



# City of Rockaway Beach

## Regular City Council Meeting Minutes

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**Date:** Wednesday, August 20, 2025  
**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: 6:00 p.m.

### 2. PLEDGE OF ALLEGIANCE

### 3. ROLL CALL

**Council Members Present:** Mayor Charles McNeilly; Councilors Penny Cheek, Mary McGinnis, Tom Martine, and Kiley Konruff, Pat Ryan (remote)

**Staff Present:** Luke Shepard, City Manager; Melissa Thompson, City Recorder; Mary Mertz, Public Works Director; Todd Hesse, Fire Chief; Shawna Yost and Fjara Venezia, Firefighters/EMTs; Kevin Grogan, Sheriff's Deputy; and Terrance Watters, Sheriff's Deputy

### 4. CONSENT AGENDA

Start time: 6:02 p.m.

- a. Approval of July 16, 2025 Regular Meeting Minutes
- b. Approval of July 16, 2025 Workshop Minutes
- c. Review of Financial Reports

**Motion** by McGinnis, seconded by Martine, to approve the consent agenda.

**Motion carried** by the following vote:

Yes: 5 (Cheek, McGinnis, Martine, Konruff, Ryan)

No: 0

### 5. PRESENTATIONS, GUESTS & ANNOUNCEMENTS

#### a. State of the City Message – Mayor Charles McNeilly

Start time: 6:03 p.m.

- McNeilly gave a State of the City address. (A copy of the State of the City message is included in the record for the meeting.)

#### b. Small Community Grant Recipient Report - Developmental Disability Program - Pam Hiller, Kielely Petrey, and Jolene Kyriss-Mooney

Start time: 6:25 p.m.

- Hiller, Petrey and Kyriss-Mooney shared an overview of the Developmental Disability Program Picnic event and how the Community Grant received contributed to the event and benefitted their program.
- Hiller gave a thank you card to the Council and thanked staff who assisted at the event.
- Council members expressed appreciation for the quality of the report, and for the program.
- Hiller was encouraged to assess their true needs and apply for necessary funds in the next grant cycle.

## **6. STAFF REPORTS**

### **a. Fire Department**

Start time: 6:35 p.m.

- Hesse presented a staff report on the activities and operations of the Rockaway Beach Fire Rescue department for the month of July 2025.
- Summer staff Firefighters/EMTs, Shawna Yost and Fjara Venezia, were introduced and acknowledged for their work.
- New ladder truck had wheel seal blown in transit and is in Spokane for repairs before delivery.
- Burn ban is still in place. Small fire started by transient in area above Washington Street was extinguished.
- Councilor congratulated Hesse on response to fire.
- Announced upon request that Thursday, October 16 at 11:11 a.m. is Great Shakeout event to practice tsunami evacuation routes.

### **b. Sheriff's Office**

Start time: 6:46 p.m.

- Deputy Kevin Grogan acknowledged his participation in the Developmental Disability Program summer picnic.
- Grogan summarized the Sheriff's Office report for July 2025.
- Councilor request for Deputies to continue increased presence on side streets and near crosswalks.
- Councilor inquiry about firework activity and advised to call the non-emergency number. Noted that a violation must be observed to issue citations.

### **c. Public Works**

Start time: 6:52 p.m.

- Mertz shared slides presenting highlights of operations within the Public Works department for July 2025, updates on projects, and acknowledgement of Public Work's staff response to a power outage at the Water Treatment Plant
- Councilor thanked Mertz and Public Works staff for their work.

**d. City Manager**

Start time: 7:01 p.m.

- Shepard shared a presentation including an overview of business items on the agenda, project updates, staff highlight on Mikael (Kale) Hesse, and public meeting dates in July and August.

**7. PUBLIC HEARING**

**a. Consideration to Continue Public Hearing on Ordinance 2025-05 Amending Zoning Ordinance Related to Flood Hazard Overlay, and the Public Hearing on Ordinance 2025-06 Amending Comprehensive Plan Related to Flood Hazard Overlay to November 12, 2025**

Start time: 7:17 p.m.

- McNeilly explained that the court extended the initial 60-day stay in the proceedings of the case Oregonians for Floodplain Protection v. Federal Emergency Management Agency (FEMA). The city intends to continue the matter of the scheduled public hearing on floodplain amendments until the case plays out.

**Motion** by Ryan, seconded by Cheek to Continue the Public Hearing on Ordinance 2025-05 Amending Zoning Ordinance Related to Flood Hazard Overlay, and the Public Hearing on Ordinance 2025-06 Amending Comprehensive Plan Related to Flood Hazard Overlay to the regular Council Meeting on November 12, 2025 at 6:00 p.m.

McGinnis commented on Council members politely waiting for each other to make a motion.

**Motion carried** by the following vote:

Yes: 5 (Cheek, McGinnis, Martine, Konruff, Ryan)

No: 0

**8. PUBLIC COMMENT ON NON-AGENDA ITEMS**

Start time: 7:19 p.m.

