

**City of Port Orford**  
**City Council Meeting Minutes**  
**In the Gable Chambers / Virtual participants**  
**Thursday, November 19, 2020 at 3:30 P.M.**

<b>Mayor and Council</b>	<b>Present</b>	<b>City Staff</b>	<b>Present</b>
<i>Tim Pogwizd, Mayor</i>	X	<i>Planner Crystal Shoji</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>Lorrin Kessler</i>	X		
<i>James Garratt</i>	X		
<i>Carolyn LaRoche</i>	X		

Media Present:

Others Present: Felix Jaramillo, Linda Tarr, David Smith, Dana Gurnee. See hearing for public testimony.

**1. Call to Order**

Mayor Pogwizd called to order this Regular Meeting of the Common Council on Thursday, November 19, 2020 at 3:33 p.m. The meeting is held via internet connection due to COVID-19 restrictions set in place by the State of Oregon.

**2. Additions to the Agenda:** Council Hearing Decision to follow the hearing.

**3. Presentations to Council/Citizens**

Coast Community Health update: Felix Jaramillo presented the update on services at the new Tichenor site clinic and the Wellness Center. Visual aids are shared. Doctor Lawry, Port Orford physician, is the medical doctor for the Wellness Center two days a week and will move to the new site on Tichenor. Todd Jeter is a new hire for behavior mental health services. Kirsten Aasen is the population health manager. Doug Smith from Modern Systems is the lead engineer project manager that is physically responsible for managing the project. He is in attendance for one month. Paul Kentner, BSN is the clinical on-site manager. In 2019 Coast Community Health Care opened the small clinic that was donated to Coast Community by Umpqua Bank. A grant for substance use disorder provided for interior remodel, and Main Street and Coast Community co-wrote a grant to pay for the exterior of the building.

Coast Community Health recently collaborated with Oregon Health Authority who wrote Coast Community Health into a grant to help provide dental services at the Auburn Center through CCOs such as AllCare and Advanced Health through Advantage Dental. This will likely begin January 1, 2021 with low-level dental services. COVID-19 might interrupt this tentative plan. This facility will remain open until the full-service campus is built on Tichenor.

Three months ago, ground broke at the Tichenor site. The foundation is complete. Modules will be placed on the foundations. There are a total of nine modules, two for the outreach building and seven for the main clinic. These are scheduled to arrive 11/30/2020, 12/02/2020 and 12/07/2020. Coast Community asked the City Council for permission to place the modules around the construction site to avoid school schedules. Chair McHugh expressed concern about fire hazard with the modules placed close to other structure. Doug Lawry advised the first two buildings showing up will be placed directly onto the property. They prefer to place the third one on the south end of the property between the clinic and the school. On December 2, 2020 they plan to bring in the three to be placed on the areas along side of the road that are graveled 20 feet from the building. The other two will be closer to woods and will not be within 20 feet of the church or the Mason’s building. The remainder on 12/07/2020 will remain on the truck. Mr. Jaramillo is communicating with Mr. Shapiro regarding modules and his property. Full construction of the clinic is expected by mid-February. Images of the modules at finish are presented.

Coast Community expects to start providing services the second quarter of 2021. The full-service campus on Tichenor will provide services specifically to Port Orford residents. In addition, they are responsible as a federally qualified healthcare center in the north Curry area to provide preventative healthcare services, full pharmacy, that will be open to all coast patients and the community as well. Substance use disorder counseling and support groups will be provided.

**4. Consent Calendar** – Councilor Burns moved to approve the minutes for the council meeting of October 15, 2020 with Councilor LaRoche as second. *Motion carried 5-0.*

Discussion: None.

*Councilor Burns    Yes            Councilor LaRoche    Yes            Councilor Cox        Yes  
Councilor Garratt    Yes            Councilor Kessler     Yes*

**5. Citizen Concerns:**

Dana Gurnee speaks in opposition to the proposed proclamation for School Choice Week. This was presented last year in exactly the same form. At that time councilors and the mayor did not state support. He states, Port Orford depends on its public schools, which are doing fine for the city. He feels the city council should not endorse a proclamation that implies that the public schools are ho-hum choice among a variety of gorgeous options. He states that the City Council should not endorse a proclamation until the local schoolboard has the opportunity to give an opinion. In Mr. Gurnee’s opinion, the City Council should read the Face Book page of the backers of this proclamation to discover facts about the group and what their deeper motivations might be. He feels there should be considerations of proclamations only in very rare cases of extreme locality and very special people. He asks that the city eliminate the waste of time and resources.

