

City of Rockaway Beach

Special City Council Meeting Minutes



Date: Wednesday, November 20, 2024
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.

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: [06:02:22 PM \(00:02:03\)](#)

[Mayor - Charles McNeilly: Present](#)
[Position #3 - Kristine Hayes: Absent](#)
[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, and Alesia Franken

Council Member Absent: Kristine Hayes

Staff Present: Luke Shepard, City Manager; Melissa Thompson, City Recorder; Mary Johnson, City Planner; and Armand Resto-Spotts, Legal Counsel, Local Government Law Group

4. CONSENT AGENDA – None scheduled

5. PRESENTATIONS, GUESTS & ANNOUNCEMENTS – None scheduled

6. STAFF REPORTS – None scheduled

7. PUBLIC HEARING

a. Land Use Appeal # 24-1, Nedonna Wave Planned Unit Development - Phase 2

Start time: [06:02:45 PM \(00:02:26\)](#)

McNeilly announced the location of the public testimony sign-up sheet.

Opening of Public Hearing & Instructions

At 6:02 p.m., McNeilly opened the public hearing on Land Use Appeal #24-1, Nedonna Wave Planned Unit Development - Phase 2.

McNeilly read opening statements, public hearing disclosure statements and procedures, and testifying instructions. McNeilly explained that the Council will review the record on appeal, as well as the testimony and evidence potentially received, if within the scope of review, and will make a final decision on the appeal. McNeilly noted that in accordance with Rockaway Beach Zoning Development Code 11.070, the City Council previously determined that review of this appeal will be on the record, except additional evidence may be presented and reviewed on issues that City Council has determined are necessary for proper resolution of this appeal. McNeilly stated that specifically, additional evidence may be presented that relates to the particular issues and substantive criteria that were raised within the appeal.

Conflicts of Interest/Bias/Ex-Parte Contacts

McNeilly explained that since the Council was present at the July 17th, August 14th and September 11th City Council meetings where public comments were expressed about this underlying proposal and appeal, staff have included the meeting minutes in the record for the purpose of disclosing ex-parte contacts on behalf of the full Council. McNeilly invited any additional disclosures from the Council.

McGinnis declared that she was very familiar with the subject property because she lived in Nedonna Beach for about 3 years and as a result of living there she often walked and drove by the property. McGinnis further declared that for years she helped maintain the tsunami route and was very familiar with it, and that she had acquaintances in Nedonna Beach with whom she discussed development in Nedonna Beach in the past. Resto-Spotts suggested McGinnis clarify whether she could render an impartial decision. McGinnis stated that she would be impartial.

Martine declared that he had past interest in purchasing property in Nedonna but didn't due to his wife's concerns regarding there being only one tsunami evacuation route. Martine stated that he would be impartial.

McNeilly declared that he opened an email from the North Coast Communities for Watershed Protection (NCCWP) and found that the content took a position on Appeal 24-1. McNeilly stated that he did not read all of the content and had not opened subsequent emails from NCCWP. McNeilly declared that he received emails from community members taking a position on Appeal 24-1 and did not read those emails, but directed the sender to testify at the meeting, or to send their comments directly to City Hall. McNeilly declared that all of the above-mentioned emails were deleted. McNeilly stated that he did not believe the ex-parte contacts would affect or impair his ability to review the appeal and record. McNeilly stated that he was able to act as a

fair and impartial decision maker, and could make a decision based on the facts, the record and the criteria applicable to the matter.

Franken declared membership in NCCWP and received emails, but didn't open any of them or any other emails that were sent with the subject matter. Franken stated that she can be impartial.

McGinnis added that she was also on the NCCWP mailing list. McGinnis stated that she did not open or read emails that included the appeal subject matter.

There were no challenges from the audience due to conflicts of interest, ex-parte contacts or bias.

Required Statements

McNeilly read required statements in accordance with state law.

Staff Report

Johnson presented the staff report and gave a slide presentation providing background information, issues raised in the appeal, and staff findings for each issue. Staff recommended denial of the appeal on all grounds. (Copies of the staff report and slide presentation are attached to and made a part of these minutes as Exhibit A & B.)

