

CITY OF PORT ORFORD
REGULAR SESSION OF THE COMMON COUNCIL
Thursday, May 15th, 2025, at 5:00 P.M.

If you cannot join in person, please feel free to join this meeting from your computer, tablet, or smartphone.

<https://meet.goto.com/615262557>

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AGENDA

- 1. Call to Order/Roll Call/Pledge of Allegiance**
- 2. Executive Session Under:**
 - a. ORS 192.660 (2)(d): To conduct deliberations with persons designated by the governing body to carry on labor negotiations.**
 - b. ORS 192.660 (2)(h): To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.**
- 3. Additions to the Agenda**
- 4. Presentations to the Council (3-minute time limit)**
- 5. Citizen Concerns (Non-Agenda Items)**
- 6. Citizen Concerns (On agenda items only – not on the Public Hearing – 3-minutes)**
- 7. Consent Calendar**
 - a. Application for Appointment to Planning Commission: S. Gomes**
 - b. Application for Appointment to Budget Committee: Laura Mason**
 - c. Application for Appointment to Budget Committee: James Prouty**
 - d. Application for Appointment to Budget Committee: Mickey Walker**
 - e. Application for Appointment to Budget Committee: Richard Linde**
 - f. ROW Charter**
 - g. ROW Ziply**
- 8. Public Hearing: Updates to Port Orford Municipal Code, Title 17 Zoning and Title 16 Subdivisions – Council will focus on the second half of the proposed code revisions**

- a. Public Hearing Opening & Process Review
- b. Staff Report & Review of Proposed Amendments & Testimony from Planning Commission Public Hearing
- c. Citizen Testimony Opens; Signed-up, Walk-Ins, & Virtual
- d. Citizen Testimony Close
- e. Council Deliberation
- f. Council Vote: Approve, Continue, Deny

9. Departmental Reports

- a. Administration
- b. Mayor's Report
- c. Finance
- d. Public Works
- e. Planning
- f. Liaison
 - i. Parks
 - ii. Emergency Prep.
 - iii. Historic Preservation
 - iv. Port
 - v. Watershed
 - vi. Fire

10. Old Business

- a. Ord. 2025-01: Housing & Zoning Codes Updates funded by DLCD Grant
- b. Ord. 2025-02: Revising Port Orford Municipal Code Chapter 5.05: Short Term Rentals

11. New Business

- a. Ord. 2025-03: Increase TLT rate to 10%
- b. Ord. 2025-04: Clarifying POMC 3.08 TLT procedures and funding
- c. TLT Committee Grant Recommendations
- d. Employee Handbook

12. Considerations

- a. Citizens
- b. Staff
- c. Councilors & Mayor

13. Future Meetings:

- a. Budget Committee: First Meeting and Public Hearing Concerning State Revenue Sharing – May 22nd, 2025 @ 5:00 pm
- b. 2nd Budget Committee Meeting: May 29th, 2025 @ 5:00 pm
- c. Regular Meeting Wednesday June 18th, 2025 @ 5:30 pm

14. Adjourn

1 Roll Call/Pledge of Allegiance

Mayor Vileisis will take roll call of present Councilors and lead the chambers in the Pledge of Allegiance

2 Additions to the Agenda

The Council, Mayor, and City Administrator may submit additions to the agenda, which can be added via a vote or consensus.

3 Presentations to the Council

There are no presentations this month

4 Citizen Concerns (Non-Agenda)

Citizens may approach the Council to speak on any matter that is not on the agenda. Limit 3 minutes per person.

5 Citizen Concerns (Agenda)

Citizens may approach the Council to speak on any matter that is on the agenda. Limit 3 minutes per person.

6(a) Application for Appointment to Planning Commission: Stephanie Gomes

This application still needs to be approved by the Planning Commission. It will be brought to the City Council if they approve.