**PUBLIC HEARING: Building Height In All Zones**

Mayor Pogwizd calls the hearing to order. Councilor Cox declared a potential conflict of interest, because he is employed by the Port or Port Orford, and they are involved in the subject. Conflict of interest does not apply to a legislative hearing since it affects a community as a whole.

**Planning Commission Recommendation:** Planner Shoji presented the staff report and procedural items. Planner Shoji read the recommendation from the Planning Commission: It is the recommendation of the Port Orford Planning Commission that the Port Orford City Council does not change building heights at this time in any of the use zones. The Commission voted 7 to 0 in favor of adding under section 17.20.050 of the municipal code a general exception to building height limitations that would include a stationary boat hoist, so that any changes that are made to the stationary boat hoist can be allowed. The Planning Commission reported that 32 people were in attendance of the virtual meeting of the Planning Commission. The Planning Commission voted 4 to 3 in favor of the motion to not change the building height restrictions in the current ordinance.

Planner Shoji presented the order of the legislative public hearing outline that informs how the hearing has to go.

**Exhibits:**

Planner Shoji presented letters and testimony received in written from members of the public in Port Orford that are in the record. She read the names and exhibits:

Exhibit A: Staff report.

Exhibit B: Letter from Port manager, Pat Cox.

Exhibit C: Letter from the Fair Housing Council, Jean Dahlquist.

Exhibit D: Letter from Steve Lawton.

Exhibit E: How to Determine Building Height.

Exhibit F: Letter from Jeffrey McVannel.

Exhibit G: Letter from Steve Lawton

Exhibit H: Letter from Karen and Jim Weiland

Exhibit I: Letter from Fair Housing council.

Exhibit J: Letter from Dana Family Trust.

Exhibit K: Letter from David Bassett.

Exhibit L: Chart and oral testimony from the Planning Commission hearing that includes names of those that testified.

Exhibit M: Letter from Ann Vileisis.

Exhibit N: Letter from Mr. and Mrs. A. C. Johnson.

Exhibit O: Letter from Jennifer Head on behalf of Lori Prouty and Cheryl Cherise.

Exhibit P: Letter from Sharon Rock.

Exhibit Q: Letter from David McCutcheon.

Exhibit R: Second letter from David McCutcheon.

Exhibit S: Letter from Kathy Bodin submitted by Mayor Pogwizd.

Exhibit T: Letter from the Port Commission of the Port of Port Orford submitted by Pat Cox.

Exhibit U: Letter from Dana Gurnee, dated November 12.

Exhibit V: Letter from Sara Lovendahl

Planner Shoji advised that anyone with written testimony has to let it be recognized at this hearing so it will go into the record. At the end of the meeting the public will be informed as to how many days they will have to submit their written testimony to City Hall.

**Staff Report:**

Findings required prior to approval of the height amendments:

Statewide Planning Goal #9, Economic Development is in the city's Comprehensive Plan.

- Goal 1 is to provide opportunities throughout the city for a variety of economic activities that are important to the health, welfare and prosperity of the citizens the community of Port Orford.
- Goal 2 is to diversify and improve the economy of Port Orford while protecting the natural environment that makes the city a unique and inviting place.
- Policy 3: A) Encourage and support efforts to improve Port facilities, the harbor and fisheries including replacement and maintenance of docks and infrastructure. B) Rebuilding and maintaining the jetty. C) Controlling and mitigating shoaling through dredging or jetty infrastructure. D) Encourage the development of an educational research and tourism facilities.
- Policy 5: Encourage efforts to stimulate the tourism industry.
- Policy 6: Encourage human-scale amenities within commercial areas and adjacent to trails and lookouts to encourage tourism and enhance the city's sense of place.

Findings for above suggested by Planner Shoji: From comments of Port personnel, it appears that the 25-foot height limitation would not encourage efforts to improve port facilities. In addition, the limitation could limit efforts to stimulate the tourism industry by providing opportunities for viewing from observation facilities, if observation facilities are curtailed as previously discussed by the Planning Commission. A definition for observation facilities is included in the proposed amendment. See section 17.20.050 General Exception to Building Height Limitations, which provides a new exception to allow a new stationary boat hoist.

