



City of Port Orford Proclamation

WHEREAS, the Bureau of the Census in the United States Department of Commerce conducts the census and the federal government funds the cost of the census; and

WHEREAS, it takes the cooperation and investment of states, local government, and community partners working in conjunction with the federal government to ensure that the census is fully executed and represents a complete and accurate count of the people within each jurisdiction; and

WHEREAS, the results of the census are the foundation for many important decisions made by federal, state, and local government including the disbursement of federal funds to states, counties, and municipalities; and the apportionment of political representation based on population; and

WHEREAS, census data guides local decision-makers in important community planning efforts, including locations for schools, roads, health care facilities, child-care and senior citizen centers, et cetera;

NOW, THEREFORE, the City Council of the City of Port Orford hereby proclaims its support for the efforts of the 2020 Census and calls upon the community to participate **BE IT FURTHER RESOLVED**, that the City Council calls on city officials, community leaders, representatives of faith-based and non-profit organizations, and representatives of historically undercounted populations to ensure that the City of Port Orford is properly and fully counted in the 2020 census.

Signed, Mayor Tim Pogwizd

**City of Port Orford
City Council Meeting Minutes
In the Gable Chambers
Tuesday, July 18th, 2019**

Mayor and Council	Present	City Staff	Present
<i>Gary Burns</i>	X	<i>Terrie Richards, City Admin/Recorder</i>	<i>Excused</i>
<i>Tim Pogwizd, Mayor</i>	X	<i>Shala McKenzie Kudlac, City Attorney</i>	X
<i>Pat Cox, President</i>	X	<i>David Johnson, Finance Director</i>	X
<i>Jim Campbell</i>	X	<i>Hank Hobart, Police Chief</i>	X
<i>James Garratt</i>	X		
<i>Carolyn LaRoche</i>	X		
<i>Travis Williams</i>	X		

Media Present: Port Orford News – Brice Wagner

Others Present:

1. Call to Order

Mayor Pogwizd called to order this Regular Meeting of the Common Council in the City of Port Orford Gable Chambers on Thursday, July 18, 2019 at 3:30. He asked those present to rise and join him in the Pledge of Allegiance.

2. Additions to the Agenda – None.

3. Special Presentation to Citizens / Council – None.

4. Consent Calendar

Minutes of June 18, 2019

Councilor Cox moved to approve the Consent Calendar as presented with Councilor LaRoche as second. *Motion carried 6-0*

Councilor Cox Yes *Councilor LaRoche* Yes *Councilor Williams* Yes
Councilor Campbell Yes *Councilor Burns* Yes *Councilor Garratt* Yes

5. Citizens' Concerns –

Teresa Kolibaba – 7d, 8f and 7b: Teresa comments on the Dark Sky Ordinance. The photo that was attached with the complaint is insufficient to show how bad the light trespassing is. Teresa supports the complaint.

Teresa reports that the Parks Committee Recommendation notice posted at the post office had the time punched out resulting in Teresa appearing late.

Teresa requested why people have to keep putting signs all over town regarding the Right of Way request. Teresa felt the signs were more pollution than information.

Beverly Bacak – 8f

Ms. Bacak advises she is in favor of 8f, the Right of Way request submitted by Port Orford Main Street Revitalization Association.

Ms. Bacak reports the president of the Port of the Arts Council came before the council in August of 2015. The council unanimously passed a resolution declaring the entire city of Port

Orford an Arts and Culture District, which allows people to use that designation for promotional purposes, grant seeking purposes and identify for visitors the importance of arts to the community and economy. Ms. Bacak requests the council consider signs that recognized the Arts and Culture District for City of Port Orford.

Gary Wickham – 7d

Mr. Wickham speaks in favor of getting Gold Beach Lumber's sign in compliance with the Dark Sky Ordinance. Mr. Wickham suggested putting surveillance on the lot using cameras, which would be more effective than lights and would not have to shine up in the sky. Mr. Wickham is in favor of making that a dark sky area.

Michele Leonard

Ms. Leonard states she is part of the Planning Commission and is speaking in favor of passing the tsunami overlay zone ordinances. Ms. Leonard reports the Commission has invested a lot of time and there is a grant involved.

6. Departmental Reports

- Administration – Terrie Richards is not present to report. Councilor has questions about the contact time, as far as horizontal and vertical. They have previously been told that vertical is better and now are back discussing the issue of horizontal or vertical. Councilor reports December is not far away and there is now a sense of urgency. Mayor presents a letter from Dyer Engineers, who will be contacting the city on Monday.
- Police Department – Councilor Garratt asks if there is any way to contact a police officer for nonemergency discussions. Chief Hobart advised to call the dispatch number.
- Public Works – Duane Echhoff is not present to report. Councilor LaRoche reports there is no sign on Jackson and 18th street labeling the streets. Terrie will be advised.
- Finance – No questions. David is excused.
- Planning – Kevin McHugh of Urban Growth Boundary and Chair of Port Orford Planning Commission addresses Mayor Pogwizd and Port Orford Common Council and staff. Mr. McHugh is authorized to speak on behalf of the Planning Commission. Mr. McHugh addresses the changes to the tsunami comprehensive plan and tsunami map. Mr. McHugh outlines two main goals. 1) Preserve a certain amount of autonomy for the city if in the future the state adopts statutes that force tsunami overlays, tsunami hazard zones and special building and safety requirements. 2) Touch the city as little as possible yet still come up with a workable plan to possibly save lives. Planning could have recommended council adopt building codes and standards that made it economically and feasible to build again in the city, or planning could have recommended moving back a little bit from the ocean with workable tsunami evacuation routes and signage to clarify where everybody is to go in a tsunami warning. Mr. McHugh acknowledged Councilor Cox's questions. Mr. McHugh is requesting the council adopt what the planning commission has recommended. If the council wants changes, Mr. McHugh requests those changes be communicated with planning for a prompt response. City planner, Shoji, is present accompanied by DLCD representative, Meg Reed, for detailed questions.

Mr. McHugh agrees with council's right of way licenses; however, the City Council has approved two right of way usage licenses that the planning commission did not catch and should not have been approved. These right of way licenses that were approved were for fences that go into the right of way. Those are permanent structures that are mounted to the ground. Those should probably have been denied. Mr. McHugh informed the council that all six features listed on usage license applications must be satisfied.

Mr. McHugh addresses the arts district signs. Mr. McHugh questions how this got onto the agenda since it has not been submitted. This should have come to the planning commission and it did not. It has been to the planning commission twice prior by the Arts Council and has been denied twice for the reason that the neighboring property owner objects. Once a neighboring property objects, it is a no consideration due to liability/complaints. Mr. McHugh speaks against the arts district signs. The neighboring property owner still objects.

- Port – Meeting is postponed until the 30th of July. The 1.5 million has been secured from the state. Breakwater starts July 14 and goes until late October. Signs are in place.
- Advertising/TLT – Councilor Williams reports he was not able to attend the meeting yesterday. Mayor Pogwizd reports Marty and other volunteers painted the Ocean View Sign. This councilor gave approval for the Main Street Group to change the arrow on the road to a whale tail. ODOT gave permission to put a rock on top of the wetland interpretive walkway by the stairway with an inscription. Volunteers are hoping to find people to volunteer to help with the eight planters. Bike racks will be added around town. A mural is hopeful for the trash receptacle at Rays. Retaining wall bench at Driftwood will be started in August. The rock at the interpretive walkway will be done at the same time. There is a meet and greet with Sam Baugh from South Coast on July 31 at 7:30 a.m. at Mr. Eds.
- Fire Board – Brice reports that they are about to take delivery of a pumper/tender new engine that is capable of pumping 1000 gal/min and carries 3000 gallons on board. There is concern about fire department expense, and Councilor Garratt reports on the importance of the fire department to the people including safety and insurance rates.
- Parks – Councilor Williams reported attending the park meeting. Parks approved the bench for Battle Rock. Mr. Hajek gave a report on Battle Rock presentation. Councilor Williams invites councilors to attend park commission meetings. New budget is in and new projects are beginning.
- Watershed and Health – Councilor LaRoche reported attending the meeting last night. It looks positive for getting the grant for water shed on Gorse. They are looking into having people from City Council to speak on some projects they would like to have done. Other sources of water outside of the dam are being considered.
- Emergency management – Councilor Burns will be joining Councilor Campbell as liaisons to emergency management.

3:47 PUBLIC HEARING: Regarding Tsunami Hazard Overlay Zone, Comp Plan Tsunami Policies and Tsunami Overlay Zone Map.

Questions from Council: Councilor Cox questioned when 3309 came into effect. It is confirmed by Meg Reed of Oregon Department of Land Conservation Development that house bill 3309 passed by the end of the legislative session at the end of June. It does not go into effect until January

1, 2020. In 1995 a law passed stating new critical and essential facilities would be prohibited from being built within the tsunami regulatory line. Critical and essential facilities are defined as hospitals, police and fire stations, and others in the definition. There is an exception process for strategic needs. The new law reports that those uses are not prohibited but that DOGAMI must be consulted first if facilities are being considered. DOGAMI might have suggestions but the consultation is all that is required. The city is welcome to do something more restrictive than the state's requirements. The tsunami overlay zone can be tailored to meet the city's needs as the planning commission in Port Orford has done.

Councilor Garratt questions the effectiveness of zoning without any idea what will happen during a tsunami. Meg Reed answers that when the event happens, assuming all is still intact, they will be able to respond to residents and take care of them. The approach is only for those critical facilities. It does not regulate single family dwellings, residential or commercial. It is only the critical and essential facilities as defined in the overlay zone. The point is to protect those new facilities going forward in order to have them functioning after a tsunami event. There are also some evacuation improvements directing people to safety. Zoning is a choice. The City also has a choice of just adopting the comprehensive land policies which have been outlined, or again, change things as Commissioner Kevin said.

Crystal Shoji encouraged the council to adopt the comprehensive plan amendments that the planning commission and the steering committee have submitted. She advised comp plans do not regulate anybody. Comp plans state that you have goals for the safety of people. Comp plans give another council the option to adopt something later if desired. Comp plans give the option of signing if the state has opportunities for signing. Mayor Pogwizd advised Ms. Shoji that his accurately highlighted map includes mostly the lake, very few residential and very few, if any, commercial properties. Councilman Cox requests if accepting this would impede the city from building their own facilities. Meg Reed answered that it would not prevent the city from building any non-emergency facility. Meg Reed reported that at a public meeting results of the Beat the Wave modeling of pedestrian evacuation analysis showed how fast pedestrians had to go get to high ground after the start of earthquake shaking. There was some discussion about the vertical evacuation in the Garrison Lake area. An additional thing that they are working with the City to do, is a tsunami evaluation facilities improvement plan, which will also identify vulnerable areas and suggest improvements that can be made when funding sources become available in the future.