Applicant Presentation

Dean Alterman, counsel representing the applicant Anna Song and her company, Nedonna Development LLC, commented that the applicant agreed with the staff report and asked that the Council deny the appeal. Alterman explained that regarding the 10-year rule that is one of the grounds of the appeal, there is no point at which the applicant is saying that they don't want the City to apply today's code. Alterman stated that the land use decision issued in 2008 is still valid today because within one year the applicant built the 1st phase of that planned unit development (PUD). Alterman said that the appellant had cited no statute that says that a land use decision approving a PUD expires if construction has already started.

Appellant Presentation

Alexandria Dolezal, attorney with Crag Law Center representing the appellant, Oregon Shores Conservation Coalition, gave a slide presentation, including background information and grounds for the appeal, and addressing each issue raised in the appeal. Dolezal referred to Exhibits 1-10 that the appellant submitted to the Council. Dolezal explained that Oregon Shores believes that the original approval from 2008 has lapsed, and the developer must resubmit the application for reconsideration under ORS 92.040, especially in light of the 2 additional lots that are being approved. Dolezal stated that the Planning Commission failed to find that the proposal is consistent with the Rockaway Beach Zoning Ordinance in regard to special area wetlands, evacuation measures and riparian setbacks, and these need to be reviewed at this phase now, because in the future the staff review and approval of construction going forward is a ministerial process, without opportunity for a public hearing. Dolezal stated that the City Council should

deny the current application. (Copies of the appellant's submitted exhibits and slide presentation are attached to and made a part of these minutes as Exhibit C & D.)

Franken inquired if a new wetland delineation was required as a condition of approval before development proceeds. Johnson confirmed that it was a condition, and added that she spoke with the Department of State Lands, and the applicant has been working with them on a new wetland study, which she believed was complete and in conformance with the original approval.

Franken inquired about meeting requirements regarding fire apparatus access. Johnson explained that there are alternatives allowed by the state fire code, such as fire suppression measures. Johnson stated that the City required that the state Fire Marshal sign off on the plans.

McGinnis inquired whether the 15-foot setback for McMillan Creek had been clearly delineated. Johnson explained that the maps provided by the applicant appear to show the building footprint outside of the riparian zone and building within the setback would not be permitted. Johnson stated that it would be reviewed at the time of building application submission, and the applicant would be required to submit a survey showing the high-water mark and setback from McMillan Creek.

Martine commented on new FEMA requirements. Johnson explained that FEMA's requirements only impact the Special Flood Hazard Overlay area and none of these developable areas were within the Special Flood Hazard Overlay.

McGinnis inquired about how the City interpreted the 10 year time limit. Resto-Spotts explained that he interpreted it effectively as a vested rights statute. So, for any subsequent construction that occurs on an approved subdivision property only the laws in place at the time of application apply, and that applies for 10 years. He explained that the property owner, if they come in for subsequent development, can choose to apply the laws that were in place at the time of application, or they can choose to apply the laws that are in place at that time. McNeilly noted, and staff confirmed, that the City has applied the laws in place today.

McGinnis inquired about the expiration question. Resto-Spotts stated that the improvement question to him was a factual evidentiary question, and that the Council needs to decide on what the 2008 approval did or did not require, and whether that affects expiration of the PUD. Resto-Spotts explained that ORS 92.040 is not an expiration statute, so it does not terminate or expire the PUD approval from 2008.

Franken inquired about references to the one-year improvement timeline in the 2008 approval, and questioned what takes precedence, the 2008 decision or the lack of deadline in the code. Resto-Spotts stated that it was an interpretive question. Resto-Spotts explained that based on the code, if the applicant had not submitted a phase one within one year, then the PUD would have been terminated, but otherwise it does not expire. He explained that the applicable conditions of approval apply to the property they apply to the development, and if Council is interpreting those to mean that the PUD is expired because something was not met, then that

that that could be how you decide. Resto-Spotts further explained that otherwise there's not a conflict with code, necessarily. Code did not specify whether it expired or not.

Cheek questioned why it took 16 years for development, noting that the applicant could address the question when they spoke.

McGinnis inquired about the term "reasonable amount of time" in the code, and staff confirmed that it was not defined in the code. Resto-Spotts encouraged the Council to employ reasonable interpretation given the language before them and the applicable law at hand.

McGinnis inquired about definitions or descriptions of improvements. Staff and the appellant noted that Exhibit D to the Findings of Fact from July 29, 2008 included descriptions of the improvements in Phase 2.

