



City of Rockaway Beach

Regular City Council Meeting Minutes

Date: Wednesday, September 13, 2023
Location: Rockaway Beach City Hall, 276 Hwy 101 - Civic Facility

1. CALL TO ORDER

Mayor McNeilly called the meeting to order at: 6:00 p.m.

MOMENT OF SILENCE

Start time: [06:00:36 PM \(00:00:09\)](#)

McNeilly shared that the community suffered through two tragic events in the last week. He invited those in attendance to stand and join him in a moment of silence in remembrance of the two community members that were lost, and in support of the family, friends, neighbors and the first responders grieving their losses and healing from the devastating incidences.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Start time: [06:01:49 PM \(00:01:22\)](#)

[Mayor - Charles McNeilly: Present](#)
[Council Position 1 - Mary McGinnis: Present](#)
[Council President - Penny Cheek: Present](#)
[Council Position 2 - Tom Martine: Excused](#)
[Council Position 3 - Kristine Hayes: Present](#)
[Council Position 4 - Alesia Franken: Present](#)

Staff Present: Luke Shepard, City Manager; Melissa Thompson, City Recorder; Dan Emerson, Public Works Superintendent; Todd Hesse, Fire Chief; Joshua Brown, Sheriff; Matt Kelly, Undersheriff; Kevin Grogan, Sheriff's Deputy.

4. CONSENT AGENDA

Start time: [06:02:04 PM \(00:01:37\)](#)

- a. Approval of August 9, 2023 Regular Meeting Minutes
- b. Approval of August 9, 2023 Workshop Minutes
- c. Review of August 2023 Check Register

McGinnis made a **motion**, seconded by Franken, to adopt the Consent Agenda.

The **motion carried** by the following vote:

[Position #1 - Mary McGinnis: Motion](#)
[Position #4 - Alesia Franken: 2nd](#)
[Position #3 - Kristine Hayes: Approve](#)
[Position #4 - Alesia Franken: Approve](#)
[Position #1 - Mary McGinnis: Approve](#)
[Position #5 - Penelope Cheek: Abstain](#)

5. PRESENTATIONS, GUESTS & ANNOUNCEMENTS

- a. **Jetty Creek Watershed Working Group – Jon Wickersham, North Coast Land Conservancy; Kevin Brown, Nuveen Natural Capital**
Start time: [06:03:40 PM \(00:03:13\)](#)

Jon Wickersham, Associate Director of North Coast Land Conservancy, provided an overview of the North Coast Land Conservancy and the projects they've worked on along the coast for drinking water protection. Wickersham shared background information on the Jetty Creek Watershed Working Group and the goal of protecting the health of Jetty Creek in supplying clean abundant drinking water to the community. Kevin Brown, Region Manager for Nuveen Natural Capital, provided an overview of Nuveen and the land they manage in the watershed. Both expressed support for the proposed Memorandum of Understanding Among the Participants of the Jetty Creek Working Group,

- b. **Business Façade Improvement Grant - Nan Devlin, Tillamook Coast Visitors Association**
Start time: [06:09:43 PM \(00:09:16\)](#)

Nan Devlin, Tillamook Coast Visitors Association (TCVA) introduced Marni Johnston as TCVA's new finance and grant manager and explained that she would be very involved with the Business Façade Improvement Grant. Devlin shared a presentation, providing an overview of the Grant that would improve the visitor-facing exteriors of commercial buildings in Rockaway Beach. Devlin answered clarifying questions for the Council, confirming that the grants will be funded by the city and administered by TCVA, and that grant awards will be approved by the Council. She reviewed the projects that would be eligible for grants. Shepard confirmed that the grant would be explained on the website.

Devlin also shared a reminder that the informational meeting regarding Destination Management planning would be held on Monday, September 18th at 6:00 p.m.

Hayes congratulated Devlin on hiring Johnston.

6. STAFF REPORTS

- a. **Fire Department**
Start time: [06:28:04 PM \(00:27:37\)](#)

Hesse acknowledged the recent events that tested the resolve of Fire Department and said our thoughts go out to the people in the community that were affected. He said the Fire Department

wanted to thank the City Council, City Manager, staff, and citizens for supporting the department during recent events. Hesse also expressed appreciation to public safety and first responder partners. He assured the public that the Fire Department is in service and prepared to respond.