Councilor Garratt requested if house bill 3309 replaced a previous bill that had regulations. Meg Reed informed him that it does replace a previous bill, and the only change is certain uses that used to be *prohibited* are now being *consultation*. Meg Reed advised that the city is allowed to be more restrictive than the state statutes, and as Port Orford's overlay zone is proposed, it is more restrictive than the state regulations moving forward. Meg Reed reports this applies to a really small area of Port Orford, so there might not be any proposals for these types of structures happening in this area anyway, but it would prohibit critical and essential facilities being within that zone. There is a use exception process. In addition, there is a piece about evacuation improvements which is more than what the state statute says. Those certain types of new development in that zone would just be required some type of tsunami evacuation improvement as part of their development plan. It could just be signs that point you to the right direction.

Public Testimony: Teresa Kolibaba reported according to the state the worst-case scenario of a tsunami is 85 feet from the north and 102 feet from the south. The American plate will drop from four to ten feet. Mayor Pogwizd asked for further public testimony. After hearing none, he closed the public testimony.

Additional Written Material: Mayor Pogwizd reported there were no additional written materials. The Mayor closed the hearing.

7. Old Business

- a. Ordinance 2019-02 Zoning Amendment – Tsunami Hazard Overlay Zone: Councilor Cox moved to pass ordinance 2019-02 for zoning amendments – tsunami hazard overlay zone with as second reading with the accompanied findings with Councilor Williams as second. *Motion carried 4-2.*

<i>Councilor Cox</i>	<u>Yes</u>	<i>Councilor LaRoche</i>	<u>Yes</u>	<i>Councilor Williams</i>	<u>Yes</u>
<i>Councilor Burns</i>	<u>Yes</u>	<i>Councilor Garratt</i>	<u>No</u>	<i>Councilor Campbell</i>	<u>No</u>

- b. Ordinance 2019-03 Comp Plan Amendment – Tsunami Overlay Zone: Councilor Cox moved to accept ordinance 2019-03 and its findings and passed to the second reading with Councilor Williams as second. *Motion carried 4-2.*

<i>Councilor Cox</i>	<u>Yes</u>	<i>Councilor LaRoche</i>	<u>Yes</u>	<i>Councilor Williams</i>	<u>Yes</u>
<i>Councilor Burns</i>	<u>Yes</u>	<i>Councilor Garratt</i>	<u>No</u>	<i>Councilor Campbell</i>	<u>No</u>

- c. Ordinance 2019-04 Tsunami Overlay Zone Map: Councilor Cox moved to accept ordinance 2019-04 its findings and the second reading with Councilor Williams as second. *Motion carried 4-2.*

<i>Councilor Cox</i>	<u>Yes</u>	<i>Councilor LaRoche</i>	<u>Yes</u>	<i>Councilor Williams</i>	<u>Yes</u>
<i>Councilor Burns</i>	<u>Yes</u>	<i>Councilor Garratt</i>	<u>No</u>	<i>Councilor Campbell</i>	<u>No</u>

- d. Dark Sky Ordinance: Mayor Pogwizd gives background. Gold Beach Lumber installed security lights on the new warehouse building at the time of construction. They state that the city public works superintendent approved the lights. There are no signed documents to prove the statement. There is a request to curb stray light. Attorney Kudlac advised that the person who verbally signed off on the lights is no longer employed with the City of port Orford.

Shala McKenzie Kudlac, City Attorney, reported it is a council decision whether to begin a nuisance/abatement process regarding the Gold Beach Lumber light. The offender can request a hearing that comes back before the council. Attorney Kudlac verified sending a letter to offender and received response from their attorney with their position.

Mayor Pogwizd reports the ordinance was written in watts and we are now in LED lights with lumens and kelvin. The light in discussion is a high kelvin, high lumen light. The ordinance does not cover LED lights but does cover halogen since they use wattage. Planning is adjusting the Dark Sky Ordinance.

After some discussion, Councilor Cox suggests the city offer to pay for the shrouds if Gold Beach Lumber installs them. Councilor Garratt is concerned that the city will be setting a precedence that the city will pay for everyone's compliance on all ordinances. Attorney Kudlac feels there are extenuating circumstances regarding this particular case.

Councilor Williams agrees that this is an exception to the ordinance.

Councilor LaRoche reports that if they state they do not want the shroud then the City needs to continue with enforcement. Councilor Campbell agrees with talking to them about solving the problems. Councilor Campbell expresses the need to rewrite the ordinance. Attorney Kudlac reports there is a section of the ordinance regarding shielding that Gold Beach Lumber is not following. If Gold Beach Lumber does not agree and comply with offer, the City can deal with it then.

Councilor Burns agrees with proceeding with providing shrouds.

Councilor Garratt feels it is reasonable but would like to see a time limit for response in the letter.

Mayor Pogwizd asked for a consensus for the City offering to provide the shrouds.

Motion carried 6-0.

<i>Councilor Cox</i>	<u>Yes</u>	<i>Councilor LaRoche</i>	<u>Yes</u>	<i>Councilor Williams</i>	<u>Yes</u>
<i>Councilor Burns</i>	<u>Yes</u>	<i>Councilor Garratt</i>	<u>Yes</u>	<i>Councilor Campbell</i>	<u>Yes</u>

- e. Ordinance 2019-05 Tourism, Advertising Agency Second Reading. Councilor Garratt moved to approve the second reading of 2019-05 with Councilor Williams as second. **Motion carried 6-0.**

<i>Councilor Cox</i>	<u>Yes</u>	<i>Councilor LaRoche</i>	<u>Yes</u>	<i>Councilor Williams</i>	<u>Yes</u>
<i>Councilor Burns</i>	<u>Yes</u>	<i>Councilor Garratt</i>	<u>Yes</u>	<i>Councilor Campbell</i>	<u>Yes</u>

8. New Business

- a. **Liquor License Request** by Ratu Investments, LLC – Councilor Williams moved to approve the liquor license request for Ratu Investments policy with Councilor Campbell as second.

Discussion: A discussion is had familiarizing all council members with Ratu Investments. Mayor Pogwizd called for a vote. **Motion carried 6-0.**

<i>Councilor Cox</i>	<u>Yes</u>	<i>Councilor LaRoche</i>	<u>Yes</u>	<i>Councilor Williams</i>	<u>Yes</u>
<i>Councilor Burns</i>	<u>Yes</u>	<i>Councilor Garratt</i>	<u>Yes</u>	<i>Councilor Campbell</i>	<u>Yes</u>

- b. **Parks Committee Recommendation for Community Building:** Councilor Williams speaks as the liaison Councilor. The recommendation allows the grant process to begin. A layout for the community building is in the packet showing the front entrance and bathrooms that will be able to meet ADA requirements. Currently it does not. Councilor Garratt moved to approve the community building proposed floor plan with Councilor LaRoche as second. **Motion carried 6-0.**

<i>Councilor Cox</i>	<u>Yes</u>	<i>Councilor LaRoche</i>	<u>Yes</u>	<i>Councilor Williams</i>	<u>Yes</u>
<i>Councilor Burns</i>	<u>Yes</u>	<i>Councilor Garratt</i>	<u>Yes</u>	<i>Councilor Campbell</i>	<u>Yes</u>

- c. **Resolution 2020-01, Worker's Comp Coverage to Volunteers:** Councilor Cox moved to accept resolution 2020-01 for Worker's Comp Coverage to Volunteers with Councilor Williams as second. *Motion carried 6-0.*

Councilor Cox Yes *Councilor LaRoche* Yes *Councilor Williams* Yes
Councilor Burns Yes *Councilor Garratt* Yes *Councilor Campbell* Yes

- d. **Resolution 2020-02 Right of Way:** Councilor Cox moved to approve resolution 2020-02 with Councilor LaRoche as second.

Discussion: Councilor Cox advised to get the six rules that Mr. McHugh brought up since it is a convenience thing.

Attorney Kudlac reported the issue on the permits is always "F, granting the right of way uses, license and the public interest." People have their own interpretation of what public interest is.

Councilor Garratt feels Council is setting a precedence and feels that on all permits the considerations be consistent. He does not feel a fence is not a permanent structure since it can be moved. People understand that right of ways can be revoked at any time.

Councilor Campbell is concerned that approval will be off-premise advertising due to the sign.

Councilor Garratt clarifies that the only present moment change is taking the commission out in order to streamline. *Motion carried 6-0.*

Councilor Cox Yes *Councilor LaRoche* Yes *Councilor Williams* Yes
Councilor Burns Yes *Councilor Garratt* Yes *Councilor Campbell* Yes

- e. **Approval of the Park Host:** Mayor Pogwizd advised that Parks has found a park host that they deem acceptable to take care of the parks. Councilor Burns moved to appoint Mr.

Tessier as Park Host of Buffington Park with Councilor Cox as second.

Discussion: Hearing non, Mayor Pogwizd called for vote *Motion carried 6-0.*

Councilor Cox Yes *Councilor LaRoche* Yes *Councilor Williams* Yes
Councilor Burns Yes *Councilor Garratt* Yes *Councilor Campbell* Yes

- f. **Right of Way Request:** Art district sign is requested. Beverly advised the sign would be within the sign ordinance restrictions. Mayor Pogwizd asked Beverly if the city were to approve the right of way use, could they get by with a 4 x 6 sign. Beverly advised she feels it would be way too small for those driving by and feels it would only be readable by people walking.

Councilor Williams asked how far up the hillside off the sidewalk the sign will be placed. He requested information on construction of the sign due to hillside and trucks passing by creating pack pressure. Beverly reported they spoke with ODOT about the 18-inch ODOT zone. She reported it would be 18 inches back from the retaining wall. Beverly reports a final design and placement has not been made pending approval.

Mayor Pogwizd asked about the grant deadline. Beverly reported there would be no cost to the city, and this involves multiple grants beginning in the fall. Mayor Pogwizd requested Beverly return next month with design info.

Councilor Cox reported Mr. McHugh advised the neighboring person was not supportive of the sign. Councilor Garratt suggested the two landowners be invited to respond by mail or in person. Beverly agreed to return the next meeting after contacting property owners and getting a sign design.

- g. **Councilor Burns status:** Councilor Cox moved to accept Gary Burns to position on city council with Councilor Williams as second. *Motion carried 5-0.*

Councilor Cox Yes *Councilor LaRoche* Yes *Councilor Williams* Yes
Councilor Burns Abstained *Councilor Garratt* Yes *Councilor Campbell* Yes

9. **Continuing Action** – It was discussed to remove vacation rentals due to inactivity. It was decided to keep vacation rentals on the continuing action and address the subject. It was discussed to remove Councilor Rules since already addressed. Councilor Cox has some points of concern. It is decided to leave Councilor Rules on the continuing actions.

