City of Port Orford
Regular City Council Meeting
In the Gable Chambers / Virtual participants
Thursday, August 22th, 2024 at 5:30 P.M.

Mayor and Council	Present	City Staff	Present
Pat Cox, Mayor (PC)	X	*City Administrator (CA) Melissa Radcliffe*	X
Brett Webb, Councilor (BW)	Virtual	*Joseph Harrison, City Recorder*	X
Gary Burns, Councilor (GB)	X	*John Isadore, Head of Public Works*	Virtual
Perri Rask, Councilor (PR)	X	*Hank Hobart, Chief of Police*	X
Ann Vileisis, Councilor (AV)	X		
Greg Tidey, Councilor (GT)	X		
Tim Pogwizd, Councilor (TP)	Virtual		

The minutes were prepared to the best of our ability using the recording available at:
https://www.youtube.com/watch?v=CQ-YEoUCmRg

1. **(0:00-0:01) Call to Order/Roll Call/ Pledge of Allegiance**
   a. Mayor PC leads the chambers in the pledge of allegiance and opens the meeting @ 5:30. All councilors are present, except Councilor BW.

2. **(0:01-0:02) Additions to the Agenda**
   a. None

3. **(0:03) Presentations to the Council/Citizens: None**

4. **(0:03-1:12) Consent Calendar**
   a. Councilor AV motions to accept items 3(a) Minutes 7/18/2024 as noted & 3(b) Proclamation: Joyce Muller Day as presented.

   b. Councilor BW seconds the motion

   c. Discussion: Councilor AV has some corrections on item 3(a) that she lists, they are accepted. Mayor PC reads the proclamation.

   d. Vote: unanimous yes by present members 5-0-1 @ 5:39 pm

Councilor Burns	***Yes***	***Councilor Pogwizd***	***Yes***	***Councilor Rask***	***Yes***
Councilor Tidey	***Yes***	***Councilor Vileisis***	***Yes***	***Councilor Webb***	***Absent***

e. (0:07-0:30) Councilor TP moves to have the applicant on item 3(c)(1) Right of Way Permit: Armi, come back with more information next month.

f. Councilor AV seconds the motion.

g. Discussion: The Council would like to see a map of trees to be removed along with their diameters and have it signed off by the Head of Public Works before approving the permit.

h. Vote: motion carries unanimously among present members 5-0-1 @ 6:00 pm.

Councilor Burns	***Yes***	***Councilor Pogwizd***	***Yes***	***Councilor Rask***	***Yes***
Councilor Tidey	***Yes***	***Councilor Vileisis***	***Yes***	***Councilor Webb***	***Absent***

i. (0:30-1:12) Councilor TP motions to accept item 3(c)(2) Right of Way Permit: Sudden Oak Death

j. Councilor AV seconds the motion

k. Discussion: Councilors discuss if a right-of-way permit is appropriate for this project. Ultimately, it is decided that it is not as the city's permit application is limited to the property owner. The Council decided it would be better to have an MOU with the Oregon Department of Forestry (ODF) and only allow the work on City right of ways adjacent to property owners who consented to have the work done.

l. Councilors TP & AV retract their motion and second.

m. Councilor AV motions to direct staff to draft an MOU with ODF on Sudden Oak Death trees on the City's right of ways to permit the work with the previously stated restriction.

n. Councilor TP seconds the motion.

o. Vote: With no further discussion, the motion passes unanimously 6-0 @ 6:42 pm

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

5. **(1:12-1:15) Citizen's Concerns** (On agenda items only)

   a. **Jen Bailey:** Speaking on the issue of vacating city right of ways. She gives more background about her application and why it's taking so long. She requests that the Council informs her if they support the idea before filing fees are paid.

6. **(1:15) Public Hearings: None**

7. **(1:15-1:39) Departmental Reports**

   a. **Administration:** Mayor PC's term as Mayor is ending and he would need to rerun to continue to serve. No citizens have picked up election packets for the Mayor position and 3 have picked them up for Council positions. The emails are changing to Microsoft emails instead of our current system and we are in the process of changing our website from a .org to a .gov.

   b. **Finance:** Department heads are working on being fiscally responsible. The Administration office is still looking for a finance person to work on the City's finances moving forward as David Johnson is no longer working with the City outside of finishing the FY 23 audit.

   c. **Public Works:** OHA inspection on utility plants are coming up and the tracer study is still in process.

      i. Councilor AV updates the written report: one of the utility station pumps failed this week and needs to be repaired. This is an unexpected expense but it is necessary for our infrastructure to remain operational. The Council agrees via consensus to put the project out to bid.

   d. **Police:** The report was sent to councilors.

   e. **Planning:** The report was included in the packet. The council has no questions.

   f. **Mayor's Report:** Mayor PC thanks CA Radcliffe and all the Councilors for their hard work. There is more work coming though as it would be ideal to finish up some outstanding items prior to a new council being elected in November.

   g. **(1:24-1:39) Liaison**

      i. Port: Crane construction is still in process.
      ii. School: Nothing to report
      iii. Fire District: The contract negotiations with the fire district are coming up and there were some revisions requested prior to the negotiations. This is an item later in the agenda. Additionally, there is a report from the fire department.

iv. Watershed: See packet for full report. Linda Tarr is stepping down as chair.

v. Parks: Tidey would like to express his appreciation to the Jubilee Committee for the work they put in each year to make the Jubilee a fantastic event. By consensus, the Council directs staff to write an appreciation note to Jubilee.

vi. TLT: Nothing new to report

vii. Main Street: See packet for full report. Visitor Center windows have been installed.

viii. Emergency Prep.: See packet for full report.