Hesse presented his staff report on the activities and operations of the Rockaway Beach Fire Rescue department for the month of August 2023. He added that he did not anticipate the burn ban being lifted anytime soon. He mentioned that he planned to provide community education regarding wildfire plans and preparedness this winter. Hesse noted that all firehoses were recently tested and passed inspection. He also provided an update on attempts to get updates from Verizon regarding tower generator repairs. McNeilly suggested that Verizon be reminded that the owner of the tower has a backup generator program that they could sign up for.

McGinnis expressed thanks to all Fire Department staff and volunteers for what they've done in the past few weeks. Hesse expressed thanks to Council members who provided kind gestures and snacks to the department.

b. Sheriff's Office

Start time: [06:36:58 PM \(00:36:31\)](#)

Deputy Kevin Grogan summarized the Sheriff's Office report for August 2023.

Sheriff Josh Brown commented on the recent officer-involved shooting. He thanked McNeilly for his kind words at the beginning of the meeting. Brown also thanked Shepard for facilitating the use of City Hall as a base of operations during recent events. He shared that the Clatsop County Major Crimes Team was responsible for the ongoing investigation, and they are working directly with the Tillamook County District Attorney. Brown explained that he could not make any other statements in order to protect the integrity of the investigation. He shared that more information would be provided at the appropriate time.

In response to an inquiry from Cheek, Brown explained that the recent fire-related death would be investigated by the State Fire Marshall. Shepard confirmed that no additional information could be shared at this time. Brown clarified for McGinnis that Undersheriff Kelly was in regular communication with Shepard.

c. Public Works

Start time: [06:42:21 PM \(00:41:53\)](#)

Emerson presented his report on recent developments in the Public Works department. He clarified for Franken that the timeframe for replacing two aging sewage pumps was within the current fiscal year, but undetermined beyond that.

d. City Manager

Start time: [06:46:05 PM \(00:45:38\)](#)

Shepard noted that the City was testing new audio-visual meeting technology and it was in use for the current meeting. Shepard shared a presentation providing background information on the business items on the agenda.

7. **PUBLIC HEARING** – None Scheduled

8. **CITIZEN INPUT ON NON-AGENDA ITEMS**

Start time: [06:55:58 PM \(00:55:31\)](#)

McNeilly explained that a new timer would indicate the speaking time remaining for those making comments.

Ronnie Duckworth, resident, expressed concerns about alleged drug activities and traffic concerns at a house on Island Street. Duckworth requested help from the Council and confirmed for McGinnis that he had been in contact with the City Manager and law enforcement.

9. **OLD BUSINESS** – None Scheduled

10. **NEW BUSINESS**

a. **Consideration of Resolution 23-1003 Approving Fire Apparatus Purchase & Financing**

Start time: [07:01:49 PM \(01:01:22\)](#)

McNeilly explained that this resolution adopts a lease purchase agreement for the acquisition of a new Rosenbauer Viper Aerial ladder fire truck.

No audience members wished to comment.

McGinnis made a **motion**, seconded by Cheek, to approve Resolution 23-1003 Approving Fire Apparatus Purchase & Financing.

McGinnis commented that Hesse had been proposing this acquisition to the Council for a few years, it was discussed in depth at the last City Council meeting, and that this was the culmination of work conducted over a long period of time. Hayes commented that she was happy that this apparatus purchase will allow the City to let go of some older equipment and their associated insurance and maintenance costs.

The **motion carried** by the following vote:

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

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

b. Consideration of Resolution 23-1004 Approving Awards for the 2023 Community Grant Program

Start time: [07:04:19 PM \(01:03:52\)](#)

McNeilly said that this resolution approves awards to recipients for the 2023 Community Grant Program. The city appropriated \$60,000 for the Community Grant Program as part of its 2023-2024 Budget. This Grant program provides funding to non-profit entities and other organizations that serve the Rockaway Beach Community. The Rockaway Beach City Council shall determine the grant recipients and the dollar amount of each grant award based on the grant program evaluation criteria.

McNeilly explained that the Council met during that their workshop and came to consensus to consider awarding grants to: Meals for Seniors for \$10,000; Friends of the Rockaway Beach Library for \$8,200.36; and Rockaway Beach Volunteers for \$2,000.

No audience members wished to comment.

Hayes made a **motion** to amend Resolution 23-1004 to add Sea Turtles Forever and remove Rockaway Beach Volunteers. The motion died for lack of a second.

Franken made a **motion**, seconded by McGinnis, to approve Resolution 23-1004 Approving Awards for the 2023 Community Grant Program to Meals for Seniors, Friends of the Rockaway Beach Library, and Rockaway Beach Volunteers.

McGinnis commented that other applicants who applied would be contacted to provide more information.

