



# City of Rockaway Beach

## Regular City Council Meeting Minutes

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**Date:** Wednesday, May 8, 2024  
**Time:** 6:00 P.M.  
**Location:** Rockaway Beach City Hall, 276 Hwy 101 - Civic Facility

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### 1. CALL TO ORDER

Mayor McNeilly called the meeting to order at: 6:01 p.m.

McNeilly made a statement regarding department, requesting that all people respect those in attendance and the opinions of those with whom they may disagree prior, during and after City business meetings.

### 2. PLEDGE OF ALLEGIANCE

### 3. ROLL CALL

Start time: [06:02:45 PM \(00:01:03\)](#)

[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](#)

### 4. CONSENT AGENDA

Start time: [06:03:01 PM \(00:01:19\)](#)

- a. Approval of April 10, 2024 Regular Meeting Minutes
- b. Approval of April 10, 2024 Workshop Minutes
- c. Review of April 2024 Check Register

Martine made a **motion**, seconded by McGinnis, to approve the consent agenda.

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

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

## 5. PRESENTATIONS, GUESTS & ANNOUNCEMENTS

### a. Presentation – Tillamook PUD and PacifiCorp W2R2 Infrastructure Improvement Project - KC Fagen, Engineering Manager, Tillamook PUD

Start time: [06:04:22 PM \(00:02:41\)](#)

Todd Simmons, PUD General Manager, introduced Barbara Trout, Area Director; Joanna Stelzig, Public Relations Manager; and KC Fagen, Engineering Manager. Fagen explained the Tillamook PUD and PacifiCorp W2R2 Infrastructure Improvement Project that is proposed to improve delivery of electricity by installing remote sensing and control equipment for the north transmission line that will help PacifiCorp quicken their response in power outage situations. Fagen explained that the City had provided a letter of support. He answered clarifying questions, noting the timeline and estimated cost.

### b. Presentation – High Grounds Project Update - TJ Fiorelli

Start time: [06:11:26 PM \(00:09:45\)](#)

Fiorelli gave a presentation providing an update on the High Grounds Project. He answered clarifying questions for the Council.

## 6. STAFF REPORTS

### a. Fire Department

Start time: [06:37:14 PM \(00:35:32\)](#)

Hesse presented a staff report on the activities and operations of the Rockaway Beach Fire and Rescue department for the month of April 2024. Hesse reported on the Oregon Fire Chief's conference and Career Day presentations at local high schools. He confirmed for Martine that TEAM and LifeFlight programs are still available to the community. Hesse confirmed for McGinnis that the Fire Department was still investigating sleeping quarters at the Fire Department. McNeilly inquired about the ISO rating and Hesse indicated he was waiting for the arrival of the new ladder truck since it was anticipated to improve the rating.

### b. Sheriff's Office

Start time: [06:47:12 PM \(00:45:31\)](#)

Deputy Kevin Grogan summarized the Sheriff's Office report for April 2024. McNeilly inquired about ODOT no parking signs at the entrance to the nature preserve. Grogan confirmed that Deputies would be patrolling the area for parking violations.

### c. Public Works

Start time: [06:49:28 PM \(00:47:46\)](#)

Emerson presented a report on recent activities in the Public Works department. He answered clarifying questions for the Council. Emerson reported that cameras had been purchased for the nature preserve but had not yet been installed. McNeilly and Cheek commended Public Works on the new Wayside restrooms.

**d. City Manager**

Start time: [06:55:21 PM \(00:53:40\)](#)

Shepard gave a presentation providing background information on the business items on the agenda. Shepard added that the City was accepting nominations for the 4<sup>th</sup> of July Grand Marshall and Volunteer of the Year. He shared updates on the Anchor Street Project, Wayside Restroom project, and South Pacific Street waterline and paving project. Shepard also shared public meeting dates for May and June.

McNeilly commented on the recent Budget Committee meeting and commended Shepard for his approach to the presentation of the budget. McNeilly noted that a community member made a presentation requesting bike racks, and the Committee added funds for bike racks as a result. McGinnis added her appreciation for Lydia Hess' bike rack request. McGinnis noted that the new Anchor Street playground is ADA accessible, commending the Planning Commission on their choice of equipment.

