

# City of Rockaway Beach - Amended Regular City Council Meeting Minutes

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**Date:** Wednesday, March 8, 2023

**Time:** 6:00 P.M.

**Location:** Rockaway Beach City Hall, 276 HWY 101 -Civic Facility

**Join here to Comment remotely:**

[City of Rockaway Beach Regular City Council Meeting](#)

Meeting ID: 838 2287 7640

Passcode: 540037

**View the meeting live here:** <https://janescottvideoproductions.com>

**CALL TO ORDER** – Charles McNeilly, Mayor

## **PLEDGE OF ALLEGIANCE**

## **ROLL CALL**

[Mayor - Charles McNeilly: Present](#)

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

[Position #4 - Vacant](#)

[Position #1 - Mary McGinnis: Present](#)

[Position #5 - Penelope Cheek: Present](#)

[Position #2 - Tom Martine: Present](#)

## **CONSENT AGENDA**

McGinnis Made a motion, Seconded by Cheek to approve the February 8<sup>th</sup>, 2023, Minutes and February 2023 Check Register; Motion Carried.

[Position #1 - Mary McGinnis: Motion](#)

[Position #5 - Penelope Cheek: 2nd](#)

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

[Position #4 - Vacant](#)

[Position #1 - Mary McGinnis: Approve](#)

[Position #5 - Penelope Cheek: Approve](#)

[Position #2 - Tom Martine: Approve](#)

## **PRESENTATIONS, GUESTS & ANNOUNCEMENTS**

Undersheriff Matt Kelly gave a presentation on the Rockaway Beach Patrol and the Sheriff's Office. Kelly stated that the Department's focus is public safety and protecting the citizens. Kelly stated the

City of Rockaway has a contract to have four deputies in town, as of right now there are two that are fulfilling this position. Interviews are being conducted for two more to serve in Rockaway. Once the person is hired the training process takes about a year until the deputy is eligible to be alone and running calls.

## **STAFF REPORTS**

Fire Chief Todd Hesse reviewed the call volume for the month of February. Hesse stated the Fire Department will be training March 17<sup>th</sup> & 18<sup>th</sup> with the burn trailer, the public is invited to attend the training. Hesse talked about the Emergency Preparedness Fair that will be held at Neah-kah-nie Highschool on April 15<sup>th</sup>, the community is invited to attend. Hesse spoke on the AFG grant and that it's moving forward, SCBA's have been delivered and orientation and training will begin in March.

Deputy Kevin Grogan spoke on the bad weather that Rockaway Beach had in January and February, he thanked Rockaway Citizens for staying home and off the road. Grogan talked about calls they responded to in the month of February. Grogan reminded the citizens to set their clock forward 1 hour for Daylight Savings time.

Public Works- City Manager Luke Shepard stated that Superintendent Dan Emerson & Caleb Smith the newest water operator and are attending a water conference in Sunriver. They entered a sample of Rockaways drinking water in the best drinking water of Oregon contest in Sunriver. Shepard announced that Caleb Smith was nominated Water operator of the year and Rookie Operator of the year at that conference.

City Manager Luke Shepard updated the council on the Lake Lytle project. Shepard spoke on the resolution that the council passed at February's meeting authorizing the city to spend insurance money to fix the boardwalk, Oregon woods came out quickly to fix the damages that were done. Shepard gave an update on the Salmonberry Trail, he stated that he spoke with the Project Manager, John Paul, and he's ready to start the process on this project. There will be a new page on the website for the trail with all the outreach and plans. Starting March 29<sup>th</sup>, monthly gatherings and listening sessions will be taking place, & John Paul will be attending the council meetings to keep the council updated on plans. Shepard announced the Tourism Grant has enough money to fund all grants that came in if the city council approves of the funding. Shepard stated the Spring newsletter is in process of being mailed out. City staff will be sending newsletters out quarterly.

## **CITIZEN INPUT ON NON-AGENDA ITEMS**

Jason Maxfield 211 N. Beacon St.-Talked about Rockaway Business Community & Commercial Real Estate.

Robin Swain 113 S. Miller- Spoke on addresses issues at her apartment.

## **OLD BUSINESS - None**

**NEW BUSINESS**

**REQUEST FOR USE OF THE WAYSIDE BY THE ROCKAWAY BEACH LIONS CLUB**

The Rockaway Beach Lions Club has applied for the use of a designated parking spot at the Wayside for their hotdog wagon. Details can be found in their submitted Wayside Application.

