

City of Port Orford
City Council Meeting
In the Gable Chambers / Virtual participants
Thursday, September 21st, 2023 at 5:30 P.M.

Mayor and Council	Present	City Staff	Present
<i>Pat Cox, Mayor</i>	X	<i>City Administrator (CA) John Hutt</i>	X
<i>Brett Webb</i>	X	<i>Dave Johnson, Financial Director</i>	X
<i>Gary Burns</i>	X	<i>John Isadore, Public Works</i>	X
<i>Perri Rask</i>	X	<i>Joseph Harrison, City Recorder</i>	X
<i>Ann Vileisis</i>	X	<i>Shala Kudlac, Legal Counsel</i>	X
<i>Greg Tidey</i>	X		
<i>Tim Pogwizd</i>	X		

The minutes were prepared to the best of our ability – no recording available

Citizen Speakers: Diana Marmon, Bob Milenz, Kate McClung

1. Call to order/roll call/ pledge of allegiance

- a. Moment of Silence for Former City Councilor; following brief comments by former council member Francie McCleod, the council held a moment of silence for former councilor Caroline Clancy who recently passed away.**

2. Presentations to the Council/Citizens

- a. ODOT: Highway 101/Oregon Ave. Status Report. ODOT staff described their efforts to wrap up the highway improvement project with stripping, crosswalks, and signage. They will not be able to complete paving this year. They fielded questions from Council members about the hazards to high and extended curbs and location of the northernmost crosswalk.**

3. Consent Calander

- a. Minutes 8/17/23: Needed the following amendments.**
- i. “4 point trail” should be “Fort Point Trail”.**
 - ii. Old Business 7(b) vote is incorrect, it should be Councilors Vileisis and Webb that voted no.**
 - iii. Councilor Tidey didn’t leave early that night.**
 - iv. The vote to extend the meeting was 3-3 with Webb voting no and Burns voting yes.**
 - v. Councilor Vileisis motions to approve the minutes as amended.**
 - vi. Councilor Pogwizd seconds the motion.**
 - vii. Vote: Passed Unanimously @ (6:10) pm**

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

- b. **Financials:** Councilors ask about incongruities between what the former administration told them and the documents presented; they were told the SDC fund had almost \$10,000,000 (ten million) in the account, but it actually has approx. \$800,000 (eight hundred thousand). The amount being presented to the Council in the documents is the correct amount. The Councilors discuss if Financials should go in the Consent Calendar for approval or in the departmental reports; Legal Counsel Kudlac stated that either could be appropriate, the Council decided via consensus to have finances in the departmental reports.

4. Additions to the Agenda

- a. CA HuttI requested the following additions to the agenda.

i. Lightspeed Network

1. Vileisis motions to add this item to the agenda as 8(b)
2. Burns seconds the motion.
3. Vote passed unanimously @ (6:27)

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

ii. Water Permits

1. Webb motions to add this item to the agenda as item 8(c)
2. Tidey Seconds the motion.
3. Vote passed unanimously @ (6:28)

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

iii. Executive session (###) for labor negotiations

1. Burns motions to add this item to the agenda as 8(d)
2. Webb seconds the motion.
3. Vote passed unanimously @ (6:29)

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

iv. Suicide Prevention (proclamation?)

1. Pogwizd motions to add this item to the agenda as 8(b)
2. Burns seconds the motion.
3. Vote passed 5-1 @ (6:30) (Webb no)

<i>Councilor Burns</i>	<u>Yes</u>	<i>Councilor Pogwizd</i>	<u>Yes</u>	<i>Councilor Rask</i>	<u>Yes</u>
<i>Councilor Tidey</i>	<u>Yes</u>	<i>Councilor Vileisis</i>	<u>Yes</u>	<i>Councilor Webb</i>	<u>No</u>

- b. Councilor Rask requested that N2N be added as a liaison report. Councilors agree by consensus.

5. Citizen's Concerns – By Consensus the City Council is allowing items not the agenda to be spoken on tonight.

- a. **Diana Marmon:** Has presents a petition from her neighborhood to lower the speed limit on Hamlet from 25 MPH to 15 MPH for safety of kids and wildlife. The Council discussed speeding throughout the town and possible solutions and directed staff to review the procedure to change the speeding limit and research other possible solutions.

b. Bob Mielenz: Question about the minutes, item 10 (b) (N2N having trouble with city staff) wants to know what those troubles are. Speaking of the homelessness issue, he says that anything the city subsidizes we get more of and urges careful consideration of the direction the city is going.

c. Kate McClung: 2 issues to discuss

- i.** Homelessness: She has lived here for almost 20 years, 16 peaceful ones but the last 2 years have been turbulent. She has been exposed to physical and verbal fights from the homeless population in town; though N2N has rules for those they are trying to help, the rules aren't being followed. This has driven her property value down and she feels as though she may have to sue the city due to recoup the loss. Why does the city have to provide something for these people? It doesn't have the spare resources.
- ii.** Speeding on Idaho is out of hand; a petition was filled out and filed in 2022 to reduce the speed on Idaho but nothing was ever done about it. The neighborhood has a lot of children that play and speeding is a hazard. The council directs staff to include Idaho in their research on speeding solutions.