The **motion carried** by the following vote:

[Position #4 - Alesia Franken: Motion](#)

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

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

[Position #4 - Alesia Franken: Approve](#)

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

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

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

b. Consideration of Resolution 23-1005 Approving a Memorandum of Understanding Among the Participants of the Jetty Creek Working Group

Start time: [07:10:04 PM \(01:09:37\)](#)

McNeilly explained that this resolution approves a Memorandum of Understanding (MOU) among the participants of the Jetty Creek Working Group to define their respective roles and responsibilities in order to achieve mutually beneficial outcomes and resources in the lower Jetty Creek watershed.

Nancy Webster, resident and representing North Coast Communities for Watershed Protection (NCCWP), expressed concerns about safeguarding drinking water sources. She advocated for no more logging or spraying. She noted that she thought it was important to discuss an MOU and city involvement. She expressed a desire for more public input regarding the MOU, citizen involvement, and independent consultants in the working group. Webster advocated for city ownership of the watershed.

Sandy Johnson, resident, expressed agreement with Webster. She explained her initial involvement with the Jetty Creek Working Group and her recommendation that the city be asked to participate. She noted that it was important to understand that the MOU is nothing more than a non-binding handshake saying we will work together to come to a collaborative solution for long term stewardship of the watershed. Johnson agreed that public input was important, but the city should get to the table.

Daniel Howlett, resident, commented on observations of temperature increases in the Jetty Creek Watershed that he attributed to cutting. He expressed concerns regarding funds expended for construction of the water treatment plant and water rates. He advocated for denying approval of the MOU and the city crafting its own. Howlett recommending reading a recent article about the watershed in the Cannon Beach Gazette.

Nancy Lanyon, resident and member of NCCWP, said she was speaking on her own behalf. She said she concurred with previous comments. Lanyon commented that it was wonderful that the working group is addressing the lower watershed, and advocated for no more clear-cutting and no more spraying. She expressed a desire for there to be independent sources of data collection and more details specified in the MOU. She requested a pause to have a greater understanding of the details of the MOU.

McGinnis made a **motion**, seconded by Cheek, to approve Resolution 23-1005 Approving a Memorandum of Understanding Among the Participants of the Jetty Creek Working Group

McGinnis commented that she was a founding member of NCCWP and there hasn't been any traction to protect watershed in years. She explained that the MOU is the first written agreement to come before the Council that the City can participate in to protect the watershed. She reiterated that the MOU is an agreement to work together, and noted that the City Council will have some control over future plans.

Hayes expressed a desire for more citizen involvement and suggested that NCCWP be added to the MOU as a stakeholder.

Franken, also a member of NCCWP, commented that the most important thing is that the watershed needs help. Franken noted that it is important to carefully read and review information because it can sometimes be presented in a way to make it more inflammatory on either side. She acknowledged that it would be great to have the owner of the upper watershed involved, but expressed agreement with McGinnis that the city should have a seat at the table, and there were stakeholders involved interested in land and watershed protection. Franken noted that she appreciated the MOU's discussion of environmental enhancement, but expressed desire to also address levels of water, and to have the best methods in place to enhance and restore the watershed. Franken acknowledged the economic impact water

infrastructure has on cities referred to in the Cannon Beach Gazette article, but noted that the article did not discuss how the construction of the water treatment plant completely cleared up other health concerns in the water.

McGinnis explained that there are multiple timber companies that own land in the watershed. She reiterated that the MOU does not explain how the water will be taken care of or how the timber will be taken care of, but just gives the City Manager permission to go to the table and talk with the groups.

McNeilly expressed excitement about the working group and efforts to continue to engage additional stakeholders. He said that the long-term goal of sustainable quality and quantity of water was important to him and that the City will ensure that citizens are informed and engaged in the process.

McNeilly added that the City would be pursuing a grant to get a request for proposal (RFP) for a consultant to work with the City to create a source water protection plan. McNeilly noted that none of the solutions are perfect, but the City needs to begin the process to address the watershed.

The **motion carried** by the following vote:

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

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

c. Consideration of Resolution 23-1006 Approving a Lease Agreement with Tillamook County for the Lake Lytle Boat Launch

McNeilly explained that this resolution approves a lease agreement with Tillamook County for the Lake Lytle Boat Launch property for a period of 25 years beginning January 1, 2024. No payments will be made, but the City will manage and make some improvements to the park to increase recreational opportunities for the public. The Tillamook County Board of Commissioners has approved the agreement, and it is now ready for City Council approval.

No audience members wished to comment.

