

## City of Port Orford

### City Council Meeting Minutes In the Gable Chambers - *Virtual Meeting* Thursday, April 16, 2020 at 3:30 P.M.

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

Media Present:

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, April 16, 2020 at 3:31 p.m.

**2. Additions to the Agenda:** None.

**3. Consent Calendar** – Councilor Cox moved to approve the consent calendar as written with Councilor LaRoche as second. *Motion carried 4-0*

*Councilor Burns* Yes      *Councilor LaRoche* Yes      *Councilor Williams* Yes  
*Councilor Cox* Yes

**4. Citizens' Concerns:** None determined from the recording.

**5. Old Business:** None determined from the recording. Councilor Cox states concern that the fire contract is not on the agenda.

**6. New Business:**

**a. Dyer Partnership Engineering Services Agreement:**

Councilor Williams moves to approve the Dyer Partnership contract with Councilor LaRoche as second.

Discussion: Councilor Cox asks about cost on contract time. He is aware of only a plan.

There is still not a number after four months. CA Richards agrees there has been very little communication due to COVID-19. The last information council received is in the February council packet. Mayor Pogwizd stated Dyer gave a number that could be plus or

minus.

minus, and Dyer was waiting to go out to bid. He asks if any information was received from Dyer post project bid. CA Richards states the last conversation with Dyer was a request from them asking if the city still wants to move forward because of the COVID-19 issue. Commissioner Cox is concerned at the time it is taking to receive any information from Dyer. He wonders if at this point, would it be an appropriate time to request a proposal from other contractors as well as Dyer. He is concerned that basic questions have not been answered in three years. Mayor Pogwizd read a letter recently received that addressed the current agreement that expired on September late getting the agreements to the City of Port Orford. It is assumed that the contact tank is delayed also. Council agreed to contact other contractors for further information.

Councilor Williams moved to rescind his previous motion from the table. Councilor LaRoche seconded this motion and rescinded her second to the previous motion.

Councilor Cox moved to table the Dyer contract until more information is received about the current projects with Councilor Burns as second. *Motion carried 4-0.*

*Councilor Burns Yes      Councilor LaRoche Yes      Councilor Williams Yes  
Councilor Cox Yes*

**b. TLT Grant Application Approvals:**

Councilor Burns moved to pass the TLT grant application as signed by the TLT with Councilor LaRoche as second.

Discussion: Councilor Williams reports that as a business owner, he and other business owners never saw this posted or available with dates and times. Councilor LaRoche states she had people ask her about the grants, as they were not aware of them. She directed them to city hall to file for the grants. CA Richards states it was posted in the newspaper and on the website with an application available for print. Councilor Cox suggested reviewing methods of contacting more people in a longer time frame. David Johnson states the grants are funded July 1. Councilor's agreed there is not time to open the application process back up, but there needs to be a better process in the future.

Councilor Cox asked about the Art's Council sign. An 8 x 12 sign was agreed upon, but now appears to have turned into a mural project. The application reads "this visually striking mural will now be the way to make that declaration known to both local residents and all who travel through town that Port Orford is a city-wide arts district." Councilor Cox would like to see the motion made be contingent on meeting building codes. CA Richards understood that Art District sign was a different item on the March agenda in March, separate from the TLT grant funding. CA Richards states the March packet had photos of the sign design. Councilor LaRoche remembers the Arts Council was supposed to contact the owner of the adjacent property who objected to the sign to see if he might have changed his mind. Mayor Pogwizd stated the adjacent property now has a "for sale" sign. Attorney Kudlac agrees the property owner needs contacted.

Councilor Burns rescinded his motion on the table and moves to table the Arts Council project until more information on the sign is presented with Councilor LaRoche rescinding her second.

David Johnson reports that TLT was increased to 15,000 and only 12,000 is being given out. There remains 2,800. He suggested moving forward on applications for the 2,800 left over.