6 Applications for Appointment to Budget Committee: (b) Laura Mason, (c) James Prouty, (d) Mickey Walker, & (d) Richard Linde

These applications are available by [Clicking Here](#) or at the following link:

<http://portorford.org/wp-content/uploads/2025/05/Apps-for-appointment-budget-commitee-5.15.2025.pdf>

They will be added to the Council Binders.

6(f) Right of Way Permit: Charter

This right-of-way application can be found at the following link:

<http://portorford.org/wp-content/uploads/2025/05/ROW-charter-5.2025.pdf>

It will be added to the Council Binders

6(g) Right of Way Permit: Ziply Fiber

This right-of-way application can be found at the following links:

<http://portorford.org/wp-content/uploads/2025/05/ROW-ziply-5.2025.pdf>

<http://portorford.org/wp-content/uploads/2025/05/ROW-ziply-5.2025-2.pdf>

They will be added to the Council Binders.

7 Public Hearing Updates to Port Orford Municipal Code, Title 17 Zoning and Title 16 Subdivision

Items that will be discussed in this section are linked on the digital packet and will be set aside as separate documents for the City Council. Links to them are as follows:

Staff Report submitted by Senior Planner Crystal Shoji:

<http://portorford.org/wp-content/uploads/2025/03/Staff-Report-for-Council-Hearing-3-20-25.pdf>

[Click here for the Code Proposal:](#)

OR copy and paste the following link:

<http://portorford.org/wp-content/uploads/2025/03/2025-Proposed-Amendments-City-Council-Public-Hearing-3-20.pdf>

Minutes from February 11th Planning Commission Public Hearing & Testimony submitted for consideration:

<http://portorford.org/wp-content/uploads/2025/03/PC-Minutes-2.11.2025-plus-testimony.pdf>

8 Departmental Reports

8(a) Administration

Grants Update

We continue to work on the Community Building Complex renovation. We had our first two-week construction update with HGE, our boots-on-the-ground volunteers of John Johnson and Bob Feusi, and the Mayor. We discussed details with Win Elder, the sub-contractor for Vitus Construction about the demo work. The Hazard Report came back clean (no lead paint or asbestos) so that was a good hurdle to be over. They have found some rot, but are able to mitigate that moving forward. Otherwise, things are progressing nicely and they plan to have the windows delivered next week. The fundraising committee is now focused on the ALH as that bid came in much higher than anticipated.

We are moving toward dredging the Hubbard Creek Reservoir and hope to have it completed this Summer/ early Fall. Engineering meetings with Civil West continue as we plan for an alternate water source during the dredging. We are also concerned with a failing culvert in our watershed. This culvert took more damage this winter and is now a major concern for our water operations.

100th LOC Conference: May 1st and 2nd

The Mayor and I attended the conference in North Bend. We realized 65% of the cities in Oregon are in the same funding bind we are. We attended sessions dealing with Code Enforcement, legal issues regarding Houseless populations, Funding Shortfalls, and Legislative Updates. It was great to hear creative solutions other municipalities are using, and to also realize Port Orford is not unique on these fronts.

Water Use Reminder

As the weather warms up, we wanted to remind citizens that we are still under water curtailment. This means that we need to conserve water when possible. The flows in Hubbard Creek get lower in the summer which limits our ability to treat the water quickly. If we have a fire or a waterline break, the tank drains fast. Although we continue to work on getting grants, these solutions take time. We appreciate your diligence and patience with our old system.

Budget Update

The City is in a budget shortfall and we are looking at a combination of cuts and revenue increases to balance the budget. We will have Anne Heath back with us next week to finalize the budget for our first Budget Committee Meeting on May 22nd. As you know from your household bills, prices continue to rise and we must start with a balanced budget in July.

WWTP Job Available

John Stackhouse, our Public Works employee at the Wastewater Treatment Plant, is moving to be closer to family on the North Coast. He has done a great job of stepping in to run our plant. If you are interested in applying, please visit our website.

Rogue Credit Union Paperwork: **ACTION NEEDED**- Councilors need to resign the banking documents, as there were problems with the other set of signature cards. Please do that before you leave the meeting tonight.