10. Considerations

a. **Citizens –**

- **Cynthia Stetson:** Ms. Stetson thanked the mayor for the hand-delivered letter yesterday dated July 8. Ms. Stetson appreciates that the mayor agrees the process needs to be looked at and fixed. Ms. Stetson requested the mayor address her main complaint, which is the City Administrator and her job performance. Further comments made regarding the City Administrator. The Mayor thanked them for their comments.
- **Rowland Willis:** Thanked the council for their efforts in the Sky Ordinance. He was hoping to establish a route of enforcement to be included in the revision.. Mr. Willis feels the Dark Sky Ordinance should include a statement of benefit and as well as a statement of purpose. Mr. Willis advised that he spoke to Police Chief Hobart who felt the ordinance is a potential hinderance to the execution of his duties and requests the police department be invited to the DSO revision. Mayor Pogwizd advised that planning is addressing the ordinance revision.
- **Doug Battersby:** Mr. Battersby apologizes to the council and citizens for speaking out of order at the last meeting. Mr. Battersby suggests the council change the structure of the public city council sessions: 1) Changing time of public meetings so public can attend. Meetings are held at 3:30 PM on a weekday. Mr. Battersby has heard from many residents who would like to participate in the meeting or possibly be a councilor but are exempt by the fact that they have 9 to 5 jobs. 2) Hold the citizen comments preceding the long sessions discussing old business and new business, which he acknowledges is necessary. He states attention, both council and public, is fading after an hour to an hour and a half of issues. Mr. Battersby advised of the importance of citizen input, which are usually complaints. 3) Mr. Battersby applauded the persons complaining of their 200 dollars for coming and expressing their experiences with the city administrator. 4) Mr. Battersby addressed City Council Chairman, Mr. Cox, to see if the council has considered his request to make his science-based presentation on the Gorse situation not to exceed 15 minutes. Mr. Battersby states he has requested this for three consecutive months.

Council Chairman Cox reported they had a presentation today, so they were not able to accommodate. Councilor Cox speaks for himself and feels they cannot start banter or a conversation between Mr. Battersby and Gorse Action Group. Councilor Cox suggested Mr. Battersby go to the Gorse Action Group and present findings since it is much more pertinent to that group, or maybe the watershed. Gorse was simply giving a presentation to the city who had no bearing and no decision regarding the info.

Mr. Battersby requested an approval or denial in writing including the reasons. Councilor Cox agreed to write the response.

Mr. Battersby thanked the council for “releasing their grip for his speech as they often have for others.” Mr. Battersby read a quote from General George Washington.

➤ **Gary Wickham:** Mr. Wickham requested when they remodel the Community Building, they install good lighting for front steps and runways. Mr. Wickham states when on Harbor Drive at 5th Street, at the corner going down Dock Road, it is really hard to judge a vehicle coming up Dock Road due to a large bush. Mayor Pogwizd advised he will look at the problem. Mr. Wickham reports there is no reason why there is a northbound passing lane just south of the city. It encourages high speeds to get around slow vehicles only to have to lower speed to 45 miles per hour at city limits. Councilor Cox reported ODOT was contacted and did nothing. Councilor Cox agrees with a petition of some kind to ODOT.

➤ **Jim Hajek:** Jim comments on the vacation rentals and ADUs. He agrees with keeping that on the list and check in with it every so often rather than talking about it every month. Last meeting there was discussion about websites inviting climbers on Battle Rock. Mr. Hajek would like various websites inviting people to climb the rock be informed to please take down the invitation. Mr. Hajek offered to give a list of the websites to the City Administrator so she can send a letter. He offered to follow up compliance. Mr. Hajek is asking for Council to approve City Hall to notify the websites to remove the invitation to climb Battle Rock. *Consensus carried 4-2.*

<i>Councilor Cox</i>	<u>Yes</u>	<i>Councilor LaRoche</i>	<u>Yes</u>	<i>Councilor Williams</i>	<u>Yes</u>
<i>Councilor Burns</i>	<u>Yes</u>	<i>Councilor Garratt</i>	<u>No</u>	<i>Councilor Campbell</i>	<u>No</u>

➤ **Teresa Kolibaba:** Ms. Kolibaba expressed her agreement with Mr. Hajek’s request to ask the other websites to remove the invitation to climb Battle Rock due to the liability to the city. Ms. Kolibaba feels that if the city does nothing, the city is negligent. Ms. Kolibaba asks why sidewalks are needed on Oceanview stating they are not going to serve any purpose. Ms. Kolibaba asked who invited the Gorse Group to speak in front of the City Council.

b. **Staff** – None.

c. **Council** –

➤ **Councilor Cox** reads prepared statement, “last month at the regularly scheduled meeting the council chose to amend the council rules. I don’t like to rehash issues that have already been put to vote, but I feel obligated to do so. We have not received the revised rules with the changes that were made in the workshop. This alone, merits another look at the issue. I feel

like the revised rules inhibit the mayor and administrator in doing their jobs. Apparently, the City of Port Orford no longer wants to receive appropriate public comment or encourage citizens to provide us with public comments since those lines were stricken from the rules. Personally, I don't feel like censorship is a good way to govern and would ask that two other councilors join me in getting the council rules issue back on the agenda for next month." Councilor Cox informed Council they have 25 days to do so if desired. Mayor Pogwizd asked for consensus to revisit this. Councilor LaRoche and one other councilor agreed to revisit. Mayor Pogwizd added council rules to the agenda for next month.

- **Councilor Burns** suggests appointing a group to start the process of the vacation rental and ADU. Councilors expressed their desire for a workshop. Councilor Cox has been waiting for a planning workshop that will be related. Mayor Pogwizd announced a two o'clock planning meeting next month before the council meeting and then add ADUs the following month.
- **Councilor Garratt** would like to see the packets get the reorganization as discussed at the last meeting. Councilor Garratt expressed his appreciation for citizen participation. He reported the city does not have liability of Battle Rock climbers. Councilor Garratt comments on public interest versus the rights of an individual person. He recognizes it is difficult to balance but needs to be considered.

d. **Mayor** – None.

11. Future Meetings:

City Council Workshop > Thursday, August 15, 2019 > 2:00 > City Hall Council Chambers.
City Council Meeting > Thursday, August 15, 2019 > 3:30 > City Hall Council Chambers.

12. Adjourned

There being no further business, Mayor Pogwizd adjourned the meeting at 5:45 P.M.

Attest:

Mayor Tim Pogwizd

City Recorder, Terrie Richards

ADMINISTRATION REPORT

City of Port Orford

CITY COUNCIL ADMINISTRATION REPORT

Date: 07/18/19

SUBJECT: Parks/Other

ITEM NO: 6

PARKS:

- ⊗ Battle Rock (not the park) the Parks Commission was asked to decide how they would like to proceed in preserving the rock. Commissioner Thompson reminded those present that at the outreach meeting the majority attending preferred to use educational signage. The Commission asked Commissioner Thompson to research proper verbiage for the sign(s).
- ⊗ The need to make improvements to the Visitor Center is big – Hilary Johnson informed the Commission of an OCVA grant that could help. Other grants will be researched.
- ⊗ The new Park Host is Richard Tessier from Gold Beach.
- ⊗ The Dog Park Grand Opening is set for August 18, 2019 – hope you will stop by

Other:

- July 31, 2019 the Small City Allotment Grant through ODOT application has been submitted. This grant is to pave, add bike lanes and a sidewalk on Ocean View/Oregon St.
- July 24, 2019 County Code Enforcement Workshop in Gold Beach. The meeting went well. The BOC was looking for ways to work together with the cities in enforcing codes. **Does the Council want to enter into an Inter-Governmental Agreement (IGA) with the County to allow them to enforce county ordinances in city limits?** The County Code Enforcement Officer would then be able to cite violations into circuit court.
- July 1, 2019 OSHA Consultant walk through results given to the Safety Officer for Public Works Wade Phillips, to coordinate corrections to safety issues found.
- City Auditors will be here August 26 and 27.
- New Signs are up at Battle Rock Wayside. The No Dumping/Fine \$500.00 and No Overnight Parking/Camping.
- Board of Commissioners will be meeting here in Chambers every other month at 5:00 PM. Their next meeting here is September. (they really like our chairs)
- Listening Session: I attended a listening session with South Coast Development Counsel and several citizens of the community along with Commissioner Burns and Garratt. The discussion was primarily about our water situation and how it would be affected if workforce housing were added.
- The bus shelter is finished thanks to the Rotary Club of Port Orford Volunteers. Landscaping and refinishing the old bench and relocating it closer to the new shelter is part of the plan.
- **Web Page reminder our Pro Bono help with the web page is retiring as of December 31, 2019**
- New Single Family Dwellings Permits: 1 Replacement Home 2 New Homes
- Beverley Bacak has temporarily resigned from the Historical Preservation Commission – letter attached
- I have been in contact with Billeter Marine to discuss the possibility of them dredging the impound. Waiting to hear when we can schedule an onsite visit.

- The dumpster at the visitor center was once again stuffed full of clothing. The dumpster will be locked from now on. Trashcans are provided for visitor use.
- I am seeking proposals for leak detection
- Records Request – a lot of time spent researching documents requested for Mr. Battersby
- PO Rural Fire Dept. sent approval of the use of Cedar Terrace for our repeater for a telemetry system. *Attached*
- ★ Water Loss for July 2019 = %
- ★ Union contract is coming up for discussion in 2020 – as of right now the only thing we see is some verbiage change in a couple of areas.

SUBMITTED BY: *Terrie Richards*

Terrie Richards, City Administrator

Beverly Bacak
41994 Humbug Way
Port Orford, OR 97465

July 26, 2019

Jim Kuhn, Chair
Port Orford Historic Preservation Commission
City of Port Orford

Dear Jim,

As I explained in our meeting today, my current schedule of activities requires me to step down, as of this date, as a Commissioner on the City of Port Orford Historic Preservation Commission. Now in my fifth year as a Commissioner, I value greatly the work of this important Commission.

As my schedule lightens, I will be seeking reappointment to the Commission to continue working to preserve, protect, and restore the historic assets of Port Orford.

It has been a pleasure serving with you.

Sincerely,

A handwritten signature in cursive script that reads "Beverly Bacak". The signature is written in black ink and is positioned above the printed name.

