

**City of Port Orford
City Council Meeting
In the Gable Chambers / Virtual participants
Tuesday, February 16, 2022 at 5:30 P.M.**

Mayor and Council	Present	City Staff	Present
<i>Pat Cox, Mayor</i>	X	<i>CA Ginsburg</i>	X
<i>Brett Webb</i>	X	<i>Shala Kudlac, City Attorney</i>	X
<i>Gary Burns</i>	X	<i>John Isadore, Public Works</i>	X
<i>Tim Pogwizd</i>	X	<i>Chief Hobart</i>	X
<i>Ann Vileisis</i>	X		
<i>Greg Tidey</i>	X		
<i>Perri Rask</i>	X		

The minutes were prepared to the best of our ability considering the challenging quality of the audio for those attending in the Gable Chambers. The beginning 11 minutes of the meeting was not video recorded.

Others Present: Leila Thompson, Bret Cecil, Erin Minster, Wendy Fry of AccuScript, Marlin of Civil West, Sierra with Siskiyou Discoery Homeschool Cooperative.

1. Call to Order

Mayor Cox called to order this Meeting of the Common Council on Thursday February 16, 2023, at 5:30 p.m. Mayor Cox and attendees recited the Pledge of Allegiance.

2. Additions to the Agenda

Goal setting meeting will be rescheduled.

3. Presentations to Council/Citizens – Gorse/Fire Reduction Plan – Erin Minster

Erin Minster, technical coordinator for the Curry County Soil and water Conservation District, is in attendance. Ms. Minster reported on the Gorse/Fire Reduction Plan which was written with funding from OHA and Business Oregon. The plan is looking at reducing wildfire risk in the drinking water source area. Details and strategies of the plan and gorse control are shared for the city and the urban growth areas. Grants and scope of work are outlined. An agreement for services with the city is needed. **This will be added to the next agenda.**

4. Consent Calendar: C. Pogwizd moved to approve the consent calendar with C. Rask as second. Motion carried 5-1.

a. Re-appointment of Greg Thelen to Planning Commission:

b. Meeting Minutes December 20, 2022

Discussion: C. Vileisis commented on the new meeting minutes format. She feels it does not create a record of discussion.

Councilor Burns Yes Councilor Vileisis Yes Councilor Webb No

4 *Councilor Rask* Yes *Councilor Tidey* Yes *Councilor Pogwizd* Yes

5 **5. Citizens' Concerns:**

6 Penny Suess, Port Orford resident, spoke on item 7.b., short term rental ordinance. She would
7 like the City Council to consider extending a cap to all zones. She feels a cap of 35 covering
8 all zones is reasonable, but if caps are restricted to 1R and 2R a lower number might be
9 better. Ms. Suess reminded council that 4C and 10MU, without a cap, includes a lot of
10 residential property. She feels a lack of cap in these zones are unfair to those living in the
11 zones. She is concerned that on street parking in 4C, 10MU and other zones could be a
12 problem for residents in 1R and 2R that closely border those zones.

13
14 Dana Gurnee, Port Orford resident, spoke regarding the minutes. He wonders where the
15 January minutes are. He wonders if the City Council plans to replace Wendy Fry's style of
16 minutes with the new format proposal. He wonders when the audio and video quality of the
17 meetings will be acceptable. He wonders when the city will update the website to show
18 approved minutes for the months from September, 2022. Mr. Gurnee hopes the city will
19 continue using the full discussion style of minutes.

20
21 Greg Thelen, Port Orford resident, introduced himself as the current chair of the Planning
22 Commission commenting as a citizen on Old Business item 7.b., short term rental ordinance.
23 He reviewed the workshop items. He spoke on item 1 about the cap and reported that the
24 Planning Commission had proposed a cap lower than 33 though the council notes state 43.
25 He suggested that the best time for council to set the cap number would be at the time they
26 adopt the ordinance when the final numbers grandfathered in will be clear. Mr. Thelen stated
27 residential parking was not a question the Planning Commission requested to be sent to City
28 Council. Mr. Thelen spoke on the 300 foot distance requirement question. This number was
29 referred back to the Planning Commission for review. Mr. Thelen spoke on the building
30 inspections, which he states was not a question the Planning Commission referred to the City
31 Council. The Planning Commission and Mr. Kearns had recommended initial inspections
32 and periodic inspections every few years. The Planning Commission is hoping for guidance
33 on parking in the commercial and 10MU zones. Mr. Thelen expressed appreciation to the city
34 councilors for their work.