8(b) Mayor's Report

Good News! We were awarded the \$415k OWEB grant that will enable us to pay off the loan we took out to buy the Wilson parcel upstream of our reservoir. There will be some remaining hoops to jump but we should be able to receive the money and pay off the loan in late summer.

We learned that the failing culvert upstream of our reservoir has continued to compress and collapse, which could become catastrophic if we don't remove it before next winter —so I have been working with Erin at SWCD to find grant funding (and write grant proposals) to help us get that done. You will recall we have a grant for the engineering to prepare for this culvert removal (almost complete)—but now we need funds to IMPLEMENT asap. There was also a land slide in the watershed upstream of the reservoir that we'll need to find a way to stabilize. Erin will help us with that and perhaps we'll need to tap our PO Watershed Council's help, too.

I've met with the Community Center Friends —to figure out how to raise more money for the Community Building and American Legion Hall projects after the bids came in so high. That remains a work in progress.

I also attended the first construction meeting about the Community Building —and it's amazing to see the work they've done in just the first week!

I met with our engineer along with John and Melissa to discuss next steps for the dredging project. She's preparing the RFP.

Since the BRIC grant was cancelled, Rep. Hoyle gave us the opportunity to submit a request for a direct congressional appropriation. This is a long shot, but I prepared the application focused on just one water distribution line from our BRIC grant —and requested letters of support from Senator Brock Smith and our Curry County Commissioners as well as a letter of eligibility from the Oregon Emergency Management Department —and got it all in under the wire.

I testified at two legislative hearings for us —one in support of the lodging tax flexibility bill that would give city's greater flexibility in how they use TLT proceeds —and another in support of the Capital Investment Project request that I made for another water distribution line from our BRIC grant —sponsored by Senator Brock Smith. These are also long shots, but it feels important to keep trying everything we can to make some progress on our water system.

I attended the LOC Conference in Coos Bay with Melissa —and learned lots of important things that will hopefully help us in the future!

8(c) Finance

The Budget Committee Meetings start on the 22nd, and the budget will come to Council in June.

8(d) Public Works

A report will be given verbally and handed out at the meeting

8(e) Planning

The Planning Commission meeting is the same week as the City Council Meeting this month, a verbal report will be given if there are any significant updates at that meeting.

8(f) Liaison Reports – Will be given Verbally this month

8(f)(i) Parks Liaison Report

8(f)(ii) Emergency Preparation Liaison Report

8(f)(iii) Historic Preservation Liaison Report

8(f)(iv) Port Liaison Report

8(f)(v) Watershed Liaison Report

8(f)(vi) Fire Liaison Report

9(a) Ordinance 2025-01 Updates to Port Orford Municipal Code, Title 17 Zoning and Title 16 Subdivision MEMO

The City Council deliberated on the first half of the proposal at last month's regular meeting. It was decided that the Council would review the second half of the proposal to deliberate on at this month's public hearing. Unless there are major revisions discussed at tonight's meeting, the Ordinance can be passed as presented. If major revisions are voted on by the Council, then it may be passed as amended.

Recommended Motions:

- I, Councilor [name], hereby move to adopt Ord. 2025-01: Updates to Port Orford Municipal Code Title 17 on Zoning and Title 17 on Subdivisions as presented at tonight's meeting.
- I, Councilor [name], hereby move to adopt Ord. 2025-01: Updates to Port Orford Municipal Code Title 17 on Zoning and Title 17 on Subdivisions with the amendments made at tonight's meeting.
- I, Councilor [name], hereby move to table this item.
- I, Councilor [name], hereby move to not adopt Ord. 2025-01: Updates to Port Orford Municipal Code Title 17 on Zoning and Title 17 on Subdivisions

9(a) Ordinance 2025-01 Updates to Port Orford Municipal Code, Title 17 Zoning and Title 16 Subdivision

WHEREAS, the Department of Land Conservation and Development (DLCD) has allocated funds for grants for small cities to update housing and zoning codes, and,

WHEREAS, the City of Port Orford Municipal Code is in dire need of revisions and updates, and,

WHEREAS, DLCD awarded the City funds for this project, and,

WHEREAS, the Port Orford Planning Director, Crystal Shoji, along with the Planning Commission, have done numerous revisions to bring it up to date,

NOW, THEREFORE, BE IT ORDAINED THAT; the Port Orford City Council hereby passes revisions to Title 16 and 17 as described in Exhibit A to this Ordinance.