Beverly Bacak

Terrie Richards

From: Nancy Angelesco <nangelesco@frontier.com>
Sent: Tuesday, July 30, 2019 8:23 AM
To: City Administrator City Terrie Richards of Port Orford
Subject: Repeater at Cedar Terrace Rural Fire Station

Dear Terrie,

My deepest apologies for the delay in responding to the City's request to place a responder at the Cedar Terrace Rural Fire Station. My personal life seems to have gotten in the way of necessary tasks. I hope this delay hasn't caused any inconvenience to you all.

At the July 11, 2019 meeting of the Board of Directors of the Port Orford Rural Fire Protection District, the Board unanimously approved the City's request to place a responder at the Cedar Terrace Fire Station.

We're glad we could help in this matter. If we can do anything else, let us know.

Nancy Angelesco
President, Board of Directors
Port Orford Rural Fire Protection District

Sent from [Mail](#) for Windows 10

FINANCE REPORT

FINANCIAL REPORT
August 2, 2019

For the month of August, the total revenue and expenditures for all funds was \$150,307.66 and \$214,144.89 respectively. Following is a more detailed narrative of the activity per fund.

General Fund:

The General fund received \$34,078.29 in revenue of which \$1,788.45 was from property tax receipts, \$22,183.90 from citations, \$118.75 from the State Cigarette Tax, \$979.48 in interest, \$1,525.00 in Business License, \$91.00 in Planning fees, \$7,000.00 reimbursement from DLCDC for the Tsunami Resilience Grant, \$75.00 to release an impounded vehicle, \$90.00 in lien search fees, and \$226.71 in court administrative fees. For the month of August, the General Fund disbursed \$48,011.76 of which \$12,830.13 was for wages, \$3,434.76 in citation reimbursements and assessments, \$14,594.45 was the General Funds share of the new PP&L insurance, \$242.26 for custodial services, \$1,200.00 for legal services, \$475.42 for office supplies, \$300.00 for the municipal judge, \$339.07 in bank fees, \$1,077.45 for work on the Tsunami Resilience Grant, \$2,806.49 for planning services, \$168.65 for postage, \$1,364.80 for repairs to City Hall, \$332.85 for telephone, \$595.57 for electricity, \$5,707.50 for dispatch services, \$284.84 payment for the copier lease, \$414.64 for a new printer and a battery backup, \$1,604.47 for the annual membership to League of Oregon Cities and the Local Government Personnel Institute, \$143.43 for subdivision fees, and \$94.98 for internet service.

Parks:

Parks received \$19,130.60 in revenue of which \$10.00 in Visitor Center donations, \$18,939.06 in TLT receipts, and \$181.54 in interest. For the month of August, \$25,469.27 was disbursed for Parks of which \$4,091.11 was for payroll, \$177.48 for fuel, \$11,000.00 to Port Orford Main Street Revitalization Association for business promotion, \$357.37 for electricity, \$1,246.99 was the Parks Funds share of the PP&L insurance, \$6,500.00 in TLT Grants (\$2,000.00 to Port Orford Community Co-op and \$4,500.00 to Port Orford Main Street Revitalization Association,) \$12.74 for vehicle maintenance, \$30.32 for telephone service, \$745.52 for office supplies, and \$1,307.74 for custodial services.

Public Safety:

\$40,787.24 was disbursed for the Police Department of which \$27,161.80 was for payroll, \$371.70 for office supplies, \$758.06 for fuel, \$178.44 for uniforms, \$18.33 for postage, \$9,883.59 was Public Safety Funds share of the PP&L insurance, \$49.88 for minor equipment, \$52.00 for use of the Brookings shooting range, \$83.00 for Kings Online, \$1,695.00 annual subscription to Lexipol, \$82.85 for vehicle maintenance, and \$452.59 for telephone service. Public Safety received \$1,566.12 in revenue of which \$1,497.68 was from property tax receipts and \$68.44 in interest.

Water Enterprise:

The Water Department received \$38,452.22 in revenue of which \$37,894.98 was from the June utility billing of which \$2,488.23 is designated to be set aside for Water Capital Reserves, \$196.00 for irrigation meters, and \$361.24 in interest. The Water Enterprise Fund paid out \$46,566.99 of which \$25,002.56 was for payroll, \$532.29 for office supplies, \$127.81 for postage, \$354.38 for telephone services, \$39.99 for internet service, \$3,175.00 for electricity, \$326.99 for fuel, \$500.00 for contact services, \$4,800.42 for dump trailer and water pump stick, \$764.89 for maintenance of water lines, \$2,318.24 for pump station repairs, \$8,220.93 for Water Enterprise share of the PP&L insurance, \$98.49 for maintenance of the treatment plant, and \$305.00 registration for the OAWU summer conference.

Water Capital Reserves:

The Water Capital Reserve Fund received \$315.42 in interest. The Water Capital Reserve Fund balance is now \$139,618.53.

Sewer Enterprise:

The Sewer Enterprise Fund received \$47,011.19 in cash receipts which consists of \$596.88 in interest, \$240.00 for water testing, and \$46,174.31 was from the June utility billing of which \$2,591.48 is designated to be set aside for Sewer Capital Reserve. The Sewer Enterprise fund outflow for August was \$41,542.64 of which \$21,712.96 was for payroll, \$4,087.26 for electricity, \$219.60 for telephone service, \$288.86 for fuel, \$59.99 for internet service, \$875.90 to maintenance to the Treatment Plant, \$2,698.00 for repair to the Idaho St. lift station, \$539.68 for lab equipment, \$514.96 for office supplies, \$7,251.04 was the Sewer Enterprise Funds share of the PP&L insurance, \$2,812.00 for the annual DEQ discharge permit, \$354.58 for gloves, and \$127.81 for postage.

Sewer Capital Reserves:

The Sewer Capital Reserves received \$305.19 in interest. The Sewer Capital Reserve Fund balance is now \$135,087.45.

Street Fund:

For August the Street Fund received \$7,817.75 of which \$7,652.42 was from the State Highway tax, and \$165.33 in interest. \$11,766.99 was disbursed for Streets, of which \$5,479.82 was for wages, \$99.00 for the port-a-pott, \$200.96 for fuel, \$198.24 for minor tools, \$97.95 for electricity, \$703.04 for new signs, and \$4,987.98 was the Street Funds share of the PP&L insurance.

Streets Capital Improvement Fund

The Streets Capital Improvement Fund received \$94.52 in interest and the new balance in now \$41,837.68.

Equipment Replacement Fund:

The Equipment Replacement Fund received \$115.98 in interest. The balance of the Equipment Replacement Fund is \$51,336.94.

Water and Sewer SDC:

The Water SDC Fund received \$848.03 in interest and the Sewer SDC Fund received \$572.35 in interest for the month of August. The balances of the SDC funds are as follows:

Water SDC	\$375,370.53
Sewer SDC Reimbursement	\$229,782.92
Sewer SDC Improvement	\$ 23,560.98

David Johnson



Bank Transaction Report

City of Port Orford

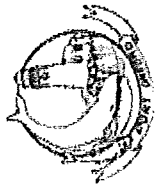
Transaction Detail

Issued Date Range: 07/01/2019 - 07/31/2019

Issued	Number	Description	Amount
Bank Draft			
07/01/2019	<u>DFT0005291</u>	U.S. Bank Equipment Finance	142.42
07/05/2019	<u>DFT0005293</u>	AsiFlex	41.66
07/05/2019	<u>DFT0005294</u>	VOYA - Oregon Savings Growth Plan	235.00
07/05/2019	<u>DFT0005295</u>	PERS	679.18
07/05/2019	<u>DFT0005296</u>	PERS	697.61
07/05/2019	<u>DFT0005297</u>	PERS	1,441.37
07/05/2019	<u>DFT0005298</u>	PERS	1,065.33
07/05/2019	<u>DFT0005299</u>	PERS	263.31
07/05/2019	<u>DFT0005300</u>	PERS	1,237.23
07/05/2019	<u>DFT0005301</u>	Oregon Dept of Revenue	22.95
07/05/2019	<u>DFT0005302</u>	Oregon Dept of Revenue	23.54
07/05/2019	<u>DFT0005303</u>	Rogue Credit Union	672.62
07/05/2019	<u>DFT0005304</u>	Oregon Dept of Revenue	1,531.61
07/05/2019	<u>DFT0005305</u>	Rogue Credit Union	1,988.25
07/05/2019	<u>DFT0005306</u>	Rogue Credit Union	2,875.92
07/10/2019	<u>DFT0005307</u>	ASI Flex Admin Fee	3.75
07/18/2019	<u>DFT0005324</u>	U.S. Bank Equipment Finance	142.42
07/19/2019	<u>DFT0005309</u>	AsiFlex	41.66
07/19/2019	<u>DFT0005310</u>	VOYA - Oregon Savings Growth Plan	235.00
07/19/2019	<u>DFT0005311</u>	VOYA - Oregon Savings Growth Plan	105.34
07/19/2019	<u>DFT0005312</u>	PERS	791.25
07/19/2019	<u>DFT0005313</u>	PERS	799.35
07/19/2019	<u>DFT0005314</u>	PERS	1,608.89
07/19/2019	<u>DFT0005315</u>	PERS	1,262.91
07/19/2019	<u>DFT0005316</u>	PERS	300.53
07/19/2019	<u>DFT0005317</u>	PERS	2,496.46
07/19/2019	<u>DFT0005318</u>	Oregon Dept of Revenue	27.30
07/19/2019	<u>DFT0005319</u>	Oregon Dept of Revenue	26.22
07/19/2019	<u>DFT0005320</u>	Rogue Credit Union	798.22
07/19/2019	<u>DFT0005321</u>	Oregon Dept of Revenue	1,843.73
07/19/2019	<u>DFT0005322</u>	Rogue Credit Union	2,498.55
07/19/2019	<u>DFT0005323</u>	Rogue Credit Union	3,413.00
Total Drafts			29,312.58
Check			
07/01/2019	<u>14271</u>	Department of Environmental Quality	2,712.00
07/01/2019	<u>14272</u>	Coos-Curry Electric Co-op	2,336.50
07/01/2019	<u>14273</u>	Curry Transfer & Recycling	52.15
07/01/2019	<u>14274</u>	Office Depot	78.60
07/01/2019	<u>14275</u>	One Call Concepts, Inc.	7.35
07/01/2019	<u>14276</u>	Roto Rooter, A Waste Connection Co.	99.00
07/01/2019	<u>14277</u>	Shoji Planning, LLC	4,027.37
07/05/2019	<u>14278</u>	CIS TRUST	11,187.70
07/05/2019	<u>14279</u>	Void Check	0.00
07/05/2019	<u>14280</u>	Void Check	0.00