**7. PUBLIC HEARING**

**a. Ordinance No. 2024-05 An Ordinance Amending City Of Rockaway Beach Code Of Ordinances Chapter 113, Section 113.02, Related to Short-Term Rentals Under-Construction Waiting List**

Start time: [07:05:09 PM \(01:03:27\)](#)

McNeilly opened the public hearing at 7:05 p.m. There being no audience members who wished to comment, McNeilly closed the public hearing at 7:06 p.m.

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

Daniel Howlett advocated for removing position numbers from City Council seats for the election, explaining that he wanted the top four vote-getters to win the open Council seats. Howlett referred to his submitted written testimony.

Michael Weissenfluh shared comments commending Fire Chief Hesse, Captain Grace and Fire Department volunteers for their kind, professional response to a family member's recent medical emergency.

Michael Weissenfluh encouraged the City to purchase Granicus Short-Term Rental (STR) software for monitoring STRs, to assist with tracking the large volume of STRs, enforce regulations that preserve community character, find properties available for rent, educate hosts on compliance and gain revenue with STR compliance monitoring.

**9. OLD BUSINESS – None Scheduled**

**10. NEW BUSINESS**



- a. **First & Second Reading by Title Only of Ordinance 2024-05 An Ordinance Amending City of Rockaway Beach Code of Ordinances Chapter 113, Section 113.02, Related to Short-Term Rentals Under-Construction Waiting List**  
Start time: [07:16:13 PM \(01:14:31\)](#)

McNeilly explained that Ordinance 2024-05 amends the City of Rockaway Beach Code of Ordinances Chapter 113, section 113.02 to change the required criteria for the under-construction waiting list from a building permit to a City zoning permit.

Franken made a **motion**, seconded by Martine, to perform the first and second reading by title only of Ordinance 2024-05.

McGinnis commented that it would make it easier for a few potential STRs to fit under the cap and proceed with the work they had planned. She noted that another resident expressed concerns that may require additional consideration.

Hayes commented that she was abstaining and recusing herself.

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

McNeilly performed the first and second reading by title only of Ordinance 2024-05.

Franken made a **motion**, seconded by Cheek, to approve the second reading by title only of Ordinance 2024-01.

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

[Position #4 - Alesia Franken: Motion](#)  
[Position #5 - Penelope Cheek: 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: Approve](#)

- b. **Consideration to Adopt Ordinance 2024-05 An Ordinance Amending City of Rockaway Beach Code of Ordinances Chapter 113, Section 113.02, Related to Short-Term Rentals Under-Construction Waiting List**  
Start time: [07:20:38 PM \(01:18:57\)](#)

McNeilly stated with the first and second reading now complete, Ordinance 2024-05 is ready for adoption.

Cheek made a **motion**, seconded by Martine, to adopt Ordinance 2024-05 An Ordinance Amending City of Rockaway Beach Code of Ordinances Chapter 113, Section 113.02, Related to Short-Term Rentals Under-Construction Waiting List.

Cheek commented it was fair to add people who have been working on getting their permits to the list.

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

[Position #5 - Penelope Cheek: Motion](#)  
[Position #2 - Tom Martine: 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: Approve](#)

**c. Consideration to Move the July City Council Meeting to July 17, 2024**

Start time: [07:22:19 PM \(01:20:38\)](#)

McNeilly explained that since the July 10<sup>th</sup> Council meeting falls on the week following the fourth of July this year, reducing the time that staff, residents, and the governing body will have to prepare for the meeting, the City Manager has proposed the Council consider moving the July meeting date from July 10<sup>th</sup> to July 17<sup>th</sup>.

McNeilly invited public comment. No audience members wished to comment.

Hayes made a **motion**, seconded by Cheek, to approve moving the July City Council meeting to July 17, 2024.

Hayes expressed that she was glad the date was being moved.

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

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

d. **Consideration of Resolution 2024-28 Adopting the 2023 Tillamook County Multi-Jurisdictional Natural Hazards Mitigation Plan**

Start time: [07:23:58 PM \(01:22:17\)](#)

McNeilly explained that adoption of the 2023 Tillamook County Multi-Jurisdictional Natural Hazards Mitigation Plan is required for FEMA approval of the plan, and restored eligibility for certain federal pre- and post-disaster mitigation funds.

