

City of Rockaway Beach

City Council Workshop Minutes



Date: Wednesday, August 14, 2024
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

[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](#)

Council Members Present: Mayor Charles McNeilly; Councilors Penny Cheek, Mary McGinnis, Tom Martine, Kristine Hayes, and Alesia Franken

Staff Present: Luke Shepard, City Manager; Melissa Thompson, City Recorder; Elizabeth Avila, Administrative Assistant II

3. COUNCIL BRIEFING/DISCUSSION

a. Quasi-Judicial Training/Scope of Review

Start time: [04:31:49 PM \(00:01:37\)](#)

Shepard stated that the Planning Commission had made several land use decisions recently and those decisions can be appealed to the City Council. He explained that training was important to ensure the City Council was prepared for possible appeals. Shepard introduced Brett Estes, North Coast Regional Representative for the Department of Land Conservation and Development (DLC), and Armand Resto-Spotts, Attorney with Local Government Law Group, legal counsel for the City. Estes gave a presentation on the land use decision and appeal process. Estes answered clarifying questions for the Council. Resto-Spotts suggested sharing old findings with Council to show examples. Resto-Spotts shared a presentation, focusing on conflicts and scope of review. Resto-Spotts answered questions from the Council.

b. Review of Draft Ordinance 2024-04 Amending Code Chapter 31 Related to the Planning Commission

Start time: [05:35:15 PM \(01:05:04\)](#)

McNeilly inquired if Councilors had reviewed the staff report regarding the draft ordinance and were ready to move the Ordinance forward to a City Council meeting. There was brief discussion regarding restrictions on having more than two realtors or members of the same business or profession. Estes confirmed that it was a from the state statute. There was consensus to move the Ordinance forward for consideration at a City Council meeting.

c. Review of Draft Ordinance 2024-07 Providing Authority and Procedures for Administrative Warrants and Creating a New Code Chapter 97

Start time: [05:38:38 PM \(01:08:27\)](#)

McNeilly explained that a timing issue was addressed in the amended draft. Hayes questioned whether a city officer should enter a property without law enforcement. Shepard explained that the ordinance provides that law enforcement may be requested to assist. Brief discussion ensued. A majority agreed to move the ordinance forward for consideration as presented, with Hayes dissenting, indicating that she preferred that law enforcement presence be required.

4. ADJOURNMENT

Start time: [05:45:45 PM \(01:15:33\)](#)

Franken made a **motion**, seconded by Hayes, to adjourn the meeting at 5:46 p.m.

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

Aye: 5 (Cheek, McGinnis, Martine, Hayes, Franken)

Nay: 0

MINUTES APPROVED THIS
11TH DAY OF SEPTEMBER 2024


Charles McNeilly, Mayor 

ATTEST


Melissa Thompson, City Recorder