Issued	Number	Description	Amount
07/05/2019	<u>14281</u>	Void Check	0.00
07/05/2019	<u>14282</u>	Teamsters Local U. #206	252.00
07/10/2019	<u>14283</u>	Bay Area Copier Company	98.48
07/10/2019	<u>14284</u>	C & K Market	9.99
07/10/2019	<u>14285</u>	Carson Oil Company	266.86
07/10/2019	<u>14286</u>	CASH IN OFFICE	13.23
07/10/2019	<u>14287</u>	Coos-Curry Supply, Inc.	348.35
07/10/2019	<u>14288</u>	Curry County Sheriff	5,707.50
07/10/2019	<u>14289</u>	Curry County Treasurer	734.40
07/10/2019	<u>14290</u>	League of Oregon Cities	334.20
07/10/2019	<u>14291</u>	NOR-PAC Powers Systems, LLC.	1,645.92
07/10/2019	<u>14292</u>	ODOT Fuel Sales	1,485.49
07/10/2019	<u>14293</u>	Oregon Dept of Revenue CFA	2,700.00
07/10/2019	<u>14294</u>	Rose City Stamp, Inc.	23.65
07/10/2019	<u>14295</u>	TransUnion Risk and Alternative Data Solutions, Inc.	83.00
07/10/2019	<u>14296</u>	Vend West Services	55.00
07/10/2019	<u>14297</u>	AT&T Mobility	281.34
07/10/2019	<u>14298</u>	CASH IN OFFICE	200.62
07/10/2019	<u>14299</u>	Charter Communications	274.68
07/10/2019	<u>14300</u>	City of Brookings	52.00
07/10/2019	<u>14301</u>	Department of Environmental Quality	100.00
07/10/2019	<u>14302</u>	Frontier	97.52
07/10/2019	<u>14303</u>	League of Oregon Cities	989.47
07/10/2019	<u>14304</u>	LGPI Oregon	615.00
07/10/2019	<u>14305</u>	OAWU	305.00
07/10/2019	<u>14306</u>	Hardcastles	4,316.48
07/18/2019	<u>14307</u>	A SmartSign Store	1,420.66
07/18/2019	<u>14308</u>	Void Check	0.00
07/18/2019	<u>14309</u>	Amazon Capital Services, Inc.	130.99
07/18/2019	<u>14310</u>	Amazon Capital Services, Inc.	39.64
07/18/2019	<u>14311</u>	Budge-Mchugh Supply Company	248.99
07/18/2019	<u>14312</u>	Nurnberg Scientific	230.87
07/18/2019	<u>14313</u>	Office Depot	247.19
07/18/2019	<u>14314</u>	USA Blue Book	353.93
07/18/2019	<u>14315</u>	Coos-Curry Electric Co-op	793.44
07/18/2019	<u>14316</u>	Void Check	0.00
07/18/2019	<u>14317</u>	The Dyer Partnership Engineers & Planners, Inc.	685.90
07/18/2019	<u>14318</u>	Charter Communications	94.98
07/18/2019	<u>14319</u>	Jennifer Head	2,000.00
07/18/2019	<u>14320</u>	Oregon Pacific Company	124.36
07/18/2019	<u>14321</u>	Port Orford Main Street Revitalization Association	3,000.00
07/18/2019	<u>14322</u>	Port Orford Main Street Revitalization Association	1,500.00
07/19/2019	<u>14323</u>	CIS TRUST	11,188.00
07/19/2019	<u>14324</u>	Void Check	0.00
07/19/2019	<u>14325</u>	Void Check	0.00
07/19/2019	<u>14326</u>	Void Check	0.00
07/19/2019	<u>14327</u>	Teamsters Local U. #206	277.00
07/22/2019	<u>14332</u>	KIM NYE	282.43
07/30/2019	<u>14328</u>	Gary Milliman	300.00
07/30/2019	<u>14329</u>	Gregory T. Ryder	1,550.00
07/30/2019	<u>14330</u>	Law Offices of Frederick J Carleton	1,200.00
07/30/2019	<u>14331</u>	Terrusa, David R	500.00

Issued	Number	Description	Amount
07/30/2019	<u>14333</u>	AccuForm, LLC	1,029.91
07/30/2019	<u>14334</u>	Amazon Capital Services, Inc.	807.61
07/30/2019	<u>14335</u>	Budge-Mchugh Supply Company	850.86
07/30/2019	<u>14336</u>	CIS-PPL	46,184.98
07/30/2019	<u>14337</u>	CIS-Worker's Comp	6,595.08
07/30/2019	<u>14338</u>	Coos-Curry Electric Co-op	5,183.21
07/30/2019	<u>14339</u>	Void Check	0.00
07/30/2019	<u>14340</u>	Curry County Road Department	82.85
07/30/2019	<u>14341</u>	Frontier	35.97
07/30/2019	<u>14342</u>	Frontier Online	36.00
07/30/2019	<u>14343</u>	Gold Beach Lumber	642.70
07/30/2019	<u>14344</u>	Void Check	0.00
07/30/2019	<u>14345</u>	Void Check	0.00
07/30/2019	<u>14346</u>	Lexipol LLC	1,695.00
07/30/2019	<u>14347</u>	Nurnberg Scientific	123.71
07/30/2019	<u>14348</u>	Oregon Pacific Company	34.24
07/30/2019	<u>14349</u>	Port Orford Main Street Revitalization Association	11,000.00
07/30/2019	<u>14350</u>	Reese Electric, Inc.	3,643.33
07/30/2019	<u>14351</u>	Rogue Credit Union-Visa	1,064.87
07/30/2019	<u>14352</u>	Void Check	0.00
07/30/2019	<u>14353</u>	U. S. Cellular	169.15
07/30/2019	<u>14354</u>	USA Blue Book	185.75
Total Checks			147,024.45
EFT			
07/05/2019	<u>DFT0005292</u>	Payroll EFT	17,354.75
07/19/2019	<u>DFT0005308</u>	Payroll EFT	20,396.11
Total EFT			37,750.86



City of Port Orford

Detail Report Account Detail

Date Range: 07/01/2019 - 07/31/2019

Account	Post Date	Packet Number	Name	Vendor	Beginning Balance	Total Activity	Total Debits	Total Credits	Ending Balance
Fund: 030 - WATER ENTERPRISE FUND									
030-00-44109									
	07/01/2019	UBPKT01122	Designated for Reserves		0.00	-2,488.23	4.79	2,493.02	-2,488.23
			Source Transaction	Utility Disconnect Bill Packet UBPKT01122			Debits	Credits	Running Balance
	07/03/2019	UBPKT01123	Utility Disconnect Bill	Utility Regular Bill Packet UBPKT01123				6.73	-6.73
	07/11/2019	UBPKT01126	Utility Regular Bill Pa	Miscellaneous Adjustment Packet UBPKT01			1.54	2,472.75	-2,479.48
	07/11/2019	UBPKT01127	Miscellaneous Adjust	Miscellaneous Adjustment Packet UBPKT01			1.12		-2,476.82
	07/19/2019	UBPKT01128	Miscellaneous Adjust	Miscellaneous Adjustment Packet UBPKT01128				1.55	-2,478.37
	07/22/2019	UBPKT01129	Utility Disconnect Bill	Utility Disconnect Bill Packet UBPKT01129			2.13	5.52	-2,483.89
	07/30/2019	UBPKT01132	Utility Disconnect Bill	Miscellaneous Adjustment Packet UBPKT01				6.47	-2,481.76
	07/31/2019	UBPKT01133	Miscellaneous Adjust	Utility Disconnect Bill Packet UBPKT01133					-2,488.23
			Utility Disconnect Bill		0.00	-2,488.23	4.79	2,493.02	-2,488.23
Total Fund: 030 - WATER ENTERPRISE FUND:					0.00	-2,488.23	4.79	2,493.02	-2,488.23

Detail Report
Account

Post Date	Packet Number	Source Transaction	Description	Vendor	Beginning Balance	Total Activity	Total Debits	Total Credits	Ending Balance
Fund: 035 - SEWER ENTERPRISE FUND									
035-00-44115									
Designated for Reserves									
07/01/2019	UBPKT01122	Utility Disconnect Bill	Utility Disconnect Bill Packet UBPKT01122		0.00	-2,591.48	12.91	2,604.39	-2,591.48
07/03/2019	UBPKT01123	Utility Regular Bill Pa	Utility Regular Bill Packet UBPKT01123					7.57	-7.57
07/11/2019	UBPKT01126	Miscellaneous Adjust	Miscellaneous Adjustment Packet UBPKT01				4.01	2,583.57	-2,591.14
07/11/2019	UBPKT01127	Miscellaneous Adjust	Miscellaneous Adjustment Packet UBPKT01				3.15		-2,587.13
07/19/2019	UBPKT01128	Utility Disconnect Bill	Utility Disconnect Bill Packet UBPKT01128					1.30	-2,583.98
07/22/2019	UBPKT01129	Utility Disconnect Bill	Utility Disconnect Bill Packet UBPKT01129				5.75	4.89	-2,585.28
07/30/2019	UBPKT01132	Miscellaneous Adjust	Miscellaneous Adjustment Packet UBPKT01						-2,590.17
07/31/2019	UBPKT01133	Utility Disconnect Bill	Utility Disconnect Bill Packet UBPKT01133					7.06	-2,584.42
Total Fund: 035 - SEWER ENTERPRISE FUND:					0.00	-2,591.48	12.91	2,604.39	-2,591.48
Grand Totals:					0.00	-5,079.71	17.70	5,097.41	-5,079.71

PLANNING REPORT

**CITY OF PORT ORFORD PLANNING DEPARTMENT
REPORT TO MAYOR, CITY COUNCIL & CITY ADMINISTRATOR**

Date: August 8, 2019

To: Tim Pogwizd, Mayor, City Council members & Terrie Richards, City Administrator

From: Patty Clark, Planning Assistant

I. City Planning Commission Activity

At the regular meeting of July 9, 2019 the Planning Commission accepted minutes of the March 12, 2019 planning commission meeting.

II. Public Hearing

- Variance for 2035 Arizona Street (continued to the August 13, 2019 meeting)

III. Planning Matters

- The Planning Commission is working on updating the existing Dark Sky Ordinance

IV. Permit Clearance Activity

The City planning and public works staff review all requests for building permits within the city to determine whether the request complies with the city's land use and public works regulations. The city staff confirms that building permit applications conform to these regulations by reviewing Permit Clearance forms that are filed with the city prior to applying to the county for the building permit.

During the months of April, May, June and July, 2019 the city received four applications for review.