35
36 **6. Departmental Reports: New liaison reports and appointments will be on the next**
37 **agenda.**

38 **a. Public Works:** A written report has been provided to councilors by Jon Isadore. Mayor
39 Cox requested the number for amount of water sold on the future reports. A **motion** was
40 made and seconded to include the amount of water sold and the corresponding date.
41 Discussion: CA Ginsburg requested clarification on the numbers needed. **Motion**
42 **carried 6-0.**

43 *Councilor Burns* Yes *Councilor Vileisis* Yes *Councilor Webb* Yes
44 *Councilor Rask* Yes *Councilor Tidey* Yes *Councilor Pogwizd* Yes

45
46 Mr. Isadore asked if there was progress on the meter replacements. Mayor Cox advised a
47 propagation study has been completed. The city will be speaking to the vendor to discuss
48 the next steps.

4 **b. Administration/Financial Report:** CA Ginsburg provided a financial report to
 5 councilors and in the packet. C. Vileisis addressed the Action Item on the admin report
 6 regarding the recording system, reminding it has created a problem with the minutes. She
 7 asked what can be done to make it happen. C. Tidey replied it has been difficult to get a
 8 business to come to Port Orford from Eugene or Portland for a consultation.
 9 A **motion** is made and seconded to resolve the recording issue within the next 60 days.

10 *Motion carried.*

11 Discussion: None.

12	<i>Councilor Burns</i>	<u>Yes</u>	<i>Councilor Vileisis</i>	<u>Yes</u>	<i>Councilor Webb</i>	<u>Yes</u>
13	<i>Councilor Rask</i>	<u>Yes</u>	<i>Councilor Tidey</i>	<u>Yes</u>	<i>Councilor Pogwizd</i>	<u>Yes</u>

14
 15 C. Webb commented on the email received by the company preparing the minutes, which
 16 addressed the audio quality and lack of communication. Wendy Fry was in attendance
 17 and clarified that the quality of recording is affecting the amount of hours it is taking to
 18 prepare the minutes. C. Pogwizd clarified what Oregon law requires versus what
 19 councilors want to see.

20
 21 CA Ginsburg presented a draft of the new website to councilors and gave an overview.
 22 One month is an approximately timeline.

23
 24 Financials regarding the police levy was discussed in depth. The importance of keeping
 25 the Port Orford Police versus contracting out is agreed upon by councilors. The ballot
 26 measure needs to be to the county clerk by August. **This will be added to next month's**
 27 **agenda.**

28
 29 CIS met with CA Ginsburg yesterday regarding insurance for the skating club. A letter
 30 was received today and will be shared with councilors and Parks Commission.

31
 32 A meeting with the chairs of each commission and council will schedule a
 33 communication meeting.

34
 35 Legal Counsel Kudlac advised that if the council wants a staff report from the planning
 36 commission, it is normally done by staff and not a member of the Planning Commission.
 37 The reasoning is, if the Planning Commission hears a quasi-judicial type application, it
 38 would be best to have staff say they had a hearing on this type of application. No detail
 39 should come to the council on those items. It would not be appropriate to get staff reports
 40 on those applications ahead of time. Normally what the council would get would be a
 41 synopsis of what the planning department did that month, e.g., single family dwelling
 42 applications, right of way applications, etc.

43
 44 A new employee has been hired, which will be tasking planning assistant duties.

45
 46 C. Vileisis has spoken to CA Ginsburg about a meeting to better understand the financial
 47 reports. Mayor Cox suggested a workshop. Current financial reports are difficult to
 48 understand. Parks budget was discussed.

4 c. **Planning:** A workshop is scheduled.

5
6 d. **Watershed:** Councilor Vileisis provided a written watershed liaison report to councilors.

7
8 e. **Port:** Mayor Cox reported the crane process is moving forward at the Port. They are
9 working on the road hardening with FEMA. The Port just put an ask in with EDA for the
10 seawater system.

11
12 **7. Old Business**

13 a. **Adoption of Proposed Gorse Infestation Fire Reduction Management Plan:** It was
14 moved and seconded to adopt the proposed Wildfire Risk/Reduction/Gorse Infestation
15 Management Plan for Port Orford’s Drinking Water Source Area. *Motion carried 6-0.*
16 Discussion: C. Vileisis reported there might be a few minor tweaks to be sure all matches
17 up but will still align with documents accepted.

