

City of Port Orford
City Council Meeting
In the Gable Chambers / Virtual participants
Thursday, November 1st, 2023 at 5:30 P.M.

Mayor and Council	Present	City Staff	Present
<i>Pat Cox, Mayor</i>	X	<i>City Administrator (CA) John Huttl</i>	X
<i>Brett Webb</i>	X	<i>Joseph Harrison, City Recorder Pro Tem</i>	X
<i>Gary Burns</i>	X	<i>John Isadore, Public Works</i>	X
<i>Perri Rask</i>	X		
<i>Ann Vileisis</i>	X		
<i>Greg Tidey</i>	X		
<i>Tim Pogwizd</i>	X		

*The minutes were prepared to the best of our ability – using the recording available at:
<https://www.youtube.com/watch?v=xvysDSmhIj8>*

Citizen Speakers: Jennifer Head, Aaron Ashdown, Luke Martinez, Andrew Perry, Keely Perry

1. (0:00-0:02) Call to order/roll call/ pledge of allegiance

- a. Mayor Cox calls this meeting of the Port Orford City Council to order @ 5:33 pm.

2. (0:02-0:08) Citizen Concerns – Moved up by the will of the council.

- a. **Jenn Head:** Met with the new homelessness committee to work on gathering information for the exclusionary zone ordinance draft; members include Councilor Rask, Corporal Andrew Perry, Tanya Miller from N2N, and Jen Baily and Pat Ross as community members. Based on the map provided my ARCGIS, the distances in the ordinance are unrealistic. Asks for another month to do research with different proposed distances to try and find a feasible location.
- b. **Aaron Ashdown:** He and his brothers own land near location for possible homeless camp. Lots of places where homeless go are dips and wetlands, including this one. Property Owners would like to work with city to maintain these properties. Hopes the Washington location for camp isn't still being considered as it's a high traffic area.
- c. **Dave McCutcheon:** Likes the idea of using exclusionary zones for the homelessness issue. Recommends the lot by the transfer station could work. The land is unbuildable due to toxic water in the ground, so it could work as a homelessness camp.

3. (0:09-0:29) Presentations to the Council/Citizens

- a. **Curry County Aquatic Safety:** Luke Martinez gives a PowerPoint presentation about his work with aquatic safety. Will be asking city council for financial support, Reads off of a sheet provided and used power point for presentation.

4. (0:30-0:39) Time, Place and Manner Revision

- a. The Homelessness Committee mentioned above is not a formal city committee and the Councilors discuss having it become one. There is a process that would take time to formally establish it as a City run Committee and that would mean the City is taking on more liability and responsibility by making the Committee a formal City committee. Commissioners are in general consensus about allowing this Committee to continue to operate like the Watershed committee, as an informal Committee. Enforcement of the previously established rules seems to be working and appears to be reducing the number of complaints that are being filed. The Council believes that, due to the nature of this issue, that this item should have a lot of public interaction. At this time the next step would be to give the ad hoc Homelessness Committee time to develop recommendations and then come back to present to council.
- b. **Councilor Burns moves to table this item.**
- c. **Councilor Tidey seconds the motion to table.**
- d. **Discussion: Councilors would like to verify that if an item is tabled that it is tabled until it is reintroduced at a future meeting. This is correct.**
- e. **Vote: The motion passes unanimously @ (6:12)**

5. (0:40-0:47) ORD 2023-28: Revised DEQ Loan Agreement:

- a. This Ordinance is to revise a loan agreement with DEQ that would use sewer revenue pledged to DEQ in the event that The City is unable to pay the loan back. Unfortunately, those fund were already pledged to USDA in a preexisting loan so the terms needed to be revised between all three groups. The Ordinance that the Council is looking at tonight is the returned revised terms that have been recommended by municipal bond council and reviewed by Financial Director David Johnson who believes that the City is at no risk.
- b. **Council President Vileisis moves to adopt the Ordinance in a single reading.**
- c. **Councilor Burns seconds the motion to adopt the Ordinance in a single reading/**
- d. **As part of the adoption of an Ordinance it needs to be read in full. CA Huttli reads the full text of the ordinance, which is included with the minutes.**
- e. **Vote: Motion Unanimously carried with all councilors voting yes @ (6:20)**