465 Washington	Student Housing
1820 Idaho	SFD
406 6 th Street	Storage/Frezzer with living above
660 King Street	SFD



CITY OF PORT ORFORD

COUNCIL RULES

1.0 MEETINGS; GENERAL:

- 1.1 Meeting times:** The council regular meeting shall be held on the third Thursday of each month at 3:30 p.m. in the council chambers. A City Council workshop session may be held in the small conference room 30-60 minutes before each Council meeting. The public is invited to attend the workshop sessions as well as the regular Council meetings immediately following the workshops. In the event a specified employee holiday falls on that Thursday, the council will meet on the first Friday following. The council may, at a regular or special meeting, designate a different day, time, and/or place for an upcoming regular meeting.
- 1.1.1** Council members and city staff whose presence at meetings is required shall be at the meeting place five (5) minutes prior to the scheduled start of the meeting so that the meeting can begin promptly.
- 1.2 Mayors Absence:** In the event the Mayor is absent the Council President shall preside over the council meeting with full voting powers. In the event the Mayor and Council President are both absent the council shall move by motion and vote to elect another council member to be acting president, retaining full voting powers.
- 1.3 Council Absence:** In the event that a council member knows he or she will not be able to attend a scheduled meeting, he or she will so notify either the Mayor or the City Administrator as soon as practicable.
- 1.4 Work Sessions:** Work sessions shall be held in accordance with applicable state law. Such sessions shall be called by the Mayor, City Administrator or at the request of at least three council members in writing¹.
- 1.5 Special Meetings:** A special meeting may be called by the Mayor or at the request of at least three council members, in writing, to the City Administrator.
- 1.5.1** No special meeting shall be held without at least 24 hours notice to the members of the governing body, the news media which have requested notice and the general public. In case of an actual emergency, a meeting may be held upon such notice as is appropriate to the circumstances, but the minutes for such a meeting shall describe the emergency justifying less than 24 hours notice.
- 1.6 Executive Sessions:** Executive Sessions may be held during regular, or special sessions, so long as applicable statutes are met.
- 1.7 Public Hearings:** Public Hearings shall be held in conjunction with regular scheduled council meetings whenever possible.
- 1.7.1 Hearings Officer:** The presiding officer shall designate a Hearing Officer to conduct the public hearing when appropriate.

2.0 MEETINGS GUIDELINES

- 2.1 Quorums: A quorum shall consist of four (4) of the six (6) council members. If a quorum is not present at the time the meeting is called to order, the City Recorder shall immediately inform the absent members, except for those known to be unavoidably detained, that their presence is required to enable the Council to proceed. If the absent members do not appear after said notice, the meeting shall be adjourned.
- 2.2 Roberts Rules of Order: Robert's Rules of Order Revised shall be used as a general guide for conduct of Council meetings. The Council has an obligation to be clear and simple in its procedures and the consideration of issues before it. It should avoid invoking the finer points of Parliamentary procedure which may serve only to obscure the issues and to arouse the suspicion of the audience.
- 2.3 Agenda: The City Recorder shall, upon consultation with the City Administrator, prepare an agenda of the business to be conducted at regular Council meetings for the approval of the Mayor. No item shall be added to the agenda after Noon on the Thursday preceding the meeting. The agenda shall be prepared in accordance with paragraph 2.3.1. The Council shall consider only those items on the agenda. In order for the Council to consider any item not on the agenda, the Council must first vote to consider that item. If the item receives less than a majority of the votes of the council members present, it will not be considered at that meeting. Council members and the Mayor shall endeavor to have subjects they wish considered submitted to the City Recorder in time to be placed on the agenda. Additional material to be added to the agenda after the Friday before the council meeting should be submitted to staff for distribution to the council.
- 2.3.1 Order of Business: The order of business at regular council meetings shall be determined by the Mayor and City Administrator per the following items including but not limited to:

- Call to Order / Flag Salute
- Additions to the Agenda
- Presentations to the Council/Citizens
- Consent Calendar
- Citizen's Concerns (Sign-up Required)—Citizens may comment on or provide information on agenda items or approved material submitted in advance for Council consideration.
- Departmental Reports
 - a) Administrative
 - b) Finance
 - c) Public Works
 - d) Police Department
 - e) Planning Commission
 - f) Mayors Report
 - g) Liaison Reports
 - 1) Port
 - 2) School District
 - 3) Fire Board
 - 4) Chamber of Commerce
 - 5) Watershed

- 6) Parks/TLT
- 7) Curry County
- 8) Others as appropriate
- h) Other Committee Reports, if applicable

Old Business

New Business

Continuing Action Items

Considerations

- a) Citizen Considerations—Citizens may bring up any matters of concern for future consideration by the Council.
- b) Staff Considerations
- c) Councilor Considerations
- d) Mayor Considerations

Future Meetings Date / Time

Adjourn

2.3.2 Consent Calendar items: Items on the consent calendar shall be removed from the consent calendar and placed under Continuing Action Items, Old Business, or New Business as appropriate upon the request of the Mayor, or at least one Councilor.

2.3.3 The Council shall, by consensus or majority vote, approve Mayor appointments and removals of all officers of the City, members of all committees, commissions, and boards.

2.4 Documents prepared by citizen groups working under the auspices of the City Council shall be submitted to the Council for approval only. There shall be no editing or changes made to the document, except correction of typographical errors, during the open Council meeting. Each document shall be submitted to a Council vote. If the vote to approve fails, then the document shall be returned to the originating organization for correction or amendment. Each of the council members who voted in the negative for editing changes may submit in writing to the originating group their comments for consideration and inclusion into the amended document. These written comments shall be submitted to the originating organization within ten (10) days after the Council vote.

2.5 Speaking by Council Members:

Council members wishing to speak shall first receive recognition by the chair and shall confine his or her remarks to the topic under debate. Each council member shall be allowed an initial three (3) minutes to state his or her position on each agenda item. The presiding officer shall be required to ask the councilors to state their positions if they desire to do so. All councilors shall be given equal opportunity to speak.

When each councilor has been given the opportunity to state his or her views, the presiding officer shall once again offer each councilor a chance to comment on the views previously presented. Here again, the maximum comment period shall be limited to no more than three (3) minutes. The Mayor or presiding officer shall have, and be required to exercise authority to limit the speaker's time to three (3) minutes. However, the Council may extend any speaker's time limit by majority vote.

2.6 Speaking by Members of the Audience at a Public Hearing:

2.6.1 Members of the audience wishing to speak at the public comment period at a public hearing shall raise their hand and wait to be recognized by the chair. After

recognition, that person shall come to the microphone provided, state his or her name and place of residence for the record, and limit his or her remarks to the issue under consideration. All remarks and questions shall be addressed to the presiding officer and not to any individual council member, staff member or other person. The chair may then designate a staff member or council member to answer the question, if appropriate. Public comment shall be limited to 5 minutes unless extended by the chair.

- 2.6.2 No member of the audience shall be allowed to speak at a Public Hearing more than once on any subject until other members of the audience choosing to speak have so spoken. In any event no member of the audience shall speak more than twice on the same issue at any one hearing.
- 2.6.3 After a public hearing has been closed, no member of the audience shall address the Council without first securing permission from the chair.

2.7 Public Comment

- 2.7.1 Two periods for public comment will be reserved for every regular meeting of the council. The first period for public comment shall be limited to items placed on the agenda other than public hearings (Citizen Concerns), and the second period of public comment shall be used to comment on any issue of city business, other than agenda items (Citizen Considerations). The presiding officer may, unless a member of council objects, allow a person who desires to make comment on an item not on the agenda to speak during the first comment period.
- 2.7.2 Persons wishing to speak during public comment must sign the "speaker's roster" with the person's name and address and the topic upon which the person wishes to speak, not later than the call to order.
- 2.7.3 Members of the public may speak about any topic during the last period for public comment, except for items that may be on a hearing, or require a hearing such as legislative, quasi-judicial, or administrative matters. The presiding officer may exclude or limit cumulative or repetitious topics. Topics must be in the form of an item that can be addressed by the council if it so chooses. *Questioning the staff or city councilors is strictly prohibited!* If a speaker violates these rules the Mayor shall terminate the speakers presentation.
- 2.7.4 If a member of the public wishes to speak on an item that is scheduled for a public hearing at that same meeting, the speaker shall wait until that public hearing. Public comment shall not be used to testify about a quasi-judicial land use matter, to testify on an item that is not a public matter, to testify on a matter which has been or is scheduled to be heard by a hearings official, or to provide or gather additional testimony or information on any matter after the official record has been closed on any matter which has been the subject of a public hearing.
- 2.7.5 Speakers are limited to three minutes. Generally, the speakers will be called upon in the order in which they have signed in on the speaker's roster. Speakers shall identify themselves by their names and by their place of residence. Speakers may state their mailing address [or the ward in which they reside]. The presiding officer may allow additional persons to speak if they have not signed the speaker's roster.

- 2.7.6 Councilors may, after obtaining the floor, ask questions of speakers during public comment. Councilors shall use restraint when exercising this option, and shall attempt to limit questioning to no more than three minutes. The presiding officer may intervene if a councilor is violating the spirit of this guideline.
- 2.7.7 Speakers may play electronic audio or visual material during the time permitted for their comment. Speakers may utilize city-provided audio or visual equipment located in the council chambers as a part of their comment, but must provide the materials in a readable format to city staff prior to the meeting so that it may be installed on the city's equipment to avoid a delay or disruption of the meeting. If your presentation requires the use of special resources such as projector, or the setup of your own equipment you must register your presentation (and such requirements) at least 1 week in advance with the city office. You must also arrive at the meeting 15 minutes in advance to ensure enough time to setup for your presentation if advance of the meeting start.

3.0 **ORDER AND DECORUM:**

- 3.1 **Order by the Chair:** The presiding officer (usually the Mayor) will have complete control of the meeting. Any attempt to override a decision of the presiding officer must be supported by a majority vote of the council members.
- 3.2 **Council Etiquette:** No council member will *ever* chastise, denigrate, or criticize anyone during an open council meeting. If attempts to deal with these problems in a private two-way conversation fail, then the council member may petition the Mayor to convene a full council executive session to deal with the problem. In no case shall a council member deal with any city employee personnel problems except through the City Administrator. The chain of command must be observed.
- 3.3 **Sergeant-At-Arms:** The Sergeant-At-Arms shall be a Police Officer
 - 3.3.1 It shall be the duty of the Sergeant-At-Arms to assist the chair, as to maintain order and decorum at all meetings.
 - 3.3.2 Any of the following shall be sufficient cause to remove any person from the council chambers for the duration of the meeting, after a warning by the presiding officer.
 - A. The use of unreasonably loud, offensive or disruptive language.
 - B. The making of loud or disruptive noise.
 - C. The willful damage of furnishing or of the interior of the council chamber.
 - D. The refusal to obey any of the rules of conduct provided within this article.
 - E. The engaging of violent or distracting actions.
 - F. Failure to follow the council rules, and/or directions of the presiding officer.
- 3.4 **Meeting Disruptions:** Noise, language, conduct, or failure to follow the council rules that results in disruption or delays to the business of the council.
 - 3.4.1 Before the Sergeant-At-Arms removes any person from the meeting room for conduct described in paragraph 3.3.2, that person shall be given a warning by the chair to cease his or her conduct.
 - 3.4.2 The Sergeant-At-Arms shall remove any person from the meeting room for conduct described in paragraph 3.3.2, if said person(s) continues

3.5. Media: The taking of photographs, motion picture filming, and video recording in the council chambers shall be allowed except when the taking of such photographs, motion pictures or video recordings is disruptive to the business of the council.