To clarify, Councilor Burns moves to approve the TLT applications with the exception of the Arts Council until more information is received regarding their project with the addition of advertising the 2,8000 dollars that is still available. Councilor Williams seconds the motion. *Motion carried 4-0.*

*Councilor Burns* Yes      *Councilor LaRoche* Yes      *Councilor Williams* Yes  
*Councilor Cox* Yes

**c. Emergency Preparedness:**

Councilor Burns is putting together a format for a city emergency plan. He states it will take some time to go through the county's plan information. Methods of handling an economic crisis and how the city might be affected economically from lack of revenue will have to be discussed, in particular how the water bill delinquencies will be handled. Councilor Burns has a master email from city groups; churches, common good, etc. and has sent the email out for the first time about not flushing waste. They also sent 150 flyers to 150 households, to the common good, a couple of days ago. Each group leader such as the Rotary and Senior Center, will be responsible for good communication with their assignments. Communication will continue to be pushed forward.

Councilor Burns suggested each councilor needs to picture what opening the town will look like. He recommends they advise the older population to not go out in public as quickly as others to diminish risk. Attorney Kudlac suggested following the state's lead. She suspects there will be recommendations coming on how to open our society back up. She warns about jumping the gun.

Steve Lawton addressed that current data shows people are probably most contagious before they show symptoms; thus, opening the economy is risky as people young and healthy can be infecting others.

CA Richards stated the importance of waiting until the county, Gold Beach and Brookings are ready to open.

Mayor Pogwizd had a discussion with David Johnson and CA Richards regarding the water bill delinquencies. The people will have to come in and apply for a hardship. The

city will do the best they can to work with the person. The bills will probably be pushed off but not forgiven. David Johnson has not seen a meeting regarding forgiving the bills; however, the city will be a little more lenient on trying to collect the bills. Mr. Johnson did not want to see them deferred, since that will put people behind and they may never get caught up. He has not yet heard anyone ask for their water bills to be forgiven.

Councilor Cox stated that knowing the economic slump is causing the city to be behind in the current budget and suggested maybe the city should not do the contact time project currently. Mr. Johnson stated he has not yet seen a dire impact but knows there will be impacts on the budget, although the city was in a pretty good position prior to this emergency and thinks the city can ride it out. Mayor Pogwizd stated that unless Dyer gives answers right away when contacted by CA Richards, he does not think the contact tank will be anytime in the near future anyway.

Councilor Williams requested update on the propane heater situation at the Community Center. Mayor Pogwizd stated the propane got filled about two weeks ago. CA Richards reported Pacific Air Comfort out of Coquille were at the Community Center yesterday. They are revisiting the situation, as the original tech no longer works for the company. She will follow up on the visit results tomorrow. Originally three contractors were asked to bid. One contractor stated they could not bid, and Pacific Air Comfort was the lowest bid for the repairs. Councilor Williams advised that Gold Beach Heating has Mike Luzmoore who is good with propane heaters, punctual and cost effective.

Steve Lawton states that he volunteers at Lane and Benton County Food Share. They see a movement in migration of homeless people in the valley. Urban areas and bigger cities are enforcing six-foot distancing in camping. They are running out of space. They do not have access to cans and bottles to return. They do not have access to panhandling. There might be more of an impact in rural Oregon. Mayor Pogwizd is concerned COVID-19 restrictions is going to cause more homelessness.

## 7. Considerations:

- a. Citizen: **Teresa Kolibaba** addressed the porta potty. She feels that having it there is less lethal than public works having to clean up human feces. She feels it is more convenient for homeless people than having to look for the one at the Coast Community Health. Teresa addressed the Arts District Sign and asked if the Port Orford Arts Council needed a designation from the National Arts Commission to declare Port Orford an Arts District prior to the declaration. Teresa addressed the grants for the Main Street benches and fences. She seldom sees anybody sitting on them. She feels that building more and more of them when nobody is using them is a waste of grant money.  
**Doug Battersby**, a resident of Port Orford, spoke on his experience as a commodities broker and contracts. He corrected an error in an earlier quotation from George Washington from July 3, 1775. Mr. Battersby addressed the coronavirus situation. He stated he has had discussions with the Chevron station for not cleaning the pumps

between transactions until the third week of March. Mr. Battersby feels that all cash transactions should be banned by the government at this time. Mr. Battersby asked if Mr. Pogwizd is vacating the meeting and would like to see him in his appointed chair. President Cox suggested Mr. Battersby wait for him to return, and he also reminded there is a 3-minute time limit on speaking. Mr. Battersby addressed public information requests that were time stamped and filed with City of Port Orford that have not been answered, some of them for approximately eight months. He asks why some of his public requests have not been answered. He addressed the ban the city police put on him from city clerk's office and asks if that is correct. President Cox will look into the ban and informed Mr. Battersby that the council listens to public considerations but are not allowed to comment on the matters, since he is just a single person and not a council. Mr. Battersby accused Councilor Cox of violating his oath of office as president of the council by not answering all of the public requests. Mr. Battersby was informed the three-minutes are up. This subject was not on the agenda. He was instructed on how to send a letter addressed to President Cox to address his concerns in an appropriate fashion.

