

City of Port Orford
City Council Meeting Minutes
In the Gable Chambers / Virtual participants
Thursday, July 20th, 2023 at 5:30 P.M.

Mayor and Council	Present	City Staff	Present
<i>Pat Cox, Mayor</i>	X	<i>Joseph Harrison, City Recorder Pro Tem</i>	X
<i>Brett Webb</i>	Late	<i>Shala Kudlack, Legal Counsel</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 at:
<https://www.youtube.com/watch?v=dF8HX3chZjQ>

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 @ 5:30 pm.

2. (0:24-1:15) Presentations to the Council/Citizens

- a. Marlin from Civil West – Update on Dredging Permit: Surveyed the reservoir, passes out results to Councilors. Previous permit went from 2008 to 2013. Since then, there has been a nationwide general permit for how much sediment can be removed, which is a much smaller amount. There is now a lot more sediment in the reservoir than there was previously. Civil West recommends a standard individual permit which is good for 10 years instead of 5. Permit application is currently being reviewed by several state and national agencies. There is a discussion on expanding the basins to increase the amount of sediment that they can safely contain. City should continue looking for funding, the BRIC grant requires a match, but the match can come from other grants. By consensus the Council agrees to have a workshop with Civil West on the Dredging.

3. (0:02-0:23) Consent Calendar

- a. Councilor Webb arrived at 5:32
- b. Councilors are asked to review the minutes the June 29th meeting because they were added late, they are needed for a CDB Grant application to move forward. They are moved to item 8(c).

- 41 c. Councilor Pogwizd motions to approve the Consent Calendar items; June 15th minutes
- 42 as amended during discussion, Café Gemma OLCC License, Carol Lawton
- 43 Appointment to Planning Commission.
- 44
- 45 d. Councilor Burns seconds the motion.
- 46
- 47 e. Discussion: Misspellings in the Minutes; "Lorin Kessler", "Bob Mailenv", "Dr. Lowry",
- 48 "Bill Delong", add time-stamps to each item, remove "Others Present" from the top of
- 49 the minutes, on 7(c) "Mainstreet believed their labor,.... "
- 50
- 51 f. Vote: Unanimously yes @ (6:53)
- 52

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

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57 **4. (0:00-0:24) Additions to the Agenda**

- 58 a. Lightspeed Franchise agreement added as item 7(b).
- 59 b. Executive Session under "ORS 192.660 (2) (d): To conduct deliberations with persons
- 60 designated by the governing body to carry on labor negotiations" added at the end of
- 61 the meeting.
- 62 c. Dredging Permit update has been added to presentations to the Council.
- 63

64 **5. (1:15-2:17) Public Hearing: Res. 2023-18: To Renew the Local Option Levy to Fund the Police**

- 65 a. Public Comment: Mayor Cox opens the public comment part of the meeting at 6:45
- 66 then hearing no comment closes it at 6:47.
- 67 b. Councilor Pogwizd moves to accept Resolution 2023-18 at a rate of \$1.80/\$1000.
- 68 c. Councilor Burns seconds the motion.
- 69 d. Discussion: There is a question of the increase in the levy was to \$2/\$1000 or
- 70 \$2.20/\$1000. If increased to \$2.20 it would cost our average citizen about an
- 71 additional \$25 per year. There is worry that any increase past \$1.80/\$1000 will result
- 72 in "No" vote from the citizens, which would result in an even worse funding
- 73 position. The Police Chief believes that the \$1.80 is sufficient to keep operating – it's
- 74 better to have a \$1.80/\$1000 levy than no levy at all. If there is no increase, we won't
- 75 be able to authorize an increase for another 5 years and the police department
- 76 already operates at a loss. There has been a decrease in revenue from traffic citations
- 77 due to ODOT's reconfiguration of Hwy 101 since the last time the Levy was renewed
- 78 and it's become more well known that Port Orford is a "speed trap". There is a
- 79 minor grammatical change requested by consensus; the words "imposed" and
- 80 "enacted" replaced with the word "renewed".
- 81 e. Vote: Unanimously yes @ (7:15)
- 82

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

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- 87 f. Councilor Vileisis moves to make the following amendments to Resolution 2023-18;
- 88 strike the first sentence, adds "at the rate established in 2019" to the second

89 sentence, change enacted to renewed in the fourth sentence, in the fifth sentence
90 remove imposed and replace with renewed.

- 91 g. (2:02) Before there is a second CA HuttI offered to take a 15 minute recess so that he
- 92 can go make the above changes and re-present it to the Council.
- 93 h. Without a formal proposal or a second all councilors vote yes.