6. Departmental Reports

a. Administration

i. Business Oregon Grant \$750K for water recycling: The City has been awarded a grant for water recycling in relation to the Pacific Gales project and CA Huttl would like some direction on what the Council would like to prioritize. The Council asks clarifying questions about our obligations and what the grant could be used on. At the time of the extension on the project permit, Legal Counsel Kudlac stated we wouldn't have any obligation to the Pacific Gales project. The councilors don't think there's enough information at this time and directs staff to review the legislation, do more research with the state to see what we can do, generate a list of possible projects, and schedule a workshop date/time if a larger discussion is necessary.

ii. BRIC grant explanation of non-award: The BRIC grant we applied to earlier this year was not approved, but the letter they sent seems to allow the city to re-submit after clearing up some issues. The council discussed if they thought this seemed worth while when the city scored less than 60/100 on both applications. Huttl requested an hour to discuss with the Civil West engineer who helped us put the application together so we can learn how to increase our scores for the next one.

1. Councilor Vileisis motions to direct staff to spend an 1-2 hours with the engineer to learn more.

2. Councilor Pogwizd seconds the motion.

3. The vote passed unanimously yes @ (7:15)

Councilor Burns
Councilor Tidey

Yes
Yes

Councilor Pogwizd
Councilor Vileisis

Yes
Yes

Councilor Rask
Councilor Webb

Yes
Yes

b. Finance – Previously covered and there are no questions for David Johnson. Mr Huttl recommends councilors schedule individual sessions with Mr. Johnson.

- c. **Public Works** – John Isadore reads off of his written report that has been added as part of the record. Main things are nearing completion of permitting to upgrade AZ lift station (?) and need to schedule emptying Hummus Pond before rains. Additionally, in response to the Anvil Fire, the city has entered into 2 agreements with the Federal government to help with the firefighters; one for providing potable water to the camp which has approx. 1000 workers and one to remove the wastewater. We should be on high alert, if the Elk River substation gets affected by the fire, we'd lose power in town; John Isadore recommends that the city needs to update its Emergency Response Plan to ensure we have emergency generators to run the water and sewer systems.
- d. **Police** – None
- e. **Planning** – Councilor Rask suggest that planning commissioners should go to properties when considering at an application so they can be informed; John Hutt explains that there can be issue with that because as government entities we can only enter private property when invited. Planning reports are intended to bring all the needed information to the PC members.
- f. **Mayors Report** – Has been going to the Anvil Fire Co-operator meeting every morning, so far everything has been going fine but anything we can do to help the firefighters would be appreciated.

Prior to Liaison Reports; Councilor Vilisis motioned to extend the meeting and take a recess

Councilor Burns seconds the motion.

Vote passed 3-3 with Mayor Cox voting in favor of the extension.

<i>Councilor Burns</i>	<u><i>Yes</i></u>	<i>Councilor Pogwizd</i>	<u><i>No</i></u>	<i>Councilor Rask</i>	<u><i>Yes</i></u>
<i>Councilor Tidey</i>	<u><i>No</i></u>	<i>Councilor Vileisis</i>	<u><i>Yes</i></u>	<i>Councilor Webb</i>	<u><i>No</i></u>
<i>Mayor Cox</i>		<u><i>Yes</i></u>			

g. Liaison Reports

i. Port – Webb: Crane work is in process.

ii. School – Rask: Met with the Superintendent; there is interest in setting up a career day and field trips to the sewer and water plants, and the school is low on PE equipment.

iii. Fire District – Tidey: The Fire District is on patrol and dealing with the fire.

iv. Watershed – Vileisis: Mostly a continuation of last months, still in the process of acquiring land.

- v. Parks – Tidey: Upcoming Disc golf event has almost sold out and the playground RP is progressing.
- vi. TLT – Pogwizd: Still looking for volunteers for the committee.
- vii. Mainstreet – Burns: Bike racks have arrived and should be installed prior to next meeting. Visitor Center work is close to being done, one of the few issues left to resolve is the key. Public works is asked to install a combination lock box for the key on the side of the building.
- viii. Emergency Mgmt. – Burns: Facebook page has been made and has approx. 600 members. The EMC is heavily recommending citizens have a go bag ready, this is especially critical at this time to the Anvil Fire.
- ix. N2N – Rask: Has gone to multiple N2N meetings. The address issue they previously had has been dealt with. N2N feels as though the city doesn't support them, Liaison Rask reiterated that the city supports their efforts, but ultimately its their effort, not the cities. In order to get better insurance for the location of the camp, N2N is asking if we could lease them the land as they need a lease to move forward on insurance. They would also like assistance on building a fence on the property and landscaping work. Additionally, they would like to hang signs stating that the property isn't an open campground. Councilor Pogzwid then ask if "No Open Fire" signs were ever hung? – no. The councilors then asked what the long-term plan for N2N is – they ultimately want to purchase property to do their work on and currently working with ADAPT to get addiction services in town. Legal Counsel Kudlac recommends caution on leasing city property as we could still be liable if constitutional rights are being violated. The amount of people in the camp has increase from 2 to 8 since the council first voted on the issue and by consensus the council believes that the camp has only gotten worse since that time. Councilor Burns suggests that regular meetings between the city and N2N and other partners are needed. Due to the scale of this issue the Council believes that this should be a workshop in the near future and at least re-evaluate the location of the camp; with the property behind Kar Kare being mentioned as a possibility.

