

City of Rockaway Beach

City Council Workshop Minutes



Date: Wednesday, June 11, 2025

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, and Kiley Konruff

Staff Present: Luke Shepard, City Manager; Melissa Thompson, City Recorder; and Mary Mertz, City Planner

3. COUNCIL BRIEFING/DISCUSSION

a. Update on Proposed Ordinance Updates Related to Flood Hazard Overlay Zone

Start time: 4:31 p.m.

Mertz explained that proposed changes to the Flood Hazard Overlay code were being impacted by ongoing litigation between Oregonians for Floodplain Protection and the Federal Emergency Management Agency (FEMA). Mertz reported that a 60-day stay had been issued in the case, and the City's legal counsel recommended not to take further action until there was resolution. Mertz explained that staff recommended that the hearing that was scheduled for that night be continued until the August City Council meeting to allow time for the 60-day stay to end and allow time for analysis of the developments of the case.

b. Review of Ordinances 2025-02/03/04 Updating Zoning Code, Subdivision Code & Comprehensive Plan Related to Middle Housing

Start time: 4:33 p.m.

Mertz gave a presentation providing background information on the proposed amendments to the Zoning Code, Subdivision Code & Comprehensive Plan related to middle housing, resulting from House Bill 2001 and Senate Bill 406.

Mertz explained that most of the code amendments were mandated by state law and the only items under local control included design and dimensional standards that apply to middle housing. Mertz noted that if the City did not adopt the proposed changes, by state law the city would default to the state's model code on July 1st.

Discussion included:

- Recollections of the town hall where consultants advised most of the amendments were state law.
- Mertz commended for excellent work explaining the changes and engaging the community.
- Consultants Cascadia Partners and Planning Commission were commended for their work on the proposed amendments.
- Noted that public response was mostly positive and some developers already had projects ready to move forward to create more available housing.
- Staff confirmed that the Lake Lytle project included only single-family homes and construction would begin at some point.
- Suggestion to post an explanation of the code changes on the website.

c. Review Façade Grant Recommendations

Start time: 4:43 p.m.

Shepard shared slides showing the Façade Grant applicants, requested grant amounts, and Council ranking. He explained that 13 applications were received and over \$320,000 in funding was requested.

Discussion included:

- Wortman Properties proposed sign did not meet the City's sign code. Suggestion that staff request a revised application for Council to consider next month.
- Comments regarding eligibility of Wortman application, noting that the sign would advertise a non-profit, but the application is from a for-profit business.
- Comments that applicants are only eligible for one grant, and Troxel submitted two. Suggestions that building owner submit the second request.
- Pho Real failed to specify façade portion of building in budget. Suggestion to request applicant separate internal from external work in bid.
- Comment that Joe's proposal was for an outside patio, and further comment that it would include removal of fence to add ADA accessibility, which meets criteria.
- Comments that two applications addressed the back side of buildings.
- Desire to support elevator for Tillamara, but concerns expressed about the cargo mover proposed in the application related to outdoor exposure, safety, ADA-compliance, maintenance, comfort, and reliability. Question whether Tillamara would address the northern building. Shepard confirmed that he would share the Council's concerns and discuss other options.
- Comments that it was helpful when applicants included bids.

After discussion, there was Council consensus to refer Wortman Properties, Troxel's Store, Tillamara and Pho Real back to the applicants for revision and resubmission. McNeilly noted that the Resolution at the regular meeting would include the remaining applications.

d. Review of Nominations for Grant Marshal and Volunteer of the Year

Start time: 5:03 p.m.

Shepard reviewed the nominations for Grand Marshal, which included Councilor Cheek. Cheek removed herself from consideration. Council members completed paper ballots and staff displayed a spreadsheet tallying the rankings. The first choice for Grand Marshal was Pat Olson. The first choice for Volunteer of Year was Barb Riley.

e. Review of Amendments to Employee Collective Bargaining Agreement

Start time: 5:11 p.m.

Shepard stated that the collective bargaining agreement with union represented staff expires at the end of the month, and provided an overview of the changes to the agreement negotiated with union representatives.

Cheek excused herself from the meeting at 5:13:22 p.m., and returned at 5:13:50 p.m.

Discussion included:

- Comment acknowledging the addition of a Firefighter II position which provides an avenue for promotion.
- Appreciation expressed for the work union members put into the agreement, and that the agreement was well thought out.
- Praise for city employees and acknowledgement of the positive relationship between management and represented employees.
- Shepard confirmed that references to police officers in the contract did not apply to the current intergovernmental agreement for law enforcement services.

f. Screening Process - City Council Vacancy Applications

Start time: 5:17 p.m.

Shepard explained that the Council rules provided that if there were more than three applicants for a Council vacancy, the process was for the Council to screen candidates to select the top three for interviews.

Discussion included:

- Comments shared about positive interactions with Patrick E. Ryan and his volunteer service in the community.
- Desire expressed to select candidates with a track record in the community and experience serving on boards.
- Comment that Ryan attended the Budget Committee meeting.
- Comments about Justin McMahan's cover letter references to tenacity, and concerns expressed that he is tenacious, but doesn't listen and doesn't do his homework.
- Concern expressed about the time and legal fees the City spent on a lawsuit filed by McMahan and Daniel Howlett, which was ruled in the city's favor.
- Concern expressed that McMahan did not exhibit a growth mindset or collaborative approach.
- Comment that McMahan received 30% of votes in the election; 70% did not vote for him.

- Hope expressed that McMahan would continue to work for the betterment of the community and stay involved but also learn about what we really do here.
- Concerns expressed about personal assumptions McMahan made about them without ever having a prior conversation.
- Interaction shared about an attempt to introduce themselves to McMahan that was met with a dirty look and McMahan walking away.

Council members completed paper ballots and staff tallied the rankings on a spreadsheet. Patrick E. Ryan, Kenneth Kenichi Nakamura and Brian Collar were selected for interviews. Shepard confirmed that candidates would be notified. Shepard noted that there were five applications received, and Erin Warbington-Hall was found ineligible due to voter registration status.

g. Review of Resolution Establishing Forest Stewardship Plan Advisory Committee
Start time: 5:30 p.m.

Shepard explained that the Source Water Protection Plan Development Advisory Committee (SPPDAC) dissolved when the Council adopted the Source Water Protection Plan, and the next step for the City was to develop a Forest Stewardship Plan. Shepard said the proposed resolution would establish a committee to be the citizen advisory committee on the work we do for that plan, and would entail several public meetings over approximately six months. Shepard explained the committee would provide community's voice in process.

Discussion included:

- Former SPPDAC members Sandra Johnson, Lydia Hess and Jason Maxfield are interested in being on the new committee.
- Comments that the former SPPDAC members all did excellent job in their role.
- Comments in favor of including SPPDAC members for continuity.
- Comments regarding great progress on steps toward acquisition of the lower watershed.
- Noted that professional consultants would draft the plan.
- Kudos shared about consultants' contribution to success.

h. Other Regular Session Agenda Items Review
Start time: 5:35 p.m.

Shepard noted that the regular meeting packet was large. Appreciation was expressed for the research and background information provided in the packets.

4. ADJOURNMENT

Start time: 5:36 p.m.

Martine made a **motion**, seconded by Konruff to adjourn the meeting at 5:36 p.m.

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

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

Nay: 0

MINUTES APPROVED THE
16TH DAY OF JULY 2025


Charles McNeilly, Mayor

ATTEST


Melissa Thompson, City Recorder