- McNeilly announced that he was made aware that he had not been consistent in handling requests to make public comments from those who arrive after the meeting has begun. McNeilly apologized and stated that going forward, he would not accept the request to make public comments from those who arrive after the meeting is called to order.
- McNeilly stated that 10 individuals were signed up to speak which just met the limit for the 40 minutes allotted.
- Robin Swain, resident, stated she was the one who requested to comment late due to medical treatment. Swain commented on the Neah-Kah-Nie Coast Art and Music Cultural Foundation (NCAM) Music Festival and acknowledged Logan Romig, Public Works, for assistance with power issues during the event. Swain thanked the City for helping make the fundraiser for the High School music department a success.
- Tammy Gover, Nedonna Beach resident, commented in opposition to rails to trails approach to Salmonberry Trail proposal. Gover commented that the project doesn't merit the cost.
- Shirley Peters stated she was ceding her time to Kevin Kleen.
- Kevin Kleen, Wheeler resident, spoke in opposition to eliminating rail service to Wheeler, expressing concern it would eliminate opportunities for those with disabilities. Kleen questioned whether a report or rationale was available.
- Larry Oswald, Tillamook resident, owner of Twins Ranch businesses, shared his experience with State Parks and trail projects. Oswald stated the Salmonberry Trail wouldn't cost millions and offered his assistance with the project.
- Paul Daniels, Garibaldi resident, President of the Oregon Coast Scenic Railroad (OCSR), commented that OCSR supported the Salmonberry Trail and worked to promote the rails with trails concept. Daniels expressed concerns about the suggestion to remove rails, and shared the positive economic impact of the OCSR. Daniels sought documentation on costs, and an amicable, collaborative solution to the problem.
- John Orloff, resident, was pleased to see speed limit change to 20 mph in business district, and suggested signs be posted advising of the speed change in advance of the zone. Orloff reiterated request to restrict parking at NE 3<sup>rd</sup> and NE 2<sup>nd</sup> on the south side of Highway 101 due to visibility issues.
- Goldea See, resident, recommended further studies related to the train. See stated that the train impacts the businesses and the community likes it the way it is.
- McNeilly recognized Denny Calloway. Calloway was no longer present.
- Daniel Howlett, resident, thanked volunteers who put together the NCAM Music Festival. Howlett expressed concerns about the way decisions were being made regarding the Salmonberry Trail, and questioned why the issues regarding the expense weren't discussed in a Council meeting prior to being brought to the Port of Tillamook Bay. Howlett expressed further concerns about transparency, process, unilateral decision-making, and lack of discussion from the Council during public comment.
- Deb Weissenfluh, resident, announced a new non-profit, Go Rockaway, dedicated to enriching the community. Weissenfluh shared a monthly gathering would be held the second Tuesday of each month, beginning September 9<sup>th</sup>. A community garage sale will be held September 20<sup>th</sup>, and the push-in ceremony for ladder truck will be September 27<sup>th</sup>.

## 9. OLD BUSINESS – None Scheduled

## 10. NEW BUSINESS

### a. Consideration to Declare Developmental Disability Program Small Community Grant Complete

Start time: 7:47 p.m.

- McNeilly explained having heard the grant report from the Developmental Disability Program, the Council may now consider a motion to declare the grant complete.
- McNeilly invited public comment. No audience members wished to comment.

**Motion** by Cheek, seconded by Martine, to declare the 2025 Developmental Disability Program Small Community Grant complete.

- Councilors commented that they gave an excellent report.

**Motion carried** by the following vote:

Yes: 5 (Cheek, McGinnis, Martine, Konruff, Ryan)

No: 0

### b. Consideration of Resolution 2025-44 Authorizing the Mayor and City Manager to Award and Execute a Contract with the Lowest Responsive and Responsible Bidder for the Pacific Street Improvement Project

Start time 7:49 p.m.

- McNeilly explained the City received several bids for this project, and this resolution authorizes the Mayor and City Manager to sign a contract with the lowest responsive and responsible bidder.
- McNeilly invited public comment. No audience members wished to comment.

**Motion** by Martine, seconded by Cheek, to approve Resolution 2025-44.

**Motion carried** by the following vote:

Yes: 5 (Cheek, McGinnis, Martine, Konruff, Ryan)

No: 0

### c. Consideration of Resolution 2025-45 Establishing Immunity from Certain Personal Injury or Property Damage Claims Described in ORS 105.668, as Amended by Senate Bill 179 (2025)

Start time: 7:51 p.m.

- McNeilly explained the Oregon Legislature enacted Senate Bill 179 during its 2025 Regular Session, amending ORS 105.668 and making permanent the temporary changes made to the recreational immunity law by SB 1576 in 2024. This resolution allows the City to opt in to the immunity provided for in ORS 105.668
- McNeilly stated recreational immunity is critical for a community like ours with a visitor-driven economy and cities with population under 500,000 must opt in.
- McNeilly invited public comment.
- Nancy Lanyon, resident, thanked the Oregon Trails Coalition, and one of their main members, the Salmonberry Trail Foundation, for helping to bring the legislation to fruition. Lanyon shared about the lobbying and letter-writing efforts.