In response to a question from McGinnis, Johnson explained the process for reviewing building applications for vacant lots that have wetlands, which includes submission to the Department of State Lands (DSL). Johnson further explained that wetland determination was a condition of approval for the applicant, and that DSL advised they had already completed the wetland work. Per the DSL delineation the development has no building lots in wetlands. Johnson said there are wetlands that are set aside in this development that are open space areas that are reserved for wetlands, which are still under the special area wetlands designation. Johnson explained there's no permit application to build in those areas, and they are reserved as open space. Franken requested to see the wetland delineation maps. The appellant commented on the date of map, stating that it was too old to be given much weight.

McGinnis commented on tsunami evacuation route, suggesting that it seemed that the Planning Commission expected them to be upgraded. Johnson referred the Council to additional materials submitted by the applicant dated November 20, 2024 for the Council's consideration regarding the requirements of the tsunami hazard overlay zone. (A copy of the applicant's letter is attached to and made a part of these minutes as Exhibit E.)

McNeilly asked the appellant if they were aware of any case law related to where the courts have weighed in on what is a "reasonable amount of time". Dolezal stated that she had not looked into that, but she could. Eric Wriston, co-counsel for the appellant, stated that reasonable amount of time lends credence to a timeline for development one year from approval unless the timeline is specifically amended for one year from tentative plan approval for all improvements.

McGinnis commented her understanding from previous testimony was that the final plat or the final Development Plan had to be approved within one year of the preliminary plan. Dolezal stated the improvements had to be completed within one year of the preliminary plan, and construction was halted before the improvements were completed.

Public Testimony in Favor of Appeal

Start time: [07:22:45 PM \(01:22:26\)](#)

Nancy Webster testified that the development is illegal. Webster stated she saw manholes but not significant utilities, and express concerns about open utility holes. Webster stated that plants in the wetland were mowed down, and expressed concerns about increased flooding in wetlands, and risks to salmon.

Delta Holderness expressed concerns that over 10 years had passed, stating that the developer should be held to current standards and should submit a new application. Holderness expressed concerns about increased traffic, water safety, fire and tsunami evacuation, and flooding. She commented that the pump station was not completed and that streets are now wetlands. Holderness requested information as to why new FEMA regulations did not apply in the area.

Gary Corbin testified that the original application expired 6 years ago, 10 years after the original approval. Corbin stated that the case law does not establish precedent to give exception to that 10 year rule. Corbin expressed concerns that Jackson Street is a wetland. Corbin stated that Federal law prohibits disturbing the 3 pairs of nesting eagles that reside in the wetlands.

Jeff Yandle commented that it was 16 years since it was approved, and it reflects poorly on city staff. Yandle stated that Kittiwake Street was on the FEMA map, and it is wetlands. He expressed concern that approving the project was risky.

Arianna Staruch concurred with previous statements. Staruch expressed concerns about when the wetland assessment was completed, commenting that the wetland had changed, and McMillan Creek had expanded, and flooding risk would increase.

Valerie Campbell commented that it was clearly an expired approval, clearly wetlands area, and that McMillan Creek has expanded. Campbell expressed interested in seeing the wetlands overlay.

Janet Tashima stated she had reviewed county and national wetlands maps, and the area is a wetland. Tashima commented that fill doesn't change it from being a wetland. She referred the Council to her submitted written testimony, asking them to review the maps she provided.

Lyndsey Matteson stated that Nedonna Beach lies on top of an aquifer, and that aquifer provides the backup water system for the city of Rockway Beach. Matteson expressed concerns that the aquifer is very susceptible to pollution and saltwater intrusion, and the development could pollute the aquifer and would tax the water system.

Public Testimony Neutral
None

Public Testimony in Opposition to Appeal
None

Staff Response / Clarification

Johnson confirmed for Franken that the Final Order included condition “s,” that the applicant shall submit evidence of approval from the State fire marshal for all fire hydrant locations, street width and applicable fire code requirements.

Johnson stated that she could read all of the conditions if the Council desired, and that a copy was included in the final order in the packet.

McNeilly called a recess at 7:45 pm. McNeilly called the hearing back to order at 7:53 p.m.