6. (0:47-0:48) ORD 2023-29: Lightspeed Renewal

- a. Councilor Webb moves to accept the agreement.
- b. Councilor Burns Seconds
- c. **Vote:** Motion Unanimously carried with all councilors voting yes @ (6:21)

7. (0:48-1:57) RES. 2023-30: City Recorder/Planner Job Description & Wage Scale

- a. CA Huttl presented a proposal to codify a new city recorder/ planner job description and wage scale because we have an employee that has been working without these. He explained that Planner 1 is an entry level planning position. Councilor Vileisis asked to add knowledge of Land Use planning, Comprehensive Plan, zoning ordinance to the planner job description. Councilor Webb raised concern about establishing the new combined position when we've not had it in the past. Mr. Huttl explained that the employee has filled important gaps and there is a greater need now for planning work. Councilor Burns raised the question about how the wage scale was created and if it was using the same comparison cities as used for other city jobs. Councilor Tidey raised concerns about fairness with other city staff positions, such as staff that have worked for many years in public works. Councilor Pogzwizd asked for a wage scale that compares wages of all employees, as is typically provided in the budget. In the end, by consensus, the council agreed with the job description but asked to revisit the wage scale — requesting wages from cities used in comparisons for other jobs and also a wage scale that shows comparison of all city positions —to be revisited.

8. (2:12-2:57) Finance Director/ City Administrator Job Description and Wage Scale

- a. Prior to moving onto this item, Council discussed some aspects of it during item 7: RES. 2023-30: City Recorder/Planner Job Description & Wage Scale with most of their initial discussion focusing on the combined nature of the job description and wage scale. Councilors are split on if they want a full time City Administrator and a part time Finance Director, a part time City Administer and a full time Finance Director or a full-time dual Finance Director/City Administer. The reason for conjoining the two is to increase the salary range to entice more people to apply. Additionally, the Council would like Grant writing to be added to the list of qualifications as there was money allocated for grant writing in last year's budget that wasn't used. The Councilors ask if Finance Director could be contracted out, CA Huttl responded by stating he believes that contracting out payroll would be more feasible; although an intergovernmental agreement for Finance Director could work. Councilors also express concern over making the two positions a merged position as there should be some system of checks and balances for financial due diligence. This conversation started at about (1:20).

Councilor Vileisis moves to extend the meeting and take a recess.

Councilor Webb seconds the motion.

Vote passed unanimously @ (7:33).

The Meeting resumed @ (7:46) with CA Huttl excused due to medical issues.

- b. After coming out of recess the Council agrees via implicit consensus, after much discussion to amend the Finance Director/City Administrator job description with the following amendments: change "Supervision is a responsibility of this Position. and have general supervision over all City employees" to "Supervision is a responsibility of this Position. The FDCA general supervision over all City employees", remove educational benefits from the job description (for the purposes of bargaining), Change "Capable of being bonded" to "Eligible to be bonded", add "Grant writing experience" to qualifications, and change the pay scale to 75,000-115,000 (based on experience).
 - c. **Councilor Webb moves to advertise the Job descriptions as previously amended.**
 - d. **Councilor Burns seconds the motion to advertise the job descriptions as previously amended.**
 - e. **Discussion:** This job description is now very specialized, narrowing the potential pool of applicants. By consensus the Council directs staff to work on alternative options for the job descriptions.
 - f. **Vote: Motion Unanimously carried with all councilors voting yes @ (8:30)**
9. (2:58-3:19) **2nd Reading of ORD 2023-25: Amending ORD 22-04; Regarding Water Curtailment, Authorizing Wells on Private Property in City Limits, Providing for Sunsetting Thereof**
- a. **Councilor Tidey moves to accept a second reading of ORD 2023-25: Amending ORD 2022-04 as its been amended since the second reading.**
 - b. **Councilor Vileisis seconds the motion to accept a second reading of ORD 2023-25: Amending ORD 2022-04 as it's been amended since the second reading.**
 - c. **Discussion:** Councilors reiterate that this Ordinance does not apply to wells already existing or in progress. Councilors express concern over lost revenue for each well that is approved to go in which could lead to a negative feedback loop of people not wanting to connect to our system as it's dilapidated, not increasing our revenues for repairing/improving our system, which in turn will encourage more people to put in wells further exacerbating the revenue for improvements and repairs.
 - d. **Vote: Motion Unanimously carried with all councilors voting yes @ (8:32)**
 - e. **The Mayor reads the Ordinance in full.**
 - f. **Council President moves to approve Ordinance 2023-25.**
 - g. **Councilor Burns seconds the motion to approve Ordinance 2023-25.**
 - h. **Vote: Motion Unanimously carried with all councilors voting yes @ (8:52).**