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

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- 99 i. (2:15) The Council comes out of recess at 7:45 with new materials presented by CA
- 100 HuttI.
- 101 j. Councilor Vileisis Motions to extend the meeting.
- 102 k. Councilor Burns Seconds the meeting'
- 103 l. Vote: motion carries with a vote of 4-2 @ 7:46

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

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- 108 m. Councilor Rask motions to accept the new Resolution as written.
- 109 n. Councilor Burns seconds the motion.
- 110 o. Vote: unanimously yes @ 7:47

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

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117 **6. (2:17) Citizen Concerns: None**

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119 **7. (2:18-) Departmental Reports**

- 120 a. (2:18-2:36) Administration: CA HuttI recommends have a workshop/special meeting
- 121 every month in between regular meetings for the next few months to attempt to
- 122 reduce the amount of time we spend in each meeting. Councilors express concern that
- 123 having more meetings won't lead to shorter meetings. CA HuttI recommends having a
- 124 part time Finance Director and a part time Administrator instead of a full time
- 125 combined position. We got \$750,000 from the state for water recycling, there will be a
- 126 meeting tomorrow with the heads of public works to find the best place to spend it.
- 127 Updated cost on the Community Buildings renovations, combined (Legion Hall and
- 128 Community Building) costs almost \$2 million – there is a \$1.5 million Community Block
- 129 Development grant that we are applying for. DEQ loan was supposed to be secured
- 130 with revenue from our water/sewer services, but that has already been used to
- 131 guarantee another loan – HuttI is working to resolve it. CA HuttI will be unavailable
- 132 between September 11th and 15th.
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- b. (2:36-2:42) Finance: Discussion on if we should put a workshop on this topic onto the consent calendar in future meetings since the Council approves the financial report. The legislature approved \$750,000 for water recycling. This was a capital request from Senator David Brock Smith -to be used on an effluent line to the golf course line. The Councilors discuss if it needs to be used for the golf course without coming to a consensus. CA Huttli says need first to learn more about the specifics requirements for this money from Biz Oregon.
 - c. (2:42-2:56) Public Works: Propane leak at the community hall had been fixed. There was a main break that was fixed overnight. Parts of the line on Hamlet are rotten and need to be replaced. Public works is looking at new meters and will give a presentation to the Council if it seems worth it to change to the new style. Boil water notices are posted to affected areas and a notice is put on our website with time frame and areas affected. Councilors ask questions about wells and schedule a well workshop and request a draft of a well ordinance.
 - d. (2:56) Police: Nothing new
 - e. (2:56-2:57) Planning: STR ordinance is on the agenda and we have a couple grants we are applying to
 - f. (2:57) Mayors Report: none.
 - g. (2:58-3:00) Liaison Reports
 - i. Port – Webb: Nothing.
 - ii. School – Rask: Nothing .
 - iii. Fire District – Tidey: Nothing
 - iv. Watershed – Vileisis: Written report in packet.
 - v. Parks – Tidey: July 4th had a disc golf tournament, 50 people showed up and \$1250 was raised. Friday night kids skating event in community building is back.
 - vi. TLT - Pogwizd: None
 - vii. Mainstreet – Burns: Visitor Center being worked on, the desk has been removed, Red Fish Rocks is going to have a display in there, working on staffing, we need cable and phone in there for safety reasons,
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- 8. (3:00-3:37) Old Business
 - a. Res. 2023-15: Short Term Rentals
 - i. This is the first reading for the Ordinance, fees will be presented to the council during the second reading. CA Huttli explains the organization of the bill and each component of it. Councilors discuss the 30 minute restriction

181 on complaints and the resulting penalty. The cap restricting the number of
182 STRs in town only applies to 1R and 2R (residentially) zoned properties and
183 the councilors discuss how many are currently in those zones which has been
184 the subject of confusion in the past months – Joseph agrees to get a firm
185 number for the council before the next reading. CA HuttI requests the
186 Council submit questions about his prior to the next reading to be addressed
187 at the next reading so that this meeting can move along.

- 188 ii. Councilor Vileisis moves to allow this Resolution to move on to a second
- 189 reading.
- 190 iii. Councilor Tidey seconds the motion.
- 191 iv. Vote: unanimously yes @ 9:07
- 192

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

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197 b. (3:37-3:52) Franchise agreement with Coos-Curry Electric: Old agreement expiring and
198 this is the new one, we have options on rates and restrictions, CA HuttI would like
199 direction on which the council would like; if the Council decides to go with the lower
200 rate the city is responsible for paying it, if the higher rate is selected, the rate gets
201 passed on to the customers. The Council will send their thoughts to CA HuttI prior to
202 the next reading.

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- 204 i. Councilor Pogwizd moves to a second reading.
- 205 ii. Councilor Tidey seconds the motion.
- 206 iii. Vote: Unanimous yes @ 9:22
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208	<i>Councilor Burns</i>	<u>Yes</u>	<i>Councilor Pogwizd</i>	<u>Yes</u>	<i>Councilor Rask</i>	<u>Yes</u>
209	<i>Councilor Tidey</i>	<u>Yes</u>	<i>Councilor Vileisis</i>	<u>Yes</u>	<i>Councilor Webb</i>	<u>Yes</u>

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212 At 9:22 (3:52) Councilor Webb is excused.