Johnson referred the Council to their packet review the conditions that the Planning Commission imposed with their approval. Johnson read aloud a portion, and the Council reviewed themselves the remainder of the conditions imposed by the Planning Commission in the final order. Johnson displayed the conditions on the

Cheek inquired about the timeline for the approval. Johnson explained that with the Planning Commission's approval, the applicant has one year to move forward with the application, or they would need to come back and request a time extension, and which time, if that were granted, they would have another year to either come forward with the final plat or request another extension. Johnson stated that unless there were a substantive change in their development plans, or if the City had substantive changes in the development code that would make a difference to the application, there would be no standing for the Planning Commission to reverse their opinion based on the code. McGinnis inquired if there was a definition for substantive changes. Johnson confirmed there wasn't a definition for substantive change.

Franken inquired who checks or verifies that the conditions are met. Johnson explained that the City would ensure that the conditions were met at that time of final plat approval, the City Council would approve the final plat.

McNeilly commented that the Council's task was to make a decision on the appeal based on the 5 issues raised in the appeal, and that staff had spoken to which conditions addressed each of those issues.

Johnson addressed a Councilor request to review the wetland delineation map. Johnson explained that she consulted with legal counsel during the recess. Since the Council was reviewing the matter on the record and that map wasn't provided to the Planning Commission, it was not part of the record and would not be provided to the Council. Johnson explained that the Council was looking at this matter with what's presented before them, and what the Planning Commission considered and what was approved by them. Franken expressed concern that there was only a verbal approval from DSL. Johnson explained that DSL sends a letter to the city to communicate whether or not the mapped area matches what the proposed development plans are, or, if additional permitting is necessary.

Johnson and Shepard clarified for Cheek that the timeline to meet all conditions was upon final plat approval. Shepard further explained that this hearing is not about approving the final plat. When the applicant comes for final plat approval, all of these conditions will have to be met. The applicant would be given one year to do so, and they can request an additional extension every year.

Councilors requested clarification regarding the timeline for determining wetland areas. Johnson reiterated that the code says in section 5, the zone boundary determination, that at such a time a development is proposed in the vicinity of an area designated special area wetlands, the city may require a site investigation to determine the exact location of the zone boundary. The investigation shall be performed by qualified agent, such as a biologist from the US Army Corps of Engineers or Department of State Lands. Johnson explained that the city did require this as a condition of approval in the Planning Commission decision. Johnson further explained that if the biologist showed that these lots are not developable, it would be considered a significant change to the tentative approval, and the applicant would have to submit a new plan to the planning commission then, unless they could modify it in such a way that it was not a significant change.

Cheek inquired whether new floodplain laws would affect the application. Johnson explained that the new floodplain laws are not relevant to appeal criteria and were outside the scope of this application.

Resto-Spotts confirmed for McGinnis and Cheek that the City Council can modify the Planning Commission's conditions in their decision. There was brief discussion regarding the City's 120-day window to make a decision and indication that the applicant had provided the City with an extension to November 20th.

Resto-Spotts clarified the 10-year rule for McGinnis. Resto-Spotts stated he didn't believe there was any disagreement in what ORS 92.040 states. Resto-Spotts said it is a vesting rights statute. It is not a statute of limitations. ORS 92.040 does not say after 10 years your approval is expired. All it says is, if you come in for subsequent development, you have to apply the standards that are in place at that point, and the case law and the legislative history bears that up. Resto-Spotts further explained that the question of whether the 2008 approval expired is a separate, distinct question from whether ORS 92.040 applies. Resto-Spotts stated that the Council should look at the 2008 approval and the language that's in that decision, and look to the City code. What does the code say about expirations? He stated the Council would look to those things, you would not look to ORS 92.040. ORS 92.040 is just saying how long that application can apply under the laws at the time.

Resto-Spotts reiterated one of Johnson's comments early in her original presentation that to the extent that Council wants an expiration of a PUD approval under code, that would require a code amendment. Resto-Spotts read code Section 10.060: Within one year after concept approval or modified approval of a preliminary development plan, the applicant shall file a final plan for the entire development or, when submission in stages has been authorized, for the first unit of the PUD, with the Planning Commission. The final plan shall conform in all respects

with the approved preliminary development plan. Resto-Spotts stated there was no additional language to how you treat subsequent phases, there was only a 1-year requirement to submit the first phase.