The 25-foot height limitation may not encourage efforts to stimulate the tourism industry if it limits access to views that could be enjoyed by the traveling public in commercial areas of the city. The Planning Commission and the City Council will be asked to consider any limitations that could result from a 25-foot limitation in commercial and marine zones. The proposed 25-foot zoning limitations proposed in the amendments that can encourage enhancing the city's sense of place over time can include providing human-scale amenities that may be unique to Port Orford's small town ambiance.

Statewide Planning Goal 10: Housing.

- City goal 1: Allow for a full range of housing types, locations and densities through planning and zoning. A proposed finding might be, no specific expense would be added

for housing by enacting the 25-foot height limitation. The land-base for housing would not be modified in any way. A full range of housing types and locations and densities through planning and zoning will continue to be available within the City of Port Orford.

Statewide Planning Goal 17: Coastal Shorelands. Provide for water dependent and water related uses and for nondependent nonrelated uses in the city compatible with existing and committed uses. City goal 5: Provide for water oriented uses that provide for enhanced views or access to coastal waters in conjunction with water dependent and water related uses. A proposed finding might be, the selected goals and policies in the city's comprehensive plan addressed above within this staff report may be deemed applicable. To approve the proposed amendments, it is appropriate to have findings to confirm that the proposed amendments are consistent with the goals and policies of the city's comprehensive plan. Areas for consideration are suggested and provided to Council.

Staff recommendation: Go back to the decision points, make findings for height amendments, make one final finding that proposed height amendments are consistent with the language of the Comprehensive Plan.

**Proposals:**

17.04.030, Definitions need reviewed. Below are some proposals by Planning Commission prior to the recommendation to not make building height changes.

- Residential Zone, R1, proposal is to change building height limitations from 35 feet to 25 feet
- Residential Zone, 2R, proposal is for a 25-foot height limitation.
- Commercial Zone, 4C, proposal is to change building height limitation from 45 feet to 25 feet.
- Industrial Zone, 5I, there are currently no restrictions, so proposal would be to add a 25-foot height limitation.
- Controlled Development Zone, 6CD, there are currently no restrictions, so the proposal would be to add a 25-foot height limitation.
- Marine Zone, 7MA, proposal is to change to 25-foot height limitations. Planner's note is that this might cause some problems referring to the stationary boat hoist, etc. The Planning Commission recommended the stationary boat hoist be put into exceptions.
- Public Utilities and Park Zone, 8PF, there are currently no restrictions, so proposal would be to add a 25-foot height limitation. Planner Shoji recommends caution in this zone.
- Shoreland Overlay Zone, 9SO, there are currently no restrictions, so proposal would be to add a 25-foot height limitation.
- Battle Rock Mixed Use Zone, 10MU, currently states any building height to exceed 35 feet should be subject to site plan review to comply with the provisions set forth in Chapter 17.33, Site Plan Review. Proposal is to change 45 feet to a 25-foot height limitation.
- Site Plan Review states no signage shall be displayed on building above 35 feet. Proposal is to change to 25 feet.

- Section 17.20.050, General Exceptions to Building Height limitations, proposal is to add the stationary boat hoist as a general exception.
- Section 17.32.050, Additional Standards Governing Conditional Uses currently includes churches, hospitals, nursing homes, convalescent homes, retirement homes and states they may be built to the height limitations of the zone in which it is located to the maximum height as determined by the State Fire Marshal if the total floor area of the building does not exceed 1.5 times the area of the site and if yard dimensions in each case are equal to at least 2/3 of the height of the principle structure.
- 17.46.080, D, Tsunami Evacuation Structures are currently not subject to the building height limitations of the code.

**Discussion:** Kevin McHugh verified with the fire chief that they can reach heights of 32 feet with their equipment. Planner Shoji advised that most town on the coast have 35 feet in their ordinance.

**Public Testimony:**

Dorothy Dana, trustee for Dana Family Trust: Expressed opposition to the 25-foot building height limitations but can support the 25-foot restriction in residential zones though prefers 35 feet in the business district. She feels the Dana family should not be subject to loss of property value due to reduced property height restrictions. Their commercial property in Port Orford was purchased with the understanding that mixed use height was 45 feet, and 35 feet on commercial properties. The 35-foot height allows flexibility to support business development that benefits job production and profitability while maintaining a deterrent to the high-rise construction. She expressed that reducing the height restriction could negatively impact the fair market value of commercial properties and ability to market those properties to prospective buyers in the future. In summary, Ms. Dana wanted to go on record that they are opposed to the proposed change of height from 35 feet to 25 feet on new construction of commercial property and requests that this proposed change be rejected.

