

City of Rockaway Beach

City Council Workshop Minutes



Date: Wednesday, November 13, 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

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; and Mary Johnson, City Planner

3. COUNCIL BRIEFING/DISCUSSION

a. Review of FEMA BiOp Pre-Implementation Compliance Measures (PICM)

Start time: [04:31:55 PM \(00:01:22\)](#)

Shepard explained that the City must select one of three FEMA Biological Opinion (BiOp) Pre-Implementation Compliance Measures (PICM) mandated by FEMA and referred the Council to the written staff report. Shepard stated that if the Council followed the staff recommendation to adopt the model ordinance, there would be no moratorium and the earliest that land use rule changes would be implemented was April or March 2025. Shepard further explained that the City would follow the normal process to adopt changes to the land use ordinance. Shepard provided background and summarized the options presented in the staff report. Johnson and Shepard answered clarifying questions for the Council. There was brief discussion regarding private flood insurance. After further discussion, there was consensus to consider the staff report recommendation to adopt the 2024 FEMA-issued model ordinance.

b. Review of Ordinance 2024-06: An Ordinance Amending City of Rockaway Beach Zoning Ordinance 143 Section 4.050 Sign Requirements

Start time: [04:50:45 PM \(00:20:11\)](#)

Johnson provided background information on the proposed amendments to the sign requirements. Shepard explained the intent was to make limited changes in order to allow installation of a City reader board sign. McNeilly shared that it was a community-driven idea to provide another means of communication. Johnson and Shepard answered clarifying questions. Shepard noted that Public Works Superintendent Emerson would present more

information about the City's proposed reader board sign at the next Planning Commission meeting. Franken noted a correction on page 2 of the draft ordinance. There was consensus to consider the ordinance at the next regular meeting.

c. Review of Grievance Process Policy Related to Public Meetings Law

Start time: [05:02:00 PM \(00:31:27\)](#)

Shepard explained that state law provided that public meetings law grievances would now be submitted to the public body before they are submitted to the Oregon Government Ethics Commission (OGEC) and the grievance process policy was based on the state law. McGinnis noted that OGEC determines any penalties. Hayes suggested a form be used for grievance submissions. Shepard stated the policy would come before the Council for consideration in December or January.

d. Community Grant Program Update

Start time: [05:09:02 PM \(00:38:28\)](#)

Shepard stated that she had asked the Planning Commission to revisit the eligibility requirements for the Small Community Grant program related to community entities. Shepard reported that the Planning Commission discussed it at their October meeting and voted unanimously to keep the program as is and to allow non-formalized community entities to be eligible to apply for grants and receive funding from the city. Shepard noted that cities with similar programs don't require a contract or agreement for small grants and recommended that language be removed in order to expedite the award process. Shepard estimated that the program could be adopted and rolled out in January or February.

e. Discussion Regarding Moving January 8th Regular Council Meeting to January 15th

Start time: [05:15:17 PM \(00:44:43\)](#)

Shepard recommended that the regular January meetings be moved to January 15th due to the timing of holidays. There was no objection to the change.

f. Additional Discussion

Start time: [05:16:49 PM \(00:46:16\)](#)

Franken questioned the replacement clause in the Statutory Partnership Agreement with Sustainable Northwest (Resolution 2024-44 Exhibit A) included in the regular meeting agenda packet. Shepard explained that much of the agreement language came directly from the EPA grant. Brief discussion ensued.

Shepard clarified for McGinnis "off-premises sales" related to an OLCC Liquor License recommendation request included in the regular meeting agenda packet.

McNeilly commented on Destination UX, a fraudulent company that purported to manage short-term rentals and made false promises to obtain short-term rental licenses. He suggested that when the Council reviews the short-term rental (STR) ordinance next year, the Council might want to consider some rules about who can do property management in the community to try to keep that from happening.

McNeilly noted that the Council received public testimony advocating for a STR cap exemption for STRs that are compliant with the Americans with Disabilities Act (ADA) and asked if the Council was interested in having Planning Commission work on that issue now. It was suggested the Planning Commission review what other cities do and what kinds of legal certifications are available for ADA-compliant vacation rental homes. There was consensus to have the Planning Commission start reviewing the issue.

4. ADJOURNMENT

Start time: [05:32:09 PM \(01:01:35\)](#)

Martine made a **motion**, seconded by Franken, to adjourn the meeting at 5:32 p.m.

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

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

Nay: 0

MINUTES APPROVED THE
11TH DAY OF DECEMBER 2024


Charles McNeilly, Mayor

ATTEST


Melissa Thompson, City Recorder