First Reading: _____

Second Reading: _____

Attest:

Mayor, Ann Vileisis

Date

City Recorder, Joseph Harrison

Date

9(a) Ordinance 2025-01 Updates to Port Orford Municipal Code, Title 17 Zoning and Title 16 Subdivision Exhibit A

Exhibit A is a clean version of the code proposal.

It was still in progress at the time of agenda publication; it will be available online on the Public Notices Page and sent out to Councilors no later than [the end of Business \(5:30 pm\) on Tuesday, 5/13/2025](#).

Exhibit A is subject to possible revisions based on testimony heard at the City Council Public Hearing and Council deliberations. Minor grammatical or spelling corrections may also be made prior to the second reading.

9(b) Ord. 2025-02: Revising Port Orford Municipal Code Chapter 5.05: Short Term Rentals MEMO

The Planning Commission recommended the following motions to the City Council for their April 11th, 2025 meeting – Submitted by Greg Thelen

First Recommendation to City Council:

Amend the Short-Term Rental section of Chapter 5 Business Licenses and Regulations, 5.05.080 Operational requirements and standards for short-term rentals to add that accessory dwelling units (ADUs) may not be used as short-term rentals. This was initially proposed to be included in the ADU part of the current zoning update, and our DLCD representative recommended this it be put into the STR code in Chapter 5 to avoid potential land use litigation.

(Could be inserted after item J, which prohibits RVs from being used as STRs):

“No accessory dwelling units. An ADU is prohibited from being advertised, promoted or utilized for a short-term rental or vacation rental.”

Second Recommendation to City Council:

Amend the Short Term Rental section of Chapter 5, Business Licenses and Regulations, item 2. b. below with the language shown. Our Police Department has advised that Oregon driver's licenses don't always have current addresses on them. This part of the STR code applies to residential zones where a cap is in effect on the overall number of STRs. It allows residents to rent out a portion of their home as a short-term rental without being subject to the cap if they can prove they are actually present in the home while the STR portion is being rented.

5.05.050 Application and Fee

2. Proof of Residential Use (for hosted home shares within the R1 and R2 zones only). The residential use of a dwelling unit shall be established through its continued use as the primary residence of the property owner. The applicant shall provide at least two of the following items as evidence that the dwelling is the primary residence of the owner: a. A copy of voter registration.

b. A copy of an Oregon driver's license or identification card.

(Replace with) “A copy of a government-issued ID showing current address.”

c. A copy of the Federal income tax return from the previous tax year (page 1 only; financial data should be redacted).

9(b) Ord. 2025-02: Revising Port Orford Municipal Code Chapter 5.05: Short Term Rentals

WHEREAS, the Common Council for the City of Port Orford has adopted a Short Term Rental (STR) Business License Ordinance; and

WHEREAS, the City has received input from applicants, staff and law enforcement; and

WHEREAS, it has been determined that the STR Ordinance has improvements that can be made; and

WHEREAS, the Planning Commission has re-assessed the original ordinance and ;

NOW THEREFORE, the Common Council for the City of Port Orford ORDAINS The upper limit on the number of Short Term Rental Business Licenses that can be issued in Residential zones in the City of Port Orford is 27.

BE IT FURTHER ORDAINED THAT

The businesses on the attached list are allowed to operate under the STR Ordinance notwithstanding non-compliance because they were existing businesses at the time the ordinance was adopted and have paid their TLT and registered for a Business License with the City; said businesses to forfeit their STR license if said operation is allowed to lapse as defined in the Ordinance.