Penny Suess supports changing Port Orford's zoning to achieve a uniform building height of 25 feet across all zones. She feels the city does not at this time have adequate infrastructure, especially water and sewer service and fire fighting capacity to serve the higher population densities that would result from an influx of new multistory buildings. Ms. Suess addressed chapter 17.20.050, General Exceptions to Building Height Limitations. These exempt certain structures that are guaranteed to be taller than any proposed building height. Currently these are allowed in all zones at any height. Ms. Suess feels in all cases structures should be permitted only as conditional uses. Ms. Suess addressed chapter 17.12.060, Marine Activity Zone 7MA, and feels it should be reviewed in light of the Port's development plans and appropriate height limits tailored to suit.

Dana Gurnee believes the city council should amend height restrictions immediately. He believes 25 feet allows a large personal or vacation rental home and seems to be a good number for a water challenged town. He is hoping that after the 25 feet limit is in place the

city council submits to citizens a water bond. If a water bond is supported, it would enable high-rise development, which would provide an immediate increase in property taxes enabling potential developers join long-time residents in financing the transformation of Port Orford.

Ann Vileisis, resident of Port Orford in 10MU zone supports a 30-foot height limit, as discussed in the September meeting, or a lower limit of 28 feet. She is concerned that the city does not have the capacity to fight fires in the 45-foot-tall buildings allowed in the 10MU zones, both in terms of equipment and in terms of fire flow. The Port Orford planning report indicates the pipe sizes in the 10MU zone are inadequate to handle the flow necessary in a fire emergency. Ms. Vileisis feels adopting a 28- or 30-foot height limit is not arbitrary and would bring Port Orford in line with other coastal communities. Ms. Vileisis cherishes the village character of Port Orford and is concerned that too many too tall buildings will make the village feel like a big city. She urges council to move the 25 feet upward to a more reasonable height of 28 or 30 feet and make adjustments in the Marine Zone.

Gary Robertson is in favor of maintaining the small town feel and not having oversized structures in the area. He does not support having the same building height limitation across all zones. There is a different design criterion for the use zones. He reported the reason why many municipalities and counties have adopted a 35-foot height limit is to allow for two-story structures, but not three, and allowing for topography in the area. He reported that people do not realize the other infrastructure that has to go along with ceiling height to make a two-story building. A 25-foot height restriction will be limited to an eight-foot ceiling for a two-story residence on level ground with no slope. A two-story building with 8-foot ceilings, 2-foot crawl space, 12-inch floor joists for each floor with 6/10 roof pitch is over 28 feet. A property with a single story on a steep slope with a roof pitch and allowance for the daylight basement is over 32 feet. That is one reason the 35-foot limitation came into this area. A single slope (shed roof) is twice as high as a standard gable roof, because it does not split in the middle. Commercial construction will need to allow for a 12-foot ceiling for each floor. In commercial structures there is intricate heating, ventilation and cooling. There could be larger ducts, etc. The commercial spaces are designed to be able to adapt to the use they are going to have. Industrial uses might have a need for a 20-foot-tall door. Mr. Robertson stated applying the 25-foot height limit over every zone does not make sense. There are different uses and design criteria for different zones. He is not opposed to limiting a 45-foot-tall building, that is currently allowed as a variance. A condition of the variance could be made to include fire suppression. He is concerned about what will happen to those that have already paid for and developed, plans done, engineering done upon the criteria currently in place.

Sharon Rock, Port Orford property owner and Arizona resident follows up on her email exhibit P. She read the email to council members and those attending the meeting. In the email, she urged the council to limit the building height limitations to 25 feet across all zones. She is concerned that the fire department is not certified to fight fires in buildings three stories or higher. She is concerned that the city's water supply is increasingly being

strained, especially in summer. Bigger buildings have increased water demand. She feels that new real estate development is fundamentally unsustainable. She encourages land use that is easier on the natural environment. Ms. Rock suggested that architects, developers, designers and individuals will adapt to a 25-foot height limit with exceptions addressed.