1. Officer Brennan (new PO officer): Has 20 year of law enforcement experience and believes our system is broken. The camp is growing because the officers have been removing people from private property, including another camp between 4 private properties on a city right of way. Officer Brenan was not aware of the existence of N2N and hasn't been able to get in contact with any of the members but would volunteer to engage with the organization to provide a law enforcement perspective and help to improve collaboration. He has been doing what he can and while a good number of homeless

individuals are complaining, there are also a lot of drug and mental health issues that create issues. Additionally, there are concerns over pollution as a lot of these camps are along waterways so that the water can be used to remove waste (biological and trash) from the sites which is also a problem.

7. Old Business

a. Emergency Response Commission:

- i. Burns motions to approve the Ordinance for a first reading.
- ii. Burns rescinds motion to approve the Ordinance as it didn't make it in the packet.
- iii. Webb motions to continue 7(a) in the next meeting.
- iv. Burns seconds
- v. Vote was passed 5-1 @ (8:49) pm with Tidey abstaining

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

8. New Business

a. Res. 2023-24 Swearing in of Joseph as City Recorder:

- i. Webb motions to continue this item at the next meeting.
- ii. Councilor Pogwizd seconds
- iii. Vote failed 2-4 with Pogwizd and Webb voting yes.

<i>Councilor Burns</i>	<u>No</u>	<i>Councilor Pogwizd</i>	<u>Yes</u>	<i>Councilor Rask</i>	<u>No</u>
<i>Councilor Tidey</i>	<u>No</u>	<i>Councilor Vileisis</i>	<u>No</u>	<i>Councilor Webb</i>	<u>Yes</u>

- iv. Discussion revolved around the lack of job descriptions, the fact that we're currently in union negotiations and shouldn't give one employee a raise and if Joseph is receiving pay appropriate for the work that he's doing. Job descriptions are currently in process, the union stated in writing that this is fine as it's not a raise it's a reclassification to bring Josephs title and pay in line with work that he does.

v. Burns motions to accept Resolution 2023-24

vi. Vileisis seconds the motion.

vii. Vote passed 4-2 @ 9:16 with no further discussion.

<i>Councilor Burns</i>	<u>Yes</u>	<i>Councilor Pogwizd</i>	<u>No</u>	<i>Councilor Rask</i>	<u>Yes</u>
<i>Councilor Tidey</i>	<u>Yes</u>	<i>Councilor Vileisis</i>	<u>Yes</u>	<i>Councilor Webb</i>	<u>No</u>

b. Res 2023-25

- i. Vileisis motions to continue 8(b) in next month's meeting and direct CA Huttl to reevaluate rates.
- ii. Tidey seconds the motion.
- iii. Vote unanimously yes @ (9:23) pm

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

c. Garrison Lake Water Permits

- i. Pogwizd motions to let the Permits.

ii. Burns seconds the motion.

iii. Vote passed unanimously @ 9:25

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

9. Continuing Action Items

- a. Mayor lists items that the city is continuing to work on; job descriptions, Right-Of-Way permits back to the council, emergency management commission ordinance.
- b. Proclamation from the city on Suicide prevention month; not read as CA Hutt didn't think it would be accepted so it was left in his office. Hour is late so council by consensus agrees to not consider the proclamation.

10. Considerations

- a. Councilor Vileisis brings up the Police Levy and asks for clarification on role that city councilors need to play to help citizens understand the importance of voting. Pogwizd recommends a town hall meeting. Webb recommends forming a PAC and buying signs. The hour is late so no plan is made.

11. Future Meetings – Proposed dates

- a. Monday, September 25th, 2023; Special Session: Well Workshop In the Gable Chambers and Online at 5:30 pm
- b. Thursday, October 19th, 2023; Regular Meeting In the Gable Chambers and Online at 5:30 pm

12. Adjourn

- a. With no further public business, Mayor Cox Adjourns this meeting of the City Council @ (9:55) pm and moves the Council into Executive session ORS 192.660 (2) (d): To conduct deliberations with persons designated by the governing body to carry on labor negotiations.

13. Executive session ORS 192.660 (2) (d): To conduct deliberations with persons designated by the governing body to carry on labor negotiations ends at 11:45 pm

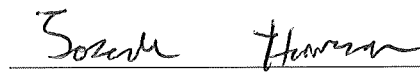
Attest:



Mayor, Pat Cox

11/21/2023

Date



City Recorder, Joseph Harrison

11/21/2023

Date