3.5.1 No unofficial flags, posters, placards or signs, shall be allowed within the council chambers. This restriction does not apply to armbands, emblems, badges or other articles worn on personal clothing of individuals, provided that such a size and nature do not interfere with vision, hearing or seating of other members of the audience.

3.5.2. **MAYOR AND COUNCIL MEMBER CONDUCT**

1. Representing City. If the Mayor or a Council member appears before another governmental agency or organization to give a statement on an issue, the Mayor or Council member must state:

a) Whether the statement reflects personal opinion or is the official position of the City; and

b) Whether or not the statement is supported by a majority of the Council.

If the Mayor or Council member is representing the city, the Mayor or Council member must support and advocate for the official city position on the issue rather than a personal viewpoint.

4.0 VOTING:

4.1 Duty to Vote: All council members present, when a question is called shall be entitled to vote unless otherwise disqualified by a conflict of interest as provided by Oregon Law. Unless an abstention is declared, it shall be considered a negative vote.

4.2 Method of Voting: Those council members voting for the question will so signify by roll call. The vote on every question shall be entered into the record. It shall not be in order for council members to explain their vote.

4.2.1 When not otherwise provided by City Charter, the concurrence of a majority of the members of the Council present shall be necessary to decide any question. In the event of a tie vote, the Mayor will have the deciding vote.

5.0 PUBLIC RECORDS/EMAIL POLICY:

5.1.1 Public Record Defined. A public record includes any document, book, paper, photograph, file, sound recording, machine readable electronic record or other material, regardless of physical form or characteristics, made, received, filed or recorded in connection with the transaction of public business, whether or not confidential or restricted in use.

5.1.2 Electronic Records. All communications on electronic office equipment have the same public records character as they would have had they been sent on paper. Any electronic communications that may be exempt from disclosure under state public records law should be clearly marked as confidential and exempt from disclosure. Electronic records in any way relating to the business of the city created on electronic equipment not owned or provided by the city may also be subject review and disclosure under Oregon Public Records law.

- 5.1.3 Public Records. Public records created or received by Council members, including electronic mail messages, will be retained in accordance with Oregon Public Records Law and the rules of the Secretary of State and State Archivist.
- 5.1.4 Electronic Communications between Councilors. City Councilors will be provided a City email account specifically for City business. While Councilors can communicate amongst themselves via email, those emails may not include a quorum and may not be forwarded to others in a manner which creates a quorum. All emails must be copied to the City Administrator for retention purposes.
- 5.1.5 Information to the City Council. Council agendas, Council packets, and minutes of previous Council meetings will be posted to the City website. An email message will be sent to each Councilor when information is posted to the website. Other information to the Council will be sent out via email. Councilors may request printed copies of individual correspondence if desired.

¹ For the purpose of these rules, electronic mail (email) may be used to make a request in writing.

Changes made and approved June 2019

Continuing Action Items

Considerations

- a) Citizen Considerations—Citizens may bring up any matters of concern for future consideration by the Council.
- b) Staff Considerations
- c) Councilor Considerations
- d) Mayor Considerations

Future Meetings Date / Time

Adjourn

2.3.2 Consent Calendar items: Items on the consent calendar shall be removed from the consent calendar and placed under Continuing Action Items, Old Business, or New Business as appropriate upon the request of the Mayor, or at least one Councilor.

2.3.3 The Council shall, by consensus or majority vote, approve Mayor Appointments and removals of all officers of the City, members of all committees, commissions, and boards.

~~2.4~~

~~Citizen Concerns: Citizens desiring to have an issue placed on the agenda for discussion by the council shall, prior to Noon of the Friday preceding the council meeting, submit a letter explaining the issue to the Mayor and City Administrator. The issue shall be placed on the agenda if appropriate. It is expected that the petitioning party shall appear at the Council meeting to address the Council. The petitioning party shall confine their remarks to a five (5) minute presentation. (Additional time may be granted should the Mayor or members of the Council wish to question the petitioner.) Citizens shall also have the opportunity to address the Council under "Citizens Considerations" at the end of the meeting without going through the agenda process. Items brought up under Citizens Considerations may be considered by the Council at a future meeting.~~

~~2.4~~

Documents prepared by citizen groups working under the auspices of the City Council shall be submitted to the Council for approval only. There shall be no editing or changes made to the document, except correction of typographical errors, during the open Council meeting. Each document shall be submitted to a Council vote. If the vote to approve fails, then the document shall be returned to the originating organization for correction or amendment. Each of the council members who voted in the negative for editing changes may submit in writing to the originating group their comments for consideration and inclusion into the amended document. These written comments shall be submitted to the originating organization within ten (10) days after the Council vote.

~~2.4.2 Issues rose by a citizen during the Citizen Considerations period of the agenda, but not communicated to the Mayor and City Administrator by Noon of the Friday preceding the council meeting shall only be discussed by the Council if the Council first votes to consider said item.~~

~~2.4.3 Citizens are encouraged to provide comments, and to communicate their views to the City Council. Comments and suggestions may be submitted in writing or given at public meetings. Written comments may be read into the record of a public meeting, however, City Councilors, the Mayor, and City staff shall not be required to read submitted statements into the record. Citizens may read their own statements, or enlist the aid of another Citizen to read a letter to the Council.~~

- 2.5 Speaking by Council Members: Council members wishing to speak shall first receive recognition by the chair and shall confine his or her remarks to the topic under debate. Each council member shall be allowed an initial three (3) minutes to state his or her position on each agenda item. The presiding officer shall be required to ask the councilors to state their positions if they desire to do so. All councilors shall be given equal opportunity to speak.

When each councilor has been given the opportunity to state his or her views, the presiding officer shall once again offer each councilor a chance to comment on the views previously presented. Here again, the maximum comment period shall be limited to no more than three (3) minutes. The Mayor or presiding officer shall have, and be required to exercise authority to limit the speaker's time to three (3) minutes. However, the Council may extend any speaker's time limit by majority vote.

2.6 Speaking by Members of the Audience at a Public Hearing:

- 2.6.1 Members of the audience wishing to speak at the public comment period at a public hearing shall raise their hand and wait to be recognized by the chair. After recognition, that person shall come to the microphone provided, state his or her name and place of residence for the record, and limit his or her remarks to the issue under consideration. All remarks and questions shall be addressed to the presiding officer and not to any individual council member, staff member or other person. The chair may then designate a staff member or council member to answer the question, if appropriate. Public comment shall be limited to 5 minutes unless extended by the chair.
- 2.6.2 No member of the audience shall be allowed to speak at a Public Hearing more than once on any subject until other members of the audience choosing to speak have so spoken. In any event no member of the audience shall speak more than twice on the same issue at any one hearing.
- 2.6.3 After a public hearing has been closed, no member of the audience shall address the Council without first securing permission from the chair.

~~2.7 Speaking by Members of the Audience at City Council meetings:~~

~~2.7.1 The Oregon Public Meetings law is a public attendance law, not a public participation law. Members of the public must be allowed to attend meetings, but public comment is not a requirement under the law. The City of Port Orford wishes to receive appropriate public input at its meetings, and therefore, has promulgated these rules to maintain an orderly public comment process.~~

~~2.7.2 No person, be it a council member, city staff, or member of the audience, shall enter into any discussion unless first recognized by the chair.~~

~~2.7.3 Those members of the audience addressing the council at the beginning of a meeting under citizen concerns shall be limited to five (5) minutes. Public comment at this portion of the meeting shall be related to agenda items to be considered at the meeting. No member of the audience shall be allowed to speak at a City Council meeting more than once on any subject until other members of the audience choosing~~

~~to speak have so spoken. In any event no member of the audience shall speak more than twice on the same issue at any one meeting.~~

~~2.7.4 After a motion has been made and seconded no member of the audience shall address the council without first securing permission from the chair.~~

~~2.7.5 Public comment under the "Citizen Considerations" portion of the meeting may be on any subject of concern to the speaker. Any Council action on the item of concern will be at a future meeting.~~

2.7 Public Comment

- 2.7.1 Two periods for public comment will be reserved for every regular meeting of the council. The first period for public comment shall be limited to items placed on the agenda other than public hearings (Citizen Concerns), and the second period of public comment shall be used to comment on any issue of city business, other than agenda items (Citizen Considerations). The presiding officer may, unless a member of council objects, allow a person who desires to make comment on an item not on the agenda to speak during the first comment period.
- 2.7.2 Persons wishing to speak during public comment must sign the "speaker's roster" with the person's name and address and the topic upon which the person wishes to speak, not later than the call to order.
- 2.7.3 Members of the public may speak about any topic during the last period for public comment, except for items that may be on a hearing, or require a hearing such as legislative, quasi-judicial, or administrative matters. The presiding officer may exclude or limit cumulative or repetitious topics. Topics must be in the form of an item that can be addressed by the council if it so chooses. *Questioning the staff or city councilors is strictly prohibited!* If a speaker violates these rules the Mayor shall terminate the speakers presentation.
- 2.7.4 If a member of the public wishes to speak on an item that is scheduled for a public hearing at that same meeting, the speaker shall wait until that public hearing. Public comment shall not be used to testify about a quasi-judicial land use matter, to testify on an item that is not a public matter, to testify on a matter which has been or is scheduled to be heard by a hearings official, or to provide or gather additional testimony or information on any matter after the official record has been closed on any matter which has been the subject of a public hearing.
- 2.7.5 Speakers are limited to **three** minutes. Generally, the speakers will be called upon in the order in which they have signed in on the speaker's roster. Speakers shall identify themselves by their names and by their place of residence. Speakers may state their mailing address [or the ward in which they reside]. The presiding officer may allow additional persons to speak if they have not signed the speaker's roster.
- 2.7.6 Councilors may, after obtaining the floor, ask questions of speakers during public comment. Councilors shall use restraint when exercising this option, and shall attempt to limit questioning to no more than three minutes. The presiding officer may intervene if a councilor is violating the spirit of this guideline.
- 2.7.7 Speakers may play electronic audio or visual material during the time permitted for their comment. Speakers may utilize city-provided audio or visual equipment located in the council chambers as a part of their comment, but must provide the materials in a readable format to city staff prior to the meeting so that it may be installed on the

city's equipment to avoid a delay or disruption of the meeting. If your presentation requires the use of special resources such as projector, or the setup of your own equipment you must register your presentation (and such requirements) at least 1 week in advance with the city office. You must also arrive at the meeting 15 minutes in advance to ensure enough time to setup for your presentation if advance of the meeting start.