213

214 9. (3:53--1:)New Business

215 a. (3:53) Res. 2023-16: Emergency Response Commission (ERC)

- 216
- 217 i. Councilor Tidey moves to accept Res 2023-16
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- 219 ii. Councilor Burns seconds the motion.
- 220
- 221 iii. Discussion: ERC requests some changes to the resolution; allow
- 222 membership from anyone in the Rural Fire district, not just within City
- 223 Limits the Councilors discuss if this appropriate for a City Committee.
- 224
- 225 iv. Councilors Tidey and Burns rescind their motion to approve
- 226

227 v. (4:12) Councilor Pogwizd motions to continue this item at the August
228 meeting.
229

230 vi. Councilor Vileisis seconds the motion.
231

232 vii. Vote: vote carries 5-1 @9:44

233	<i>Councilor Burns</i>	<u>Yes</u>	<i>Councilor Pogwizd</i>	<u>Yes</u>	<i>Councilor Rask</i>	<u>Yes</u>
234	<i>Councilor Tidey</i>	<u>Yes</u>	<i>Councilor Vileisis</i>	<u>Yes</u>	<i>Councilor Webb</i>	<u>(Absent)</u>

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237 b. (4 :14) Res. 2023-17 DLCDD Grant for Code Changes: \$16,000 grant with \$4000 match
238 from the city in the form of employee labor.

239 i. Councilor Vileisis moves to approve resolution 2023-17.

240 ii. Councilor Rask seconds the motion.

241 iii. Discussion: Councilors don't want to approve anything that hasn't been on the
242 agenda so that Councilors can review materials prior to voting.
243

244 iv. (4:17) Vote: with a vote of 5-1 the motion carries @ 9:47.
245

246	<i>Councilor Burns</i>	<u>Yes</u>	<i>Councilor Pogwizd</i>	<u>Yes</u>	<i>Councilor Rask</i>	<u>Yes</u>
247	<i>Councilor Tidey</i>	<u>Yes</u>	<i>Councilor Vileisis</i>	<u>Yes</u>	<i>Councilor Webb</i>	<u>(Absent)</u>

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249 c. (4:20-4:24) Minutes of June 29th meeting.
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251 i. Councilor Burns moves to approve the minutes of June 29th as amended
252 below.

253 ii. Councilor Tidey seconds the motion.

254 iii. Discussion: Present, Absent or Excused in the attendance for councilors as
255 more than 3 Absents can result in the vacation of the position. "Legislater" to
256 "Legislator"
257

258 iv. Vote: with a vote of 5-1 the motion carries.@ 6:46.
259

260	<i>Councilor Burns</i>	<u>Yes</u>	<i>Councilor Pogwizd</i>	<u>Yes</u>	<i>Councilor Rask</i>	<u>Yes</u>
261	<i>Councilor Tidey</i>	<u>Yes</u>	<i>Councilor Vileisis</i>	<u>Yes</u>	<i>Councilor Webb</i>	<u>(Absent)</u>

262

263 10. (4:25) Continuing Action Items - None
264

265 11. (4:25) Considerations
266

267 a. Councilor Rask: We should have town hall meetings so that people can get info about
268 what the City Council is doing.
269

270 b. Councilor Vileisis: Would like better communication with our citizens on our water
271 rates and restrictions. This discussion item is added to the upcoming workshop.
272

273 c. Councilor Burns: Would like more clarity on Job Descriptions so that the Council makes
274 sure everything is being done.
275

276 d. Joseph Harrison (Recorder pro tem): Seeks clarity on how the council wants time
277 recorded in the minutes; timestamps.
278

279 12. Future Meetings – August 18th @ 5:30 pm
280

281 13. (4:41) Executive Session under ORS 192.660 (2) (d): To conduct deliberations with persons
282 designated by the governing body to carry on labor negotiations
283

284 a. Councilor Tidey motions to go into Executive Session under ORS 192.660 (2)

285 b. Councilor Burns seconds the motion

286 c. Vote: Motion carries 5-1 @ 10:11
287


288	<i>Councilor Burns</i>	<u>Yes</u>	<i>Councilor Pogwizd</i>	<u>Yes</u>	<i>Councilor Rask</i>	<u>Yes</u>
289	<i>Councilor Tidey</i>	<u>Yes</u>	<i>Councilor Vileisis</i>	<u>Yes</u>	<i>Councilor Webb</i>	<u>(Absent)</u>
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291 14. Adjourn
292

293 a. With no further Business, and coming out of executive session Mayor Cox adjourned
294 this meeting @ 11:45
295

296
297 Attest:

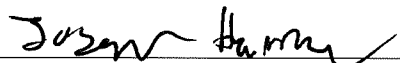
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Mayor, Pat Cox

1/31/2024

Date



City Recorder Pro Tem, Joseph Harrison

1/31/2024

Date