18 *Councilor Burns* Yes *Councilor Vileisis* Yes *Councilor Webb* Yes
19 *Councilor Rask* Yes *Councilor Tidey* Yes *Councilor Pogwizd* Yes

20
21 b. **Resolution 2023-01 Banking/Signatures New Council:** C. Burns moved that the City
22 Council pass resolution 2023-01 on the removal and addition of council members to the
23 Rogue bank account with C. Pogwizd as second. *Motion carried 6-0.*
24 Discussion: None.

25 *Councilor Burns* Yes *Councilor Vileisis* Yes *Councilor Webb* Yes
26 *Councilor Rask* Yes *Councilor Tidey* Yes *Councilor Pogwizd* Yes

27
28 c. **Scope of Work for Raw Water BRIC Grant Application.** C. Burns moved to approve
29 the scope of work for Civil West Engineering Services as part of the raw water BRIC
30 grant application submission with C. Vileisis as second. *Motion carried 5-1.*
31 Discussion: Marlin of Civil West is in attendance and recommended that City Council
32 approve option 2 from the scope of work provided. This option will help the city
33 implement a 2nd source for the raw water system to bridge the gap and also help in
34 streamlining the dredging enabling the city to make water while the dredging is taking
35 place. Clearing out, cleaning and improving the current dam is intended. Details
36 regarding scope of work is discussed in depth.

37 *Councilor Burns* Yes *Councilor Vileisis* Yes *Councilor Webb* No
38 *Councilor Rask* Yes *Councilor Tidey* Yes *Councilor Pogwizd* Yes

39
40 d. **Siskiyou Discovery Homeschool Cooperative:** C. Burns moved to approve the rental of
41 the A-frame to Siskiyou Discovery Homeschool Cooperative for 120 dollars per month
42 and direct city staff to draft a rental agreement with C. Pogwizd as second. *Motion*
43 *rescinded.*

44 Discussion: C. Pogwizd and C. Tidey confirmed utilities are included in the rental price.
45 Siskiyou is a nonprofit with approximately five kids under 5 years old and parent run,
46 thus does not need to be licensed. Public Works Superintendent Isadore will inspect the
47 building. Insurance proof has been provided. Sierra will be the responsible party. Legal
48 Counsel Kudlac advised the agreement has to be with Sierra or the Cooperative will need
49 to be added to the insurance. Sierra is hoping for April as a timeline.

4 C. Burns rescinded his motion and C. Pogwizd rescinded his second.
5 C. Vileisis **moved** to direct staff to move forward with drafting a rental agreement
6 contingent upon determining compliance on insurance requirements with CIS and
7 contingent upon identifying the proper name on the agreement with C. Burns as second.
8 **Motion carried 6-0.**

9 Discussion: John Isadore will inspect the building.

10 **Councilor Burns** Yes **Councilor Vileisis** Yes **Councilor Webb** Yes
11 **Councilor Kessler** Yes **Councilor Tidey** Yes **Councilor Pogwizd** Yes

12
13 C. Burns moved to extend the meeting with C. Vileisis as second. **Motion carried 4-3.**

14 Discussion: none.

15 **Councilor Burns** Yes **Councilor Vileisis** Yes **Councilor Webb** No
16 **Councilor Rask** Yes **Councilor Tidey** No **Councilor Pogwizd** No
17 **Mayor Cox** Yes

18
19 **e. Short Term Rental Ordinance Review and Suggestions:** Topics outlined were
20 submitted by the Planning Commission:

- 21 • Residential Cap: Currently the Planning Commission is at 40. Would Council like it
22 to be less or more? A **motion** is made and seconded to set the limit of 33 short term
23 rentals in residential zones. **Motion carried 6-0.**

24 Discussion: The purpose of a cap is discussed. Ordinance enforcement is discussed.

25 **Councilor Burns** Yes **Councilor Vileisis** Yes **Councilor Webb** Yes
26 **Councilor Rask** Yes **Councilor Tidey** Yes **Councilor Pogwizd** Yes

- 27 • Parking: Should the City give residents five years to comply with the parking
28 restrictions? C. Pogwizd is concerned about parking restrictions that do not apply to
29 other businesses. Options were discussed in length regrading parking in Residential
30 Zone and 10MU Zone. City of Port Orford does not have a prior parking ordinance.
31 Legal Counsel Kudlac cautions against special parking permits. Mayor Cox suggested
32 sending parking back to Planning Commission to review the problem areas of parking
33 in both 10MU and Commercial zones.
- 34 • Density of 300 feet; Should the City grandfather in all the STRs that are currently
35 licensed and closer than 300 feet in distance? Council would like Planning
36 Commission to research and justify the 300-foot distance.
- 37 • Building Inspection: Should the City require a health and safety inspection? If so, by
38 who? Council would like Planning Commissioners to justify the need for STR
39 inspections and response time.