Martine made a motion, seconded by McGinnis, to approve the application of Rockaway Beach Lions Club for use of the wayside; Motion Approved.

[Position #2 - Tom Martine: Motion](#)

[Position #1 - Mary McGinnis: 2nd](#)

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

[Position #4 - Vacant](#)

[Position #1 - Mary McGinnis: Approve](#)

[Position #5 - Penelope Cheek: Approve](#)

[Position #2 - Tom Martine: Approve](#)

**REQUEST FOR APPROVAL OF RESOLUTION NO. 23-983; A RESOLUTION APPROVING THE COLLECTIVE BARGAINING AGREEMENT WITH EMPLOYEES REPRESENTED BY AFSCME LOCAL 2734-1, AFSME COUNCIL NO. 75 AFL-CIO**

The purpose of the Collective Bargaining Agreement (CBA) between the city and the American Federation of State, County and Municipal Employees (AFSCME) Local 2734-1, Council 75, is for establishing wages, hours, and conditions of employment, and establishing an equitable and peaceful procedure for the resolution of differences between the parties. The City's Leadership and AFSCME bargaining teams have negotiated on limited and specific articles of the current Collective Bargaining Agreement (CBA) and reached a tentative agreement on a new two-year CBA for the period July 1, 2023, to June 30, 2025. The tentative agreement must be approved by the City Council before it becomes effective.

McGinnis made a motion, seconded by Martine, to approve Resolution No. 23-983 The Collective Bargaining agreement; Motion Approved.

[Position #1 - Mary McGinnis: Motion](#)

[Position #2 - Tom Martine: 2nd](#)

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

[Position #4 - Vacant](#)

[Position #1 - Mary McGinnis: Approve](#)

[Position #5 - Penelope Cheek: Approve](#)

[Position #2 - Tom Martine: Approve](#)

**APPOINT CITY MANAGER AS BUDGET OFFICER FOR FISCAL YEAR 2023/2024**

Oregon Revised Statute 294.331 requires the governing body of each municipal corporation to designate a Budget Officer that shall prepare or supervise the preparation of the budget. The Rockaway Beach City Charter tasks the City Manager with preparation of the annual City Budget.

McGinnis made a motion, seconded by Cheek, to approve City Manager Luke Shepard as Budget Officer for the 2023/2024 fiscal year; Motion Approved.

[Position #1 - Mary McGinnis: Motion](#)  
[Position #5 - Penelope Cheek: 2nd](#)  
[Position #3 - Kristine Hayes: Approve](#)  
[Position #4 - Vacant](#)  
[Position #1 - Mary McGinnis: Approve](#)  
[Position #5 - Penelope Cheek: Approve](#)  
[Position #2 - Tom Martine: Approve](#)

**REQUEST FOR APPROVAL OF RESOLUTION NO. 23-985; A RESOLUTION AUTHORIZING EXERCISING OPTION TO PURCHASE REAL PROPERTY**

The City of Rockaway Beach is party to an option agreement to purchase 10.15 acres of real property owned by L&C TRS LLC. The City now wishes to exercise the option to purchase the Property and authorize persons to act on the City's behalf in closing the conveyance contemplated by the Option Agreement.

Cheek made a motion, seconded by McGinnis, to amend Resolution to add the language: "also described as Unsurveyed Parcel 2 of Partition 2023-001"; Motion approved.

[Position #5 - Penelope Cheek: Motion](#)  
[Position #1 - Mary McGinnis: 2nd](#)  
[Position #3 - Kristine Hayes: Approve](#)  
[Position #4 - Vacant](#)  
[Position #1 - Mary McGinnis: Approve](#)  
[Position #5 - Penelope Cheek: Approve](#)  
[Position #2 - Tom Martine: Approve](#)

McGinnis made a motion, seconded by Cheek, to approve Resolution No. 23-985 as amended. A Resolution Authorizing Exercising Option to Purchase Real Property, to authorize on the City's behalf the appropriate people to sign the contract; Motion approved.