3.0 ORDER AND DECORUM:

3.1 Order by the Chair: The presiding officer (usually the Mayor) will have complete control of the meeting. Any attempt to override a decision of the presiding officer must be supported by a majority vote of the council members.

3.2 Council Etiquette: No council member will *ever* chastise, denigrate, or criticize anyone during an open council meeting. If attempts to deal with these problems in a private two-way conversation fail, then the council member may petition the Mayor to convene a full council executive session to deal with the problem. In no case shall a council member deal with any city employee personnel problems except through the City Administrator. The chain of command must be observed.

3.3 Sergeant-At-Arms: The Sergeant-At-Arms shall be a Police Officer

3.3.1 It shall be the duty of the Sergeant-At-Arms to assist the chair, as to maintain order and decorum at all meetings.

3.3.2 Any of the following shall be sufficient cause to remove any person from the council chambers for the duration of the meeting **after a warning by the presiding officer**, if such conduct, in the opinion of the Sergeant at arms rises to the level of Disorderly Conduct.

- A. The use of unreasonably loud, offensive or disruptive language.
- B. The making of loud or disruptive noise.
- C. The willful damage of furnishing or of the interior of the council chamber.
- D. The refusal to obey any of the rules of conduct provided within this article. **the limitations on occupaney and seating capacity.**
- E. The engaging of violent or distracting actions.
- F. **Failure to follow the council rules, and/or directions of the presiding officer.**

3.4 Meeting Disruptions: **Unreasonably loud noise, or disruptive language or conduct, is hereby defined as that which obstructs the work or the conduct of business of the council. Noise, language, conduct, or failure to follow the council rules that results in disruption or delays to the business of the council.**

3.4.1 **Before the Sergeant At Arms removes any person from the meeting room for conduct described in paragraph 3.3.2, that person shall be given a warning by the chair to cease his or her conduct. The Sergeant-at-Arms shall remove any person from the meeting room for conduct described in paragraph 3.3.2, if said person continues.**

3.4.2 If the meeting is disrupted by members of the audience, the chair or a majority of the council members present may order that the council chambers be cleared.

2.7

E. Public Comment

1. Two periods for public comment will be reserved for every regular meeting of the council. The first period for public comment shall be limited to items placed on the agenda other than public hearings (Citizen Concerns), and the second period of public comment shall be used to comment on any issue of city business, other than agenda items (Citizen Considerations). The presiding officer may, unless a member of council objects, allow a person who desires to make comment on an item not on the agenda to speak during the first comment period.
2. Persons wishing to speak during public comment must sign the "speaker's roster" with the person's name and address and the topic upon which the person wishes to speak, not later than the call to order.
3. Members of the public may speak about any topic during the last period for public comment, except for items that may be on a hearing, or require a hearing such as legislative, quasi-judicial, or administrative matters. The presiding officer may exclude or limit cumulative or repetitious topics. Topics must be in the form of an item that can be addressed by the council if it so chooses. Questioning the staff or city councilors is strictly prohibited! If a speaker violates these rules the Mayor shall terminate the speakers presentation.
4. If a member of the public wishes to speak on an item that is scheduled for a public hearing at that same meeting, the speaker shall wait until that public hearing. Public comment shall not be used to testify about a quasi-judicial land use matter, to testify on an item that is not a public matter, to testify on a matter which has been or is scheduled to be heard by a hearings official, or to provide or gather additional testimony or information on any matter after the official record has been closed on any matter which has been the subject of a public hearing.
5. Speakers are limited to **three** minutes. Generally, the speakers will be called upon in the order in which they have signed in on the speaker's roster. Speakers shall identify themselves by their names and by their place of residence. Speakers may state their mailing address [or the ward in which they reside]. The presiding officer may allow additional persons to speak if they have not signed the speaker's roster.
6. Councilors may, after obtaining the floor, ask questions of speakers during public comment. Councilors shall use restraint when exercising this option, and shall attempt to limit questioning to no more than three minutes. The presiding officer may intervene if a councilor is violating the spirit of this guideline.
7. Speakers may play electronic audio or visual material during the time permitted for their comment. Speakers may utilize city-provided audio or visual equipment located in the council chambers as a part of their comment, but must provide the materials in a readable format to city staff prior to the meeting so that it may be installed on the city's equipment to avoid a delay or disruption of the meeting. If your presentation requires the use of special resources such as projector, or the setup of your own equipment you must register your presentation (and such requirements) at least 1 week in advance with the city office. You must also arrive at the meeting 15 minutes in advance to ensure enough time to setup for your presentation if advance of the meeting start.

1. Remove 2.4
2. Change 2.4.1 to 2.4
3. Remove 2.4.2
4. Remove 2.4.3
5. Remove 2.7 & all subsections – conflicts with itself, and is redundant.

6. Modify 3.3.2 to be:

Any of the following shall be sufficient cause to remove any person from the council chambers for the duration of the meeting after a warning by the presiding officer.

7. Modify 3.3.2 subsections as follows:

D. The refusal to obey any of the rules of conduct provided within this article.

F. Failure to follow the council rules, and/or directions of the presiding officer.

8. Modify 3.4 to be:

Meeting Disruptions: Noise, language, conduct, or failure to follow the council rules that results in disruption or delays to the business of the council.

9. Modify 3.4.1 to be:

The Sergeant-At-Arms shall remove any person from the meeting room for conduct described in

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The Citywide ARTS District Mural
A Public Art Installation Proposal
A Joint Project of
Port Orford Main Street Revitalization Association (POMSRA) &
The Port Orford Arts Council (POAC)

Proposal: A request is made to the Port Orford City Council for approval of the placement of a public artwork on a city Right-of-Way, specifically, on an undeveloped section of 7th Street that runs up and across the mound in the center of town. The R-O-W Usage request has been filed by POMSRA. The project itself is a partnership of POMSRA and POAC. Dialogue began at the July City Council meeting where the City Council first addressed this request.

At the request of the City Council, letters have been sent out to the two property owners adjacent to the proposed mural site informing them of this proposed public art installation. The current ordinance does not require the approval of adjacent property owners. They have been informed as a courtesy.

The proposed public artwork is a mural meant to artistically announce Port Orford as a Citywide Arts District. If the design allows for additional text, the full message would be:

Port Orford
Citywide
Arts & Culture District

The mural will itself be a work of art but will simultaneously function to publicize the official designation of Port Orford as a citywide arts and culture district as declared by the City Council with Resolution 2016-01 in August 2015.

Purpose: Requests for use of a city Right-of-Way need to include a clear “public interest” justifying the use of city property. This mural project easily satisfies that requirement. The mural itself, as a work of art, as a beautification project, will enhance the visual attractiveness of the community, building civic pride. With the mural carrying the message of the citywide Arts (and Culture) District, residents, visitors and tourists, will be informed of the importance of the arts and the richness of the local culture of Port Orford.

Arts Districts are a proven way for communities to strengthen local economic vitality. Port Orford already has a well-developed reputation as an arts destination spot. This mural will help to continuously promote our town, our arts community, and the richness of our cultural assets. We are a town of 1,000 with nine art galleries, as amazing ratio.

Mural Specifics: Local artist/muralist Darren Evans has been commissioned to created the Arts District mural. The final size will not exceed the 75 square foot maximum in a Mixed Use zone. The mural will consist of the text mentioned

above, in an oval or a half circle, against a square or rectangular background. Proposed sizes run from 6' high by 12 feet long, 6' by 10', and 8' by 8', totally 72 sq. feet, 64 sq. feet, and 60 sq. feet respectively. The mural will be painted on MDO board and sealed on all surfaces against moisture.

The mural, if approved, will be installed approximately eighteen inches behind the brick decorative retaining wall on the 7th Street Right-of-Way, on vertical posts (6"x6"), secured in the ground with gravel and concrete, at a depth sufficient for protection against winds. The mural will be attached to horizontal stringers, providing additional structural support. The mural will be tucked against the hillside helping to mitigate the force of winds, adding stability.

Budget: All costs of the project will be borne by POMSRA and POAC. No city funds will be needed. Grants and donations and volunteer time will cover the costs of the project.

Maintenance: POMSRA and POAC will ensure that necessary landscape upkeep around the mural will be done if requested by City Public Works. The mural itself will require minimal upkeep with only occasional cleaning or debris removal. Again, POMSRA and POAC will ensure that this upkeep is done in a timely manner.

Brief Biography of the Artist:

Darren Evans, originally from Wales, UK, is an internationally known artist and muralist who has created murals worldwide. In 2011 Darren opened Freshwater Gallery here in Port Orford, operating the gallery until 2015.

Evans, an artist since childhood, formally studied Fine Arts, Foundation Art and Design at the prestigious Carmarthen School of Art in Wales. He also studied fine arts at Falmouth University in Cornwall. To expand his artistic skills, in 1997 Evans began an apprenticeship in mural work at Evergreene Architectural Arts. Established in 1994, Evergreene is the nation's largest specialty contractor of architectural arts, providing state-of-the-art concept design and execution of murals, trompe L'oeil, and faux finishes, along with master restoration of historic murals and frescoes. His apprenticeship led to Evans becoming one of the artists on the Evergreene team from 1997 to 2010.

Evans has also worked, from 2005 to the present, as a professional muralist with Architectural Details, known affectionately as the ArtPharm, in Corpus Christi, Texas.

Here in Port Orford, Evans work is seen throughout town, including the mural on the south façade of the Port Orford CommUnity Co-op, the double mural/diptych of Historic Port Orford at the Visitors Center, the sign at Tasty Kate's and the sign at Pitch's East.

Evans is an artist, sculptor, muralist, life-long surfer, world-traveler, and fisherman, occasionally crewing for Captain Otar Overacker on the 1923 wooden F/V Lady Mabel.



The photograph above, about midway around the big curve of Highway 101, between Harbor Drive and Oregon Street, shows the approximate site of the proposed public art installation - the ARTS District Mural. The rendering above is meant only to indicate the site. It is not to scale or indicative of the proposed concept design.