**Steve Lawton** thanks the city council for taking the time to stay engaged and help the community. He thanks the city staff for working through this difficult time. He offers citizen assistance when they are needed.

- b. Staff: **Duane Eckhoff** reports that public works is doing everything they can with the COVID-19. Morning meetings are being held in the parking lot. Staff is washing hands, disinfecting and keep distance with the public. There have been maintenance issues. They are trimming the right of way currently since cutting brush will be shut down soon. There has been some vehicle maintenance. They are working on mowing and trimming and streets. Public works is concerned with the four encounters with people dumping their human feces behind the Visitor's Center, which is being cleaned by public works crew. Mayor Pogwizd stated his appreciation of public works staff doing their part in staying safe and healthy. Mayor Pogwizd heard that transients were below the Visitor's Center. He received one report a male was running around the area in his underwear. Police will be requested to increase patrols in that area. Police have found an abandoned transient camp in that area, which has been cleaned out by the city. Hand painted signs stating "if you are not from here, leave" have been removed. Signs advising parks are closed have been posted and refaced.

Councilor Cox asked about lift stations failing. Duane Eckhoff stated they have a generator in case of power outage in storm events to allow the pump to operate. Lift stations are old and need continued maintenance, which public works is trying to keep up with.

Councilor Burns asked if porta potties have been delivered to Battle Rock. CA Richards states the porta potties did not go in front of the Visitor's Center. They are by Coast Community Health. Cox suggested that since porta potties are supposed to be behind the

Visitor's Center and people are defecating in that area, maybe they should be at that location. CA Richards stated the public restrooms were closed to prevent the spread of COVID-19. To replace them with porta potties does not solve the problem of infection. The porta potties are not funded by the city. Beth Barker-Hidalgo from the Homeless Coalition got the porta potties. Coast Community Health is involved with homeless neighborhoods. Councilor Burns stated that the homeless population might find them in the near future. They are equipped with hand sanitizer and the potties will be sanitized. **Shala Kudlac** addressed orders from the governor regarding opening public meetings. The city does not have to provide a place for the public to participate. The city does have to provide electronic means for them to participate. Mayor Pogwizd suggests not opening City Hall for the public in the future for fear of CA Richard's safety while gathering in a room with citizens. Councilors agree.

**CA Richards** speaks on the executive order from Governor Brown regarding public meetings law. Councilors have a copy in their in-box. She asks councilors to clean out their mailboxes, as they are full. iPad agreements in the mailboxes need signed and dropped off in the payment drop-off box. Councilors are requested to call ahead so the information can be gathered, put in an envelope, and placed on a chair in front of the office front door.

- c. Councilor: **Councilor Burns** would like to see maintenance on City facilities on the to-do list. He feels the city is not maintaining the facilities until they need to be replaced. Maintenance is less expensive than rebuilding. Mayor Pogwizd asked CA Richards to discuss maintenance on City facilities with Gary Eckhoff.

**Councilor Williams** is concerned about the road eroding at the culvert at the Hamlet division. This has been a concern brought up for about two years by the local Hamlet residents. CA Richards will discuss this with Duane Eckhoff and try for an answer by next week.

- d. Mayor: **Mayor Pogwizd** thanked Mr. Johnson for setting up the meeting.

- 8. **Future Meetings:** Thursday, May 21, 2020 Regular Meeting of the Common Council at 3:30 p.m. held virtually via the same link as today.

9. **Adjourned**

There being no further business, Mayor Pogwizd adjourned the meeting at 5:02 p.m.

  
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Mayor Tim Pogwizd

Attest:

  
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City Recorder, Terrie Richards