Johnson confirmed for McNeilly that the phrase “the plan can be completed within a reasonable period of time” appeared in code section 10.050.

Johnson confirmed for McGinnis that if there is approval to build in a wetland, removal and fill permits are issued by DSL.

Cheek inquired about applicant sewer force main improvements. Johnson explained that the applicant agreed to pay for their proportional share of the improvement, and the applicant would bear the cost of the additional homes that they are creating and adding on to that system.

Johnson confirmed for McGinnis that the applicant withdrew the request to vacate the east end of Riley Street during the Planning Commission hearing.

Cheek inquired about the applicant’s request for sub-phases. Johnson confirmed that the Planning Commission denied that request and it was not part of the appeal.

Applicant Final Rebuttal

Start time: [08:32:03 PM \(02:22:03\)](#)

Alterman stated that a source of confusion was first, how many applications there had been, and second, what the decision before the Council was, and the difference between the PUD process and the plat process. Alterman stated in 2008 there were two applications, both approved with conditions. The first was an application to approve the Planned Unit Development (PUD) plan for the entire property. The second application process, at essentially the same time, was a subdivision application for phase one of that overall project. Alterman said the city approved both the overall plan and the subdivision. Alterman stated that two different time standards applied to those applications. For the PUD, the applicant is required to build at least part of the PUD within one year. For the subdivision, the applicant was required to build the improvements in the subdivision and file a final plat within one year from the day the applicant got approval for the tentative plat. Alterman explained that when you're applying for a PUD, you get a preliminary approval, and then you get a final approval. He stated every time you see the word preliminary, it's referring to a PUD application. Alterman stated that for a subdivision application, you get a tentative approval and a final approval. He said whenever you see the word tentative, it's referring to a subdivision, or to a phase of a PUD, not to the entire PUD. Alterman explained the reason that it's a 2-stage process is that nobody would ever build all the improvements that go with the subdivision unless the City had approved in principle, given the tentative approval, to the subdivision in the first place. He said, on the other hand, the City doesn't want to have a final subdivision unless the developer has, in fact, built all the improvements that were called for in the plan. That's why it's 2 stages.

Alterman stated that the two applications that are here today were an application to modify the conditions of approval, to modify the design of the PUD by splitting a couple of lots into slightly smaller lots. Alterman said the PUD approval was still valid, and neither state law or the City code caused them to expire. Alterman said whether that's good policy is a question that isn't before the Council tonight, it was simply what the law and the code is right now for the PUD approval.

Alterman stated that the other question before the Council was a request to approve a tentative plat for the subdivision of Phase 2. Alterman explained that is where the conditions come in. Those are conditions that all relate to the applicant building the improvements that the Phase 2 subdivision calls for. He explained that when the applicant show that you have built the streets and the public improvements, and sewer pump station, and put up the monuments and completed the other subdivisions requirements, that is when the City would give the final approval, and from that point the applicant would have legal lots.

Alterman said the appellant's position on everything expiring in one year simply doesn't make sense because nobody would apply to do a 2-phase or 3-phase or 4-phase or 5-phase PUD or subdivision if they had to build it all in one year. There would simply be no point to having phasing if you nevertheless had to build it all at once.

Alterman addressed opponents' testimony that there didn't appear to be any improvements in Phase 2. He explained that the condition required that all the utilities be underground, so there isn't much visible on the surface at all. He noted that a fire hydrant indicates that the water main has been installed, water meters are installed on the Kittiwake side, and Jack Riley Street East is rough-graded in. Alterman stated that the improvements are in, basically, except for the streets, and that the condition had been met.

Alterman addressed opponent arguments that the applicant was seeking to apply 2008 standards. Alterman stated the Planner's Staff Report included all of the standards that applied, and all of those standards were in the current code, and the applicant is not asking for a variance from that.

Alterman addressed questions regarding special area wetlands, noting that delineations are submitted to staff and applicants must show that they are building outside the wetland or have permission from DSL to do whatever it is they want to do in the with the wetland. Alterman stated that the applicant obtained permission from DSL in 2008 or 2009 to fill parts of the wetland area and to mitigate that fill by creating other wetland areas all within the zone. He explained that that couldn't have been done if the entire area was a special area wetland in the City code, and the whole point of the process was to determine which areas were wetland, and the areas where lots were going to be built.