Dated this 15th day of May, 2025

Attest:

Mayor, Ann Vileisis

Date

City Recorder, Joseph Harrison

Date

10(a) Ord. 2025-03 Increasing TLT Tax Rate Imposed from 7% to 10%

WHEREAS, the Common Council for the City of Port Orford (City/Council) has implemented a Transient Lodging Tax which is currently set at 7%; and

WHEREAS, the City of Port Orford has been experiencing a budgetary shortfall;

WHEREAS, the Finance Committee has recommended increasing the TLT rate;

NOW THEREFORE, the Common Council for the City of Port Orford ORDAINS that the tax imposed on transient lodging be increased to 10% by changing the wording in Port Orford Municipal Code 3.08.020 as follows:

A transient shall pay a tax in the amount of ~~seven~~ **ten** percent of the rest charged for the privilege of occupancy in a ~~hotel~~ **transient lodging** facility in the City.

Dated this 15th day of May, 2025

Attest:

Mayor, Ann Vileisis

Date

City Recorder, Joseph Harrison

Date

10(b) Ord. 2025-04 Clarifying Port Orford Municipal Code 3.08 TLT procedures and funding

WHEREAS, the Common Council for the City of Port Orford has implemented a Transient Lodging Tax from which it awards grants; and

WHEREAS, the procedures, disposition, distribution, and uses of these funds has been a matter of confusion the last few years; and

WHEREAS, the clarity of these issues has become an increasing need; and

NOW THEREFORE, the Common Council for the City of Port Orford ORDAINS that the following changes in the Municipal Code are needed for clarity:

3.08.240. Disposition and use of transient room tax funds.

A. ~~The funds collected under this ordinance shall be retained by the City and allocated to the Parks Fund. The City Council may appropriate a portion of the funds collected under this ordinance through TLT Grants for City Area tourism development and City Area beautification; which may be to contract for a seasonal parks worker or can be used for tourism related facilities as provided by this chapter and those grants shall be allocated by the TLT Expenditure Committee with Council approval.~~ **Use of TLT Funds. The funds collected under this ordinance shall be retained by the City and allocated to the General Fund.**

B. ~~Funds will be spent after the beginning fiscal year and only up to the amount of \$11,000.00. One of the seven percent (one-seventh of the total) transient room tax funds collected must be used for tourism promotion through a Tourism Promotion Agency for the City of Port Orford, in accordance with State Law, and shall not be allocated by the TLT Expenditure Committee but by City Council Approval.~~ **Six tenths of the collected transient room tax revenues are considered to be a grandfathered tax and may be used for city services.**



~~C. The Tourism Promotion Agency for the City of Port Orford must provide to the City a quarterly report which consists of copies of invoices, checks, and when possible copies of the ads run for which the money was spent. Tourism Promotion is defined as advertising, promoting the City of Port Orford at least one hour away or 50 plus miles from Port Orford. Receipt of future funds is contingent upon receiving these documents. These reports will be provided to the City Council in their packet for approval.~~ Four tenths of the collected transient room tax revenues must be split into a 70/30 ratio, in accordance with state law. 70 percent shall be used for tourism promotion and for tourism-related facilities, including the Visitor Center, through a Tourism Promotion Agency for the City of Port Orford with City Council Approval. The remaining 30 percent may fund the city's TLT Local Beautification and Tourism Grant Program with the remainder to be used for city services.

D. The dedicated Tourism Promotion Agency for the City of Port Orford shall be "Port Orford Main Street."

E. The Tourism Promotion Agency for the City of Port Orford must provide to the City an Annual report detailing Tourism promotion. The report shall consist of copies of invoices, checks, and when possible copies of the ads run for which the money was spent. Tourism Promotion is defined as advertising, promoting the City of Port Orford at least one hour away or 50 plus miles from Port Orford. Receipt of future funds is contingent upon receiving these documents April 30 of the fiscal year. This report will be provided to the City Council in their packet for approval.

