rockaway Beach, it was amazing to her the amount of building permits this year compared to prior years. She stated the Civic Facility had gone up 140 % based on the number of rentals compared to the previous year. She spoke about her vision of having the Civic Facility kitchen certified for the use by others.

## **PUBLIC HEARING ON PROPOSED USES OF STATE REVENUE SHARING FUNDS FOR FISCAL YEAR 2019-2020**

Wilson opened the public hearing at 7:22 pm. Larry Turpen, 140 S. Palisade expressed his concerns regarding the TRT. Finance Officer Marni Johnston provided a brief overview of the TRT Fund 800. Turpen said his question was, when the proposal was made to establish the TRT was it presented as this was something for the General Fund. Putman said the short answer was yes. Hayes stated she had been asking for the original TRT ordinances and provided a brief statement. Turpen mentioned he would like a copy of the original TRT ordinances. Michel said he

would need to complete a public records request. Putman told him to fill out a public records request and the ordinance would be provided. Johnston mentioned she had spoken with the state about the uses of the City's money regarding how the TRT is spent according to the amendments. Johnston stated she felt the City was paying enough on advertising, the people coming here are tourist that need a good road to drive on and if they were to need help the emergency services were available. She said the money was being put to its best use and she felt it wouldn't be right putting it all into advertising. Jeremy Horton, 301 N Miller questioned some concerns about why the revenue for the Police Department was going down, when it was the most important service the City had. Wilson closed the public hearing at 7:48 p.m.

## **FINAL BUDGET DISCUSSION**

### **APPROVAL OF RESOLUTION NO. 19-677, ADOPTING THE CITY BUDGET FOR FY 2019-2020**

Wilson said one resolution contained all four actions required for adoption of the City FY 2019-2020 Budget, first was adopting the fiscal year 2019-2020 budget, seconded was approving the appropriation of funds, third was categorizing taxes and the fourth was approving the tax levy.

Beeman made a motion, seconded by Walhhood, for the approval of Resolution No. 19-677, adopting the City budget for fiscal year 2019-2020; motion carried.

[Position #1 - Nathan Beeman: Motion](#)  
[Position #4 - Terry Walhhood: 2nd](#)  
[Mayor - Joanne Aagaard: Absent](#)  
[Position #1 - Nathan Beeman: Approve](#)  
[Position #2 - Sue Wilson: Approve](#)  
[Position #3 - Kristine Hayes: No](#)  
[Position #4 - Terry Walhhood: Approve](#)  
[Position #5 - James Doyle: Approve](#)

Beeman made a motion, seconded by Doyle, to adopt the budget for Fiscal Year 2019/2020 in the amount of \$13,425,352.00; motion carried.

### **APPROVE A PROCLAMATION DECLARING MAY 12-18, 2019 , POLICE WEEK IN ROCKAWAY BEACH**

Wilson read the proclamation for National Police Week 2019 into the record.

### **APPROVE OLCC LICENSE FOR THE NEW BUSINESS**

Wilson mentioned previously the City Council approved an OLCC license for owner Shavaun Devlin. She said since then she had chosen to broaden the alcohol sales to include hard liquor as well as wine and beer.

Walhhood made a motion, seconded by Hayes, to approve the liquor license; motion carried.

[Position #4 - Terry Walhhood: Motion](#)  
[Position #3 - Kristine Hayes: 2nd](#)  
[Mayor -](#)  
[Position #1 - Nathan Beeman: Approve](#)  
[Position #2 - Sue Wilson: Approve](#)  
[Position #3 - Kristine Hayes: Approve](#)  
[Position #4 - Terry Walhhood: Approve](#)

[Position #5 - James Doyle: Approve](#)

## **PROPOSAL FROM DAVID ELKINS EMERGENCY MANAGEMENT COMMITTEE**

Wilson said David Elkins proposed his request to be appointed to the position of Emergency Manager until the City can afford to fund a full-time Emergency Manager. Michel stated that Elkins had been getting the Emergency Management committee up and running. She said the only thing he had mentioned in his proposal that the committee should consider is that he could carry out the duties until the City could afford to budget for a full-time Emergency Manager. Beeman said he believed this would be a great opportunity.

Walhood made a motion, seconded by Beeman, to give David Elkins the title of Emergency Manager; motion carried.

[Position #2 – Terry Walhood: Motion](#)

[Position #1 - Nathan Beeman: 2nd](#)

[Mayor -](#)

[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](#)

## **1<sup>st</sup> READING OF ORDINANCE NO. 19-432 AMENDING REGULATIONS TO THE TRT ORDINANCE**

Wilson said enclosed in the packets were proposed amendments to the TRT ordinance that would allow for the collection of room tax from Airbnb and other intermediaries. Michel said if Council wanted a first reading, then a motion for the first reading would need to be made.

Walhood made a motion, seconded by Doyle, to have the 1<sup>st</sup> reading of Ordinance No. 19-432 amending regulations to the TRT ordinance; motion carried.

[Position #4 - Terry Walhood: Motion](#)

[Position #5 - James Doyle: 2nd](#)

[Mayor -](#)

[Position #1 - Nathan Beeman: Approve](#)

[Position #2 - Sue Wilson: Approve](#)

[Position #3 - Kristine Hayes: No](#)

[Position #4 - Terry Walhood: Approve](#)

[Position #5 - James Doyle: Approve](#)

Michel performed the 1<sup>st</sup> reading of Ordinance No, 19-432. Hayes mentioned she had a vacation rental so she wasn't sure if she could vote on this or not, so she checked with ethics.

## **COUNCIL CONCERNS**

Hayes mentioned that in the next meeting she would like the council to address the safety and parking of the Wayside. Wilson mentioned that had already been talked about and it could be done by signage. Michel said all parking ordinances are done by signage. Hayes said she wanted staff to know how much she appreciated their work; she knows it's a tense place sometimes and by her voting no on the budget it was not a reflection on Johnston's work. Beeman stated a congratulation's to Wilson. Walhood said she wanted to congratulate Wilson and second, she

thanked everyone from the Valley Catholic Middle School for their annual day of community service. Wilson stated she appreciated everyone's support.


**ATTORNEY COMMENTS**

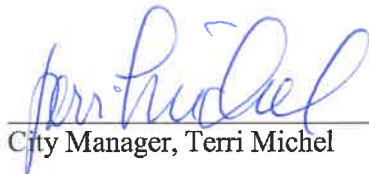
Putman mentioned he wanted Council to re-visit the TRT ordinance. Michel mentioned she would reread the Ordinance No. 19-432 by title only.

**ADJOURNMENT**

Wilson adjourned the meeting at 8:05 p.m.

MINUTES APPROVED THIS 12<sup>TH</sup> DAY OF JUNE, 2019

  
Sue Wilson, President **MAYOR**

  
City Manager, Terri Michel