Alterman address questions regarding case law, stating that neither case was inconsistent with the applicant's argument. Alterman explained that both related to the application of old code or

existing code, and the applicant is not trying to apply old code. The applicant is asking for approval under the current code.

Alterman explained that with regard to the wetlands delineation that had been done, it has been submitted to the State. Alterman said he did not believe that the applicant was allowed to introduce it into the record at this time, but that it was covered by the condition of approval that says the applicant must submit the plan. Alterman stated the applicant must show we have a building site on each lot that is suitable for a house, or we'll have to come back in for a modification, or simply drop that lot if there is one out of the picture.

Franken inquired whether the list of improvements were completed within one year of the tentative plan. Alterman confirmed that all improvements for Phase 1 were completed within one year of the tentative plan, which was the requirement for the Phase 1 subdivision. He added that most improvements for Phase 2 were also completed, other than paving the street and other than the Sewer Pump station, which doesn't have a purpose until there are houses in Phase 2 that have the sewer. McGinnis inquired whether sewer lines were installed. Alterman stated he believed that the vaults indicated that there were lines running to it, but wasn't certain.

Cheek inquired about 16 years since the original approval. Alterman noted that there was a recession in 2009.

McGinnis inquired about the wetlands delineation process and special area wetlands overlay zone. Alterman explained that unlike other zones, the special area wetland area designation is not something that you approve as a zone change. When a development proposal is submitted, and if it looks like there are wetlands on the property or in the area, the city then requires the applicant to have a qualified expert prepare a wetlands delineation, as the applicant has done. Alterman explained that was why some of the brush was removed, so the expert could go look and prepare the wetlands delineation. The delineation is then submitted to DSL. After DSL review, the delineated area effectively becomes the special wetlands area. It's determined property by property as the situation arises.

Alterman concluded that the applicant had met the criteria and she asked that the Council deny the appeal and grant the application, and approve the Planning Commission's decision.

Alterman stated that the applicant had just consented to extend the City's decision deadline to December 12th.

Close of Hearing

There being no further testimony, McNeilly closed the public hearing for Appeal No. 24-1 at 8:49 p.m.

Applicant's Right to Final Written Arguments

McNeilly explained that unless waived by the Applicant, the City shall allow the Applicant at least seven days to submit final written arguments, but no new evidence, facts, documents, dates, or testimony to support their application.

The applicant waived the right to submit additional written argument.

McNeilly stated that since the applicant had waived the right to submit additional written arguments, at this point Council may only deliberate and discuss amongst itself, and no other parties or members of the public may participate.

McGinnis expressed appreciation to staff, and to those who presented and testified. She noted that the Council had to decide just on the 5 issues that were raised by the appellant and decide those issues with as little interpretation, and as best as we can, as it aligns with state law and city codes. McGinnis commented on the volume of information and suggested meeting at a later time for the deliberation and decision. Cheek concurred that it was a lot of information to make an immediate decision. McGinnis noted that

Cheek made a **motion**, seconded by Martine, to set deliberations on Appeal 24-41 to 6:00 p.m., December 11, 2024 at Rockaway Beach City Hall.

McGinnis commented that this is an enormous decision, involving people's homes, people's lives, and people's business, and we want to make sure we're making the best-informed decision that we can. McGinnis stated that it required some time to process all that was heard tonight. McGinnis stated it was her understanding that there would be no new testimony within this period.

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

Aye: 4 (Cheek, McGinnis, Martine, Franken)

Nay: 0

8. CITIZEN INPUT ON NON-AGENDA ITEMS – None Scheduled

9. OLD BUSINESS – None Scheduled

10. NEW BUSINESS – None Scheduled

11. ITEMS REMOVED FROM CONSENT AGENDA – None Scheduled

12. COUNCIL CONCERNS – None Scheduled

13. MAYOR'S REPORT - None Scheduled

14. ADJOURNMENT

Franken made a **motion**, seconded by McGinnis, to adjourn the meeting at 8:55 p.m.

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

Aye: 4 (Cheek, McGinnis, Martine, Franken)

Nay: 0

MINUTES APPROVED THE
11TH DAY OF DECEMBER 2024



Charles McNeilly, Mayor

ATTEST



Melissa Thompson, City Recorder