8. **(1:39-1:50) Old Business**

a. **(1:39-1:48) Ordinance 2024-02: Garden meter policy**

i. Councilor TP moves to approve Ordinance 2024-02 Garden meter policy.

ii. Councilor GB seconds the motion.

iii. Vote: with the only discussion being clarification on if staff should order more, the motion passes 5-1 @ 7:18 pm

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

9. **(1:50-3:15) New Business**

a. **(1:50-2:30) ERPD Discussion Items**

i. **Findings:**

1 Legal Counsel is still reviewing what was said at the previous meeting on this topic and drafting findings based on that discussion.

ii. **Cost:**

1 Council discusses the cost the City has been incurring on this project; both financially and in terms of staff bandwidth. While the Appropriation set aside by the State can be used to cover Administration costs, a specific project would need to be selected first. Since the Applicant has previously expressed a willingness to pay City legal and other professional fees, the Council would like a formal MOU made that makes that a clear expectation of their project moving forward.

2 Councilor AV motions to direct legal counsel to draft a formal MOU that the applicants will cover any cost incurred by the City while working on this project including staff time and additional professional services.

3 Councilor GB seconds the motion

4 With no further discussion, the motion passes unanimously @ 7:35 pm

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

iii. **(2:06-2:12) Meeting Extension**

1 Councilor GB motions to extend the meeting after a brief recess

2 Councilor TP seconds the motion

3 Vote: with no further discussion, the motion carries 5-1 @ 7:08 pm

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

iv. **(2:12-2:18) MOU**

1 Councilor TP motions Legal Counsel to begin working on a general MOU with ERPD contingent on them agreeing to cover legal costs

2 Councilor GB seconds the motion

3 Discussion: the MOU would be a general understanding of the work and responsibilities of both parties. Having one and signing it would not constitute a legally binding agreement, that would come later. The Council would like to have the legal costs covered by the applicant before they agree to have legal counsel working on it.

4 Vote: motion cares 6-0 @ 7:53 pm

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

v. **(2:20-2:30) Project proposal**

1 Councilor TP motions to approval the proposal as written

2 Councilor PR seconds the motion

3 Discussion: Councilor AV walks the Council through the project proposal. It can viewed in full online at: https://portorford.org/wp-content/uploads/2024/08/CC-agenda-8.15.2024-1.pdf

4 Vote: motion carries unanimously 6-0 @ 8:00 pm

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

b. **(2:30-2:42) Fire District contract addendum**

i. Councilor GB motions to approve the addendum

ii. Councilor GT seconds the motion.

iii. Discussion: CA Radcliffe gives the relevant background on the contract and the addendum. The revisions are needed because there is ambiguity on the timeframe of the CPI increase and the revisions make the language clear.

iv. Vote: motion carries unanimously 6-0 @ 8:12 pm, with the only other discussion being clarification that the current contract with the fire district is an extension of the previous contract and that it's up for renegotiation in 2025.

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

c. **(2:42-3:14) Vacation of Right of Ways**

i. Councilor AV motions to direct the finance committee to evaluate the feasibility of right-of-way vacations.

ii. Councilor TP seconds the motion.

iii. Discussion: Council direction is needed on this item because citizens need to know if approval is feasible prior to applying. The Counsil discusses if the revenue that can be generated is worth the risk of relinquishing city property. Additionally, the fees associated with applications would need to be evaluated and raised, potentially doubled. Councilors are also concerned about the Staff's capacity to finish something like this.

iv. Vote: motion carries unanimously 6-0 @ 9:44 pm

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

10. **(3:15) Continuing Action Items: None**

11. **(3:15-3:17) Considerations**

a. (3:15-3:17) Citizens

i. Jen Baily: Appreciates the Council stating their thoughts on Right of Way Vacations.

b. (3:17-3:45) Councilors

i. BW: Can't understand why we wouldn't want to protect a citizen's property.

ii. TP: Will go to the area specified by Jen Baily to check it out. This might be solved with a Right of Way permit instead of a Vacation. But this larger conversation will still need to be had.

iii. GB: There is a crime issue in the community and the EPC would like to try to start a citizens' watch. Councilors are concerned about the idea, last time a citizen watch was established it led to more problems in the community. Councilors have a consensus that any citizen watch would not be sponsored or affiliated with the City.

iv. AV: Would like to research the IGA the City has with Curry County. The Council expresses interest in renegotiating the IGA with the County and by consensus gives AV permission to research further.

12. **(3:45) Future Meetings** – Regular Meeting September 19th @ 5:30 pm

13. **(3:45) Adjourn**
   a. Seeing no further business, Mayor PC adjourns the meeting @ 9:15 p.m.

Attest:

12/10/2024

Mayor, Pat Cox

Date

12/10/2024

City Recorder, Joseph Harrison

Date