40
41 **8. New Business:**

- 42 **a. Resolution 2023-02 Authorization for New Bank Account – Parks Fundraising**
43 **Account:** Parks is asking to see funds from fundraising clearly. Parks would also like
44 citizens to be able to deposit donations. C. Burns moved to pass resolution 2023-02 with
45 a second. **Motion carried 6-0.**

46 Discussion: CA Ginsburg clarified how the financials are transferred and listed. C. Webb
47 is concerned that City Council will not have access or approval of spending the donation
48 funds. CA Ginsburg clarified the purpose and use. An Account Detail was provided by

CA Ginsburg at this meeting. Park Commissioners have not been provided the detail statement in the past six months.

<i>Councilor Burns</i>	<u><i>Yes</i></u>	<i>Councilor Vileisis</i>	<u><i>Yes</i></u>	<i>Councilor Webb</i>	<u><i>Yes</i></u>
<i>Councilor Rask</i>	<u><i>Yes</i></u>	<i>Councilor Tidey</i>	<u><i>Yes</i></u>	<i>Councilor Pogwizd</i>	<u><i>Yes</i></u>

b. Water Moratorium: Meter boxes in the Talus subdivision were damaged while the contractor was cleaning off the property and had to be replaced. The contractor has been advised of where the city is on the water moratorium. New developments who have paid the fees and have been approved can continue with development. Connection to city water is not allowed; however, well water is allowed. CA Ginsburg will contact Planner Shoji for further information on this subdivision. Permit process was reviewed.

c. Shoji Planning Contract Approval: C. Webb moved to approve the Scope of Work provided from Shoji Planning and Development with C. Pogwizd as second. *Motion carried 6-0.*

Discussion: Ms. Shoji will assist in training the new employee.

<i>Councilor Burns</i>	<u><i>Yes</i></u>	<i>Councilor Vileisis</i>	<u><i>Yes</i></u>	<i>Councilor Webb</i>	<u><i>Yes</i></u>
<i>Councilor Rask</i>	<u><i>Yes</i></u>	<i>Councilor Tidey</i>	<u><i>Yes</i></u>	<i>Councilor Pogwizd</i>	<u><i>Yes</i></u>

d. Letter of Support Curry County: C. Burns moved to send a letter of support for Curry County Health and have Mayor sign on behalf of Port Orford with C. Tidey as second. *Motion carried 6-0.*

Discussion: Clarification given.

<i>Councilor Burns</i>	<u><i>Yes</i></u>	<i>Councilor Vileisis</i>	<u><i>Yes</i></u>	<i>Councilor Webb</i>	<u><i>Yes</i></u>
<i>Councilor Rask</i>	<u><i>Yes</i></u>	<i>Councilor Tidey</i>	<u><i>Yes</i></u>	<i>Councilor Pogwizd</i>	<u><i>Yes</i></u>

9. Continuing action Items.

- Priority workshop
- Union negotiations needing executive session
- Website
- Wetland walkway
- Short-Term Rentals
- Roof
- Watershed
- Off-site Backup-Comp-U-Serve
- Rotary Club
- New Hire
- Skating Club

10. Considerations:

Citizen: Citizen asking for clarification of what to expect with the Lindberg house. Mayor Cox advised Historical Society will give a recommendation next month.

Staff: None.

4 **Councilor:** C. Pogwizd asked about moving Citizen Considerations below Citizen Concerns.
5 Citizens can speak about the agenda items and then speak about any item. This would
6 prevent the citizens from having to wait hours to speak and encourage citizen participation.
7 Council rules will have to be changed to accommodate the order. Public comment can be
8 held at the end of the meeting.
9

10 **Mayor:** Mayor Cox acknowledged John Roorbach's contribution to the city, volunteer time
11 and assistance.
12

13 **11. Future Meetings:**

14 **Executive Session to be held February, 23, 2023 at 5:30 p.m. in Chambers.**

15 **Goal Setting Session Workshop to be held February 28, 2023. Councilor goal lists due**
16 **February 24, 2023.**

17 **Thursday, March 16, 2023, Regular Council Meeting 5:30, hybrid.**
18

19 **Adjourn:** There being no further business, Mayor Cox Adjourned the meeting at 9:30 p.m.
20
21
22

23 Attest:
24
25

26 Pat Cox 6/29/23
27 Mayor, Pat Cox
28

Joseph Harrison 6/29/23
City Recorder, ~~Jessica Ginsburg~~
Joseph Harrison