



City of Rockaway Beach

City Council Workshop Minutes

Date: Wednesday, January 10, 2024
Time: 4:30 P.M.
Location: Rockaway Beach City Hall, 276 HWY 101 – 2nd Floor Conference Room

1. CALL TO ORDER

Mayor McNeilly called the meeting to order at 4:30 p.m.

2. ROLL CALL

Start time: [04:30:00 PM \(00:00:02\)](#)

[Mayor - Charles McNeilly: Present](#)
[Position #3 - Kristine Hayes: Present](#)
[Position #4 - Alesia Franken: Present](#)
[Position #1 - Mary McGinnis: Present](#)
[Position #5 - Penelope Cheek: Present](#)
[Position #2 - Tom Martine: Present](#)

Staff Present: Luke Shepard, City Manager; Melissa Thompson, City Recorder; Mary Johnson, City Planner.

3. COUNCIL BRIEFING/DISCUSSION

a. Discussion Regarding City Council Election Process

Start time: [04:30:41 PM \(00:00:44\)](#)

- Christy Biggs, Tillamook County Clerk

Shepard explained that the Council had an interest in looking at the City's election process and introduced Tillamook County Clerk Christy Biggs, who manages elections for Tillamook County. Shepard invited Biggs to describe the mechanics of elections and why it can be helpful to have position numbers. Biggs explained that prior to 2014 the Council did not have position numbers. She said that she couldn't speak to what occurred with the previous Clerk, but that position numbers were added in 2014. Biggs explained that she was in the office at that time, and she recalled that the conversation was around having position numbers so that it was easier to track when positions were vacated in order to know who filled the position, and to ensure positions were filled for the correct terms in the next election. She noted that it was easier for the County to track in their system. Biggs explained that she didn't find anything in County files from the City requesting or directing the change. Biggs said that she knew that there was communication with the City, but she didn't know the manner in which it happened. There was discussion regarding why positions might have been added and the process. There was brief discussion regarding Charter provisions for terms and filling of vacancies, as well as past amendments to the Charter. Biggs was asked what the City could do to ensure that the election process was compliant with state law and runs smoothly. Biggs suggested getting advice from the City's legal counsel. Shepard advised that he could consult the City Attorney.

McNeilly noted that there was consensus to do it right and follow the Charter and ordinances. He encouraged the Council to look forward.

- Review of Draft Ordinance Prescribing Manner for Election Nominations

Start time: [04:45:12 PM \(00:15:14\)](#)

Shepard explained that in investigating the election process, staff found that the Charter required that the Council have an ordinance prescribing the manner in which candidates are nominated. Shepard explained the draft Ordinance would codify the City's current process of filing by petition. He explained the other option is filing by fee, or both. After discussion, there was consensus to consider the ordinance as drafted.

b. Discussion Regarding Elected Official Stipend

Start time: [04:50:42 PM \(00:20:44\)](#)

Shepard explained that the issue of elected official stipends posed a potential conflict of interest for the entire Council. McNeilly, McGinnis, Franken, and Cheek declared potential conflicts of interest. Shepard explained that the Council could make a decision that would take effect after the next election. McGinnis commented that the League of Oregon Cities recommended that a citizen committee be utilized to provide recommendations to the Council. McNeilly commented that he concurred with that approach. Hayes suggested a citizen survey. Martine suggested it was helpful to know what those in other jurisdictions were paid. After discussion, there was consensus not to rush the process and that it could be implemented in the fiscal year after next. Shepard suggested that staff could work on the topic and bring it back for discussion at a later date.

c. Review of Draft Resolutions Setting Short-Term Rental (STR) Cap & Establishing Fees for STR Waiting List Requests

Start time: [05:02:18 PM \(00:32:20\)](#)

Shepard explained that the City Planner prepared a presentation that was provided to the Council. Shepard noted that the proposed resolution could be adopted in February or March, with the effective date corresponding with the ordinance.

Hayes declared a potential conflict of interest.

Shepard confirmed for Franken that there would be two public hearings on the ordinance setting authority for the cap. He explained that the proposed STR cap figure of 450 was in the draft resolution based on discussion at the January Workshop and is close to the current number of licenses. Shepard shared slides from the presentation, providing information and statistics on short-term rentals within Rockaway Beach and Tillamook County.

McGinnis mentioned that Lincoln County lost a lawsuit after licenses were taken away from existing STRs. McNeilly commented that he had no interest in taking anything away. He commented on STR's impact on City services, and how much tourist housing the City can support. He advocated for a 450 cap. McNeilly noted that there was an exception for people with building permits. He commented that a cap best defines the number of housing that the city can support vs. a percentage of housing.

There was discussion about future consideration of classifying STRs into categories, such as commercial, etc. McGinnis shared that Cannon Beach has a task force doing review of STRs and reporting to Council. She expressed concern about pricing out workers.

Franken suggested a cap of 1% more than existing licenses. McNeilly suggested an annual review of the cap be included in the Resolution.

McNeilly commented that the fees should fully support the overhead costs for managing waiting lists and provisional applications.

Johnson reported that 20 new single-family dwellings and 1 duplex were constructed last year.

d. Review of Friends of the Library Community Grant Applications

Start time: [05:25:48 PM \(00:55:50\)](#)

The Council reviewed community grant applications from the Friends of the Library for a new commercial flagpole and a bulk mailing.

McGinnis inquired if a new flagpole would eliminate a safety issue. Shepard explained that commercial grade flagpoles on the coast were essential. There were comments that the County should do the mailing for the library. McGinnis explained that the Friends of the Library is a separate organization. McNeilly said he supported both grant requests. Shepard clarified for Franken that if grant funds aren't expended that it could rollover in the proposed budget. After further discussion, there was consensus to include both grant awards for consideration in the regular session to be amended if desired.

4. ADJOURNMENT

Start time: 5:32 p.m.

Shepard explained that some cities had experienced “Zoombombing” where members of the public sign up to speak and then make crude, vulgar, and hateful comments. Shepard shared that there were processes that could be put in place, but in the meantime, after consultation with the Mayor, the Mayor will allow comments during the allotted time and will direct the City Recorder to disable the mic when the allowed time has ended. There was brief discussion regarding allowing participants’ video, and the law related to public participation.

McGinnis commented that she was impressed with the materials presented by staff to help the Council make decisions.

Hayes made a **motion**, seconded by Martine, to adjourn the meeting at 5:37 p.m.

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

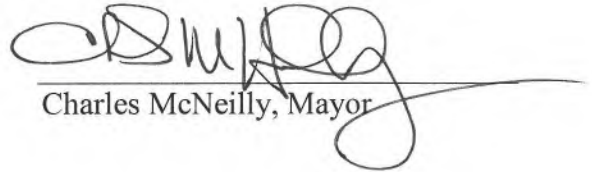
[Position #3 - Kristine Hayes: Approve](#)

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

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

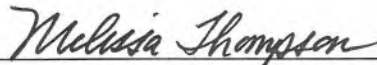
Position #5 - Penelope Cheek: Approve
Position #2 - Tom Martine: Approve

MINUTES APPROVED THIS
14TH DAY OF FEBRUARY 2024



Charles McNeilly, Mayor

ATTEST



Melissa Thompson, City Recorder