Sara, resident and property owner, supports the proposed planning ordinance, which reduces the building heights to 25 feet. Sara shares other city building height limitations found during her research. These communities maintain an economic livability and character while preserving reasonable building heights. She is concerned Port Orford does not have the infrastructure to support three-story buildings. She feels that failure to support this initiative could result in long-lasting and unfavorable consequences for the community. Sara supports the 25-foot limitation but also sees the possibility of a compromise since 28 feet is throughout the coastal communities.

Tim Palmer, resident of Port Orford, supports a 28-foot height limitation to buildings. He feels this is an acceptable limitation that would allow for two-story buildings and encroach minimally on real estate plans for future development. Mr. Palmer agrees a height limit is needed to support the city's water and fire infrastructure. He agrees a height limit is needed to maintain the small-town character. He reported most Port Orford buildings are 28 feet or less; however, there may be some nuances and exceptions written into the ordinance. His opinion is that affordable housing will not be affected by a 28-foot limit and limiting the height of buildings will not diminish property values in town, but rather enhance them.

David McCutcheon, resident of Port Orford and property owner heavily invested in Port Orford and decidedly opposes the idea of limiting height limits. If the city is worried about water, he suggested a moratorium on new building until the water problem is solved. If there is a concern about fire department capabilities, place an appropriate reservoir in poor pressure areas or require other fire suppression equipment in buildings. The self-interest of Port Orford citizens is unacceptable to people who want to work in Port Orford and create a working environment. He would like to see Port Orford a viable community that is not just for the money retirees. He reminded that Port Orford is one of the few working communities remaining next to the ocean and would like that encouraged. He feels that people will want to build upward in the future.

Mark Dana feels the existing building height restrictions in place are appropriate for the preservation of economic growth, business opportunity, tourism support, and aesthetics opportunities should not be restricted. He is not in favor of boxy little buildings due to restricted height. He suggested infrastructure concerns should be handled with development fees or other resolutions other than height.

Pam Dana supports the Port Orford Planning Commission opposition to the building height limitation. She appreciates the small-town atmosphere and believes the current building restrictions have not taken away from the small-town charm of Port Orford and for decades



has long allowed for flexibility to support business development and job production and opportunities for profitability while maintaining deterrent to excessive high-rise construction. An arbitrary building height reduction to 25 feet would not serve to create a greater sense of place as proposed in the staff report considerations and would negatively impact future business development. Ms. Dana feels that the reduction would place an inordinate burden on property rights and would cause clear and immeasurable economic harm. She asks that during deliberations the city council look out for the whole community.

Francie MacLeod, Port Orford resident, supports keeping the two-story limit; however, she understands the need to have the 30-foot leeway in terms of construction. She is concerned about fire and water. She supports the character of Port Orford and does not want to see three and four story buildings overlooking the ocean.

Jennifer Head, resident of Port Orford, spoke in support of lowering the allowable building height in all zones to a maximum height of 30 feet. She echoed the points raised by Steve Lawton in his letter to the planning commission. She agrees with Jeff Mc Vannel's comments regarding the 30-foot maximum height to maintain adequate roof pitch as well as those of Pat Cox regarding an exemption for the Port of Port Orford. Using increased vertical height to increase the number of people per unit does not serve to meet the needs of local residents nor increase local affordable housing. It will serve to benefit mostly tourists, part-timers, short-term visitors and investors. Ms. Head is concerned about Port Orford's water and fire infrastructure. The citizens of Port Orford should not bear any further increase in water/sewer rates, as they are already high. She summarizes a 30-foot limit is not arbitrary and is consistent with the limits of other small coastal communities in Oregon. Ms. Head plans to submit a letter in writing to the council.

Pat Cox, Port of Port Orford, presents correspondence signed by the Port Commission president. The letter shared that the Commission for the Port of Port Orford met on November 17, 2020 and discussed the city's proposal to modify building height restrictions within all zones. The proposed change to a 25-foot height restriction would have a negative effect on present and future port operations. The Port of Port Orford does not support the proposed building height amendment to the city's marine activity zone, 7MA, and requests retention of the existing building height limits in chapter 17.12. 060, Marine Activity Zone of the Port Orford municipal code book. The Port is not trying to weigh in on the city's business or show support or opposition of the 25-foot limitation but are just trying to maintain what the Port currently has for functional purposes.

Kevin McHugh spoke as the chair of the Parks Commission addressing the mayor, members of the common council and the staff. He had corrections on information received from staff. City council sent instructions to the planning commission to reduce the building height across all zones and make all zones the same height. The planning commission is therefore required to present their recommendation to allow