Cheek made a **motion**, seconded by Hayes, to approve Resolution 23-1006 Approving a Lease Agreement with Tillamook County for the Lake Lytle Boat Launch.

Cheek commented that McGinnis had been working on the project for a long time and she appreciated her getting Cheek involved. She said that this was a good starting point for improving the lake. Hayes said she was thrilled. McGinnis provided background information on the project and expressed confidence in the decision based on public involvement. She thanked Shepard and City Planner Mary Johnson for their work on the agreement.

The **motion carried** by the following vote:

[Position #5 - Penelope Cheek: Motion](#)
[Position #3 - Kristine Hayes: 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: Excused](#)

d. Consideration of Resolution 23-1008 Approving a Lease Agreement with Neah-Kah-Nie School District No. 56 for Tennis Court Property

McNeilly explained that this resolution approves a lease agreement with Neah-Kah-Nie School District No. 56 for the tennis court property for a period of one year, for a payment of \$10. A previous 25-year lease with the district had expired.

McNeilly confirmed for Franken that the lease term was one year.

Hayes made a **motion**, seconded by Franken, to approve **Resolution 23-1008** Approving a Lease Agreement with Neah-Kah-Nie School District No. 56 for Tennis Court Property.

Hayes expressed the desire for a longer-term lease.

The **motion carried** by the following vote:

[Position #3 - Kristine Hayes: Motion](#)
[Position #4 - Alesia Franken: 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: Excused](#)

11. ITEMS REMOVED FROM CONSENT AGENDA – None Removed

12. COUNCIL CONCERNS

Start time: [07:46:26 PM \(01:45:59\)](#)

Cheek thanked the Fire Department for their diligent work on the fire in the past week. She also thanked the Sheriff's Department for their work with emergencies in the last week. Cheek thanked residents for helping everyone through the recent crisis. She noted that the town had gathered as a group through the pain and suffering and thanked all who voiced their support.

Franken expressed her appreciation and thanks to the City's emergency service providers. She thanked all who came to speak for the watershed and shared that she was hopeful the group would make progress on the issue.

Hayes commented on citizen committees and requested more citizen engagement through nature preserve and waterways and beautification committees. She expressed confusion about items that go to the workshop and those that don't, commenting that she would have liked to have seen the MOU at a workshop. She expressed a desire to have a winter workshop to work through items. Hayes acknowledged emergency responders and staff for events experienced in the past week. She talked about the loss of Adam Brecht and what a special human being he was. Hayes mentioned that the Kite Festival was scheduled for the coming weekend.

McGinnis thanked City staff, the Fire Department and Sheriff's Department for all the extra work in the past two weeks. She thanked citizens for coming and providing input on the watershed and assured them that the Council would ensure that the City's interests were represented. McGinnis commented on the volunteer's responsibility for cleaning restrooms during the Kite Festival and recommended that the City pursue hiring an outside company to clean the restrooms during the festival. McGinnis encouraged holding a workshop to address ordinances that need updating, as well as addressing the issue of citizen committees. She mentioned that she and McNeilly will be visiting a local social studies class to teach them about how local government works. McGinnis acknowledged the success of the Thursday markets. McGinnis clarified that Shepard would be reaching out to the Community Grant applicants who needed to submit additional information for consideration.

13. MAYOR'S REPORT

Start time: [07:56:21 PM \(01:55:54\)](#)

McNeilly reported that the next "Coffee with Manager and Mayor" meeting will be held Thursday, September 28, 2023. He recommended that residents attend. He said that a summary of issues shared by residents at the August meeting was included in the agenda packet.

McNeilly commented that attending or watching City Council workshops was a good way to engage with the city because it is where discussion sets the stage for decisions. He also encouraged attendance at City Council regular meetings and Planning Commission meetings. McNeilly encouraged residents to attend the community meeting regarding destination management on Monday, September 18th at 6:00 p.m.

McNeilly expressed that he wanted to lift up all Rockaway Beach volunteers, notably Sandy Johnson and Robin Swain, for the positive and collaborative impact they have on the community.

14. ADJOURNMENT

Start time: [08:01:00 PM \(02:00:33\)](#)

McGinnis **moved**, seconded by Cheek, to adjourn the meeting at 8:01 p.m.

The **motion carried** by the following vote:

Position #1 - Mary McGinnis: Motion
Position #5 - Penelope Cheek: 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: Excused

MINUTES APPROVED THIS
11TH DAY OF OCTOBER 2023


Charles McNeilly, Mayor

ATTEST


Melissa Thompson, City Recorder