10. (3:19-3:45) Considerations

a. Citizens:

- i. **Andrew Perry:** Corporal for the City and a Union Steward, has some items to address;
 1. It was inappropriate for CA Huttl to call out an employee in a public meeting.
 2. Looking for City Administrator/Financial Director that is a good supervisor and has the other qualifications you're looking for will be difficult. Instead of looking for two people to be underpaid to do 1 job each, you're looking for someone to do multiple jobs underpaid.
 3. The education pay policy is the employee handbook.
 4. Job descriptions have never been voted on as a resolution.
 5. Joseph is the planning assistant, not the planner; he's doing a great job but is still inexperienced. Proposal for Recorder/Planning assistant is required to use certain cities; using the cities listed in the pay scale would be out of the ordinary. All City employees are paid less than other municipalities.
 6. If the primary concern with the Water Curtailment is ongoing base rate payments and not the initial SDC fee, the city could wave the SDC fee when properties with well are required to hook up and only charge them the ongoing fee.
- ii. **Keely Perry:** City Court and Utility Clerk and Union Steward; Would like to clear up confusion, when Joseph was hired, he was hired as a part time accountant, the accounting assistant is Deana. As the Union Steward; the union was not allowed to use bigger cities in wage scale calculations. Supports the Education policy; employees need to be given opportunities to receive education and training. The City Administrator and Financial Director position should be split to avoid conflicts of interest and ensure accountability. Traditionally, the Office manager has been the Financial Director. On the question of Court Officers that the City Administration oversees; the City Administrator cant not have authority over the Municipal Judge due to the City Administrator being the head of the Executive Branch of the Municipal Government and the Municipal Judge is the head of the Municipal Judicial Branch.

b. Councilors:

- i. **Councilor Burns:** Nature Boardwalk; sign on highway wants to take sign down until repaired. Another Councilor let it be known that the City is working on getting a "Closed for Repairs" sticker up on the sign; next step is getting City approval.
 1. **Council President Vileisis moves to put a "Closed for Repairs" sticker up on the Wetland Walkway sign**
 2. **Councilor Rask seconds the motion.**
 3. **Vote Unanimously Yes @ (9:06) pm**
- ii. **Councilor Tidey:** There will be a Disc Golf Tournament held on December 16th in Buffington, it is the third Tournament in this years series of Tournaments held by the Parks department. It is also a toy drive, anyone who donates a still packaged toy gets 3 strokes off their final score.

iii. **Councilor Vileisis:** Went to the watershed land to survey damage from a fire that spread from neighboring land during burn season. Adjacent landowner has cleared land to create a horse farm. Councilor Vileisis contacted the Oregon Department of Forestry and was told they would recommend re-planting of trees and that the County may be able to require replanting as a condition for the land conversion from forest to farm. She asked the council if she could call the County to learn more.

- 1. By Consensus the Council agrees to let Councilor Vileisis make the call and see if a tree buffer on the river can be imposed.

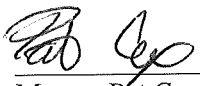
iv. **Council Vileisis:** Gave a presentation to the Senior center on the Police Levy. Requests a workshop on the money set aside by Senator Smith for the outfall so that we know what we can use it on. Clarification on the upcoming resignation of the City Attorney, we need to start advertising. Councilor Vileisis has been working with CA Huttl and Civil West on the BRIC Grant to determine if we can resubmit a stronger application.

v. **Rask:** During the N2N investigation of areas; it has become apparent that Jackson and 17th street area is a problem area with people living there with no water, sewer or electricity.

11. (3:45) Adjourn

a. With no further public business, Mayor Cox Adjourns this meeting of the City Council @ (9:18) pm

Attest:



Mayor, Pat Cox

11/21/2023

Date



City Recorder Pro Tem, Joseph Harrison

11/21/2023

Date