[Position #1 - Mary McGinnis: Motion](#)  
[Position #5 - Penelope Cheek: 2nd](#)  
[Position #3 - Kristine Hayes: Approve](#)  
[Position #4 - Vacant](#)  
[Position #1 - Mary McGinnis: Approve](#)  
[Position #5 - Penelope Cheek: Approve](#)  
[Position #2 - Tom Martine: Approve](#)

**FILLING CITY COUNCIL VACANCY: NARROWING THE INTERVIEW LIST TO THE TOP THREE CANDIDATES BASED ON WRITTEN APPLICATIONS**

The city received six applications for the Position #4 vacancy. After discussion, each council person shall complete a ballot ranking the candidates in order of their preference for first, second and third choice. Under-voting is not permitted. The top three candidates with the highest totals shall be selected for interviews. Ballots are considered public records. The top three candidates were as follows:

- 1) Alesia Franken
- 2) Terry Walhood
- 3) Nancy Laga Lanyon

McGinnis made a motion, seconded by Martine, to accept the results of the written voting, and move to the interview phase of this process; Motion approved.

[Position #1 - Mary McGinnis: Motion](#)

[Position #2 - Tom Martine: 2nd](#)

[Mayor - Charles McNeilly: Approve](#)

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

[Position #4 - Vacant](#)

[Position #1 - Mary McGinnis: Approve](#)

[Position #5 - Penelope Cheek: Approve](#)

[Position #2 - Tom Martine: Approve](#)

**FILLING CITY COUNCIL VACANCY: CANDIDATE INTERVIEWS**

Candidates shall be interviewed separately; those waiting for interviews are asked to wait in the lobby until summoned. All candidates shall be asked the same interview questions; follow-up questions to clarify answers are permitted. The Council interviewed the three candidates.

**FILLING CITY COUNCIL VACANCY: VOTING AND APPOINTMENT BY MOTION**

After discussion, each Council Person shall complete a ballot ranking the candidates in order of their preference for first, second and third choice. Under-voting is not permitted. The City Manager will tabulate the ballots. If one candidate receives a majority of first choice votes, they are instantly the winner. At the conclusion of balloting, if successful, the Council will then make a motion and hold a public vote to appoint the winning candidate to the vacant position. Ballots are considered public records. Alesia Franken received a majority of first-choice votes.

Mayor Charles McNeilly made a motion, seconded by McGinnis to appoint Alesia Franken to City Council position #4; Motion approved.

[Mayor - Charles McNeilly: Motion](#)

[Position #1 - Mary McGinnis: 2nd](#)

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

[Position #4 - Vacant](#)

[Position #1 - Mary McGinnis: Approve](#)

[Position #5 - Penelope Cheek: Approve](#)

[Position #2 - Tom Martine: Approve](#)  
[Mayor – Charles McNeilly: Approve](#)

## **OATH OF OFFICE**

City Manager Luke Shepard conducted swearing in of the new City Councilor Alesia Franken.

## **COUNCIL CONCERNS**

Councilor Cheek welcomed Alesia Franken to the council, and thanked Undersheriff Matt Kelly for his presentation, it was very informative.

Councilor Martine welcomed Alesia Franken as the new City Councilor and thanked all that applied for the position. Martine encouraged the community to look at the website to keep informed as to what is going on within the city.

Councilor Hayes thanked the city for the beautiful new business licenses. She reminded the community that they can have an emailed city council packet sent to them, by signing up on the city website.

Councilor McGinnis wanted to let all employees know how valuable they really are she recognizes the work that each employee does. McGinnis reminded the community to attend the Emergency Preparedness fair on April 15<sup>th</sup> at Neah-kah-nie Highschool. McGinnis stated that it was nice to see more city involvement and kudos to those who come to the city council meetings. McGinnis wanted to welcome Alesia Franken to the new Council position.

## **MAYOR'S REPORT**

Mayor McNeilly thanked all citizens for attending the city council meeting and participating in local government. McNeilly thanked Michael Weissenfluh for his contribution. McNeilly announced that the city has engineered drawings completed for enhanced beach access at the Wayside, the plan is to have a stairway and a ramp. McNeilly thanked all who applied for City Council position four. McNeilly congratulated Alesia Franken.

## **ADJOURNMENT**

Martine made a motion, seconded by McGinnis to adjourn the meeting at 8:15pm: Motion Carried

[Position #2 – Tom Martine: Approve](#)  
[Position #1 - Mary McGinnis: 2nd](#)  
[Position #3 - Kristine Hayes: Approve](#)  
[Position #4 – Alesia Franken: Approve](#)  
[Position #1 - Mary McGinnis: Approve](#)



Position #5 - Penelope Cheek: Approve  
Position #2 - Tom Martine: Approve

MINUTES APPROVED THIS  
12<sup>TH</sup> DAY OF APRIL 2023



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Mayor, Charles McNeilly



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City Manager, Luke Shepard