F. TLT Local Beautification and Tourism Grant Program. The City Council may appropriate up to \$15,000.00 of the funds collected under this ordinance for the TLT Local Beautification and Tourism Grant Program. Grants may be awarded to eligible entities for City Area tourism development and beautification projects, including for tourism related facilities as provided by this chapter. Grants shall be allocated by the TLT Expenditure Committee with Council approval and will dispersed after the beginning of the fiscal year.

3.08.255. Grant funding procedures.

B. All organizations, businesses or commercial property receiving ~~funding under this section shall provide quarterly financial reports, which include a detailed report of the expenditure of funds received from the City,~~ grant funding shall provide a final project report that documents project outcomes and finances, including a detailed report of the expenditure of funds received from the City, and sufficient supporting documents to demonstrate to the satisfaction of the City Council that the funds were expended pursuant to the terms of the grant. A business or commercial property must show expenditure of cash to match the grant funds; no in-kind is allowed for a business or commercial property. Reports of uncompleted projects shall be made ~~no later than June 30 of the fiscal year.~~ by Dec. 30 of the same calendar year, unless an extension is requested. A request for an extension must be made in writing to the Mayor.

E. In order to increase awareness and attendance among visitors, all grant ~~applications~~ **applicants** that seek to fund an event shall promote it outside Port Orford at least 60 days ~~before the event.~~ **and in cities 100 miles beyond Port Orford.** A media sheet listing free sources of listings and announcements will be provided at the time the grant is awarded. Documentation of these efforts will be required in the final report. If no free sources are available, this requirement may be waived.

NOTES:

3.08.250. Transient Lodging Tax Expenditure Committee.

This remains the same.

Dated this 15th day of May, 2025

Attest:

Mayor, Ann Vileisis

Date

City Recorder, Joseph Harrison

Date

10(c) TLT Committee Grant Award Recommendations

The TLT grant Committee met on May 8 and considered this year's grant applications. Mayor Vileisis attended the meeting to thank the volunteers and to encourage greater engagement of committee members to ensure the process works well and that there is accountability with grantees.

Steve Courtier was re-elected Chair, Laurie Prouty was elected Vice-chair, and Rebecca Golden was elected as Secretary of the Committee. The committee reviewed criteria and last year's projects and this year's applications..

The Committee had \$6,000 to spend, with \$5,000 having already been granted to the Jubilee Committee by previous direction from the City Council.

The TLT Grant Committee voted to recommend to the Port Orford City Council granting awards in the following amounts:

- A) Port Orford Jubilee: \$1527.50 to support July 4 celebration (porta-potties, trolley, PA system, brochure, banners, etc.)
- B) Historic Lindberg Home Marker Plaque: \$375
- C) Visitor Center Mural Replacement (PO Main Street): \$3000
- D) Sea Wolf Books, Beautification with native trees: \$250
- E) Octopus Herb Garden, Beautification of storefront with window boxes and mural: \$847.50

For a total of \$6,000 of allocations.

Attest:

Mayor, Ann Vileisis

Date

City Recorder, Joseph Harrison

Date

10(d) Employee Handbook

The Employee Handbook has been out of date, and the current revisions are ready for review. If the current version receives City Council approval, it can be approved as written – spelling and grammatical fixes can be made. If there are major changes requested by the City Council, it can be approved as amended during this meeting. If the Council is not yet ready to approve, staff can be directed to work on areas discussed in tonight's meeting.

The Employee Handbook is available at the following link and will be available for Councilors at the meeting.

LINK:

<http://portorford.org/wp-content/uploads/2025/05/updated-employee-manual-draft.pdf>

Recommended Motions:

- I, Councilor [name], hereby move to approve the contract as written.
- I, Councilor [name], hereby move to approve the contract as amended at tonight's meeting
- I, Councilor [name], hereby move to direct staff to revise the Employee handbook further