McNeilly invited public comment. No audience members wished to comment.

Hayes made a **motion**, seconded by McGinnis, to approve Resolution 2024-28 Adopting the 2023 Tillamook County Multi-Jurisdictional Natural Hazards Mitigation Plan.

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

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

[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](#)

## **RECESS INTO EXECUTIVE SESSION**

### **EXECUTIVE SESSION**

Start time: [07:25:44 PM \(01:24:03\)](#)

At 7:26 p.m., McNeilly announced that the City Council would now recess to a conference room and into Executive Session pursuant to ORS 192.660 (2)(p) to consider matters relating to cyber security infrastructure and responses to cyber security threats.

McGinnis explained that the state provides certain reasons that allow the Council to meet in private and security is one of them.

## **RECONVENE REGULAR SESSION**

At 7:53 p.m., the City Council reconvened the regular session.

e. **Consideration of Resolution 2024-29 Adopting a Cybersecurity Policy**

Start time: [07:54:04 PM \(01:25:32\)](#)

McNeilly explained that this resolution approves and adopts a cybersecurity policy for the city. The contents of this policy are exempt from disclosure under ORS 192.355(46).

McNeilly invited public comment. No audience members wished to comment.



Cheek made a **motion**, seconded by Martine, that the Rockaway Beach City Council approve as amended Resolution 2024-29 adopting a cybersecurity policy.

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

[Position #5 - Penelope Cheek: Motion](#)  
[Position #2 - Tom Martine: 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](#)

## 11. ITEMS REMOVED FROM CONSENT AGENDA – None Removed

## 12. COUNCIL CONCERNS

Start time: [07:55:48 PM \(01:27:15\)](#)

Franken thanked City staff for their hard work. She shared that she was proud of the Anchor Street project.

Hayes invited everyone to the ribbon cutting being held the next day at the Chamber for wheelchair house and the paver project. Hayes commented that in the past a citizen had submitted a petition to remove position numbers from Council seats and the elections official at the time would not accept it. Hayes commented that she believes that it is what people want. McGinnis commented that the petition submission must have been 8 years ago.

McGinnis commented on the success of the second annual Writer's Rendezvous and thanked local agencies that participated. McGinnis shared that several scholarships were being funded from the proceeds. McGinnis also thanked the Rockaway Beach Volunteers for staffing the workshop. McGinnis reported on attending a tour of the Astoria watershed, and encouraged others to take a tour. She shared that she purchased hanging baskets from the Chamber and encouraged others to do so.

## 13. MAYOR'S REPORT

Start time: [08:00:52 PM \(01:32:19\)](#)

McNeilly reported that the monthly Coffee with City Manager and Mayor was held on April 13<sup>th</sup> and a summary of the comments was included in the meeting packet. He encouraged community members to attend the next Coffee meeting on Thursday, May 30<sup>th</sup>. McNeilly also encouraged the public to sign up for the city email listserv. McNeilly thanked the Rockaway Beach Volunteers for their work to update landscaping at the post office. He shared comments from Sandra Johnson acknowledging each volunteer's contributions to the improvements, including an offer from Lars Lawncare to help maintain the property free of charge. McNeilly encouraged people to email [RBVolunteers1@gmail.com](mailto:RBVolunteers1@gmail.com) and get on their list and get involved. McNeilly also encouraged those with questions or concerns about the City to not rely on social media, but to contact him at [charlesforrockawaybeachmayor@gmail.com](mailto:charlesforrockawaybeachmayor@gmail.com).

**14. ADJOURNMENT**

Start time: [08:07:07 PM \(01:38:34\)](#)

Cheek made a **motion**, seconded by Martine, to adjourn the meeting at 8:07 p.m.

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

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

[Position #2 - Tom Martine: 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 THE  
12<sup>TH</sup> DAY OF JUNE 2024

  
Charles McNeilly, Mayor

ATTEST

  
Melissa Thompson, City Recorder