**Motion** by Konruff, seconded by McGinnis, to approve Resolution 2025-45.

- McGinnis thanked Lanyon for her comments and reminded the public that the City had closed beaches for a brief period of time because there was no recreational immunity. McGinnis stated this allows cities to operate recreational opportunities throughout the state without fear of being sued all the time.

**Motion carried** by the following vote:

Yes: 5 (Cheek, McGinnis, Martine, Konruff, Ryan)

No: 0

**d. Consideration of Resolution 2025-46 Supporting a Department of Land Conservation and Development Housing Planning Assistance Grant Application for Development Code Amendments**

Start time: 7:56 p.m.

- McNeilly explained resolution endorses the Planning Department's submission of a grant application for funding to further update our comprehensive plan and zoning ordinance to meet Statewide Land Use Planning Goal 10: Housing.
- McNeilly invited public comment. No audience members wished to comment.

**Motion** by McGinnis, seconded by Martine, to approve Resolution 2025-46.

**Motion carried** by the following vote:

Yes: 5 (Cheek, McGinnis, Martine, Konruff, Ryan)

No: 0

**e. Consideration of Resolution 2025-47 Supporting Tillamook County's Department of Land Conservation and Development Housing Planning Assistance Grant Application for the Second Phase of Senate Bill 406 Implementation**

Start time: 7:58 p.m.

- McNeilly explained this resolution endorses the County's submittal of an application for the DLCD Housing Planning Assistance Grant to build on work that the City has already begun in collaboration with Tillamook County to implement SB 406.
- McNeilly invited public comment. No audience members wished to comment.

**Motion** by Martine seconded by McGinnis, to approve Resolution 2025-47.

- McGinnis commented that Resolution 2025-46 and 2025-47 are related to state housing laws that the City must be in compliance with. McGinnis stated it was nice to have staff seeking grants to pay for it.

**Motion carried** by the following vote:

Yes: 5 (Cheek, McGinnis, Martine, Konruff, Ryan)

No: 0

**11. ITEMS REMOVED FROM CONSENT AGENDA – None removed**

**12. COUNCIL CONCERNS**

Start time: 8:01 p.m.

- Cheek expressed support for the City Manager, stating that he is doing a fabulous job, and that she disagreed with Daniel Howlett.
- Konruff thanked Dan Emerson and Mitch Leipzig for a tour of the water treatment plant, and stated the City was fortunate to have them as staff. Konruff expressed interest in the CERT program, and commented on the need for preparedness. Konruff shared excitement for how busy businesses in town were. Konruff encouraged support for the Movies in the Park events. Konruff noted that the community members wanted more community-based events, and wonderful nonprofits were making that happen.
- Martine shared that he learned a lot from Chief Hesse during workshop about emergency preparedness and that it was comforting to know the town was safer.
- McGinnis commented on the success of the NCAM music festival, noting she served on Board. McGinnis thanked volunteers who helped and encouraged all to contact Rockaway Beach Volunteers to help with other events. McGinnis encouraged visitors to come to the City on Thursdays, noting the events. McGinnis thanked all for comments about the Salmonberry Trail, and offered to meet with community members to discuss it. McGinnis

noted the trail will be paved, ADA accessible, and suitable for children and cyclists. The train from Garibaldi to Rockaway remains unaffected by the trail plans. McGinnis announced upcoming observational walks on the Salmonberry Trail. McGinnis thanked McNeilly for an excellent State of the City address, and thanked Shepard for spearheading it all.

- Ryan praised Emerson and Leipzig for the tour of water treatment plant, and the effort that went into designing and operating the plant. Ryan commended the Mayor's State of the City address, noting that "this is the City that works." Ryan was excited about Hesse's distribution of emergency information to households. Ryan noted it was helpful to see Sheriff's Deputy vehicles on side streets and around town as a visual reminder for people to travel at a slower pace, and enjoy themselves while they are here.

### 13. MAYOR'S REPORT

Start time: 8:11 p.m.

- McNeilly reported on the Oregon Mayor Association conference. McNeilly thanked those who coordinated and donated toward a gift basket for scholarship fundraising. McNeilly thanked all who submitted nominations for him for a leadership award.
- McNeilly announced the July Coffee with Mayor & Manager meeting notes were included in the agenda packet, and the next Coffee with Mayor & Manager meeting would be held on August 28<sup>th</sup>.
- McNeilly invited the public to email him regarding any questions or concerns about the City.

### 14. ADJOURNMENT

Start time: 8:15 p.m.


**Motion** by McGinnis, seconded by Martine, to adjourn the meeting at 8:15 p.m.

**Motion carried** by the following vote:

Yes: 5 (McGinnis, Martine, Cheek, Konruff, Ryan)

No: 0

MINUTES APPROVED THE  
10<sup>TH</sup> DAY OF SEPTEMBER 2025

  
Charles McNeilly, Mayor 

ATTEST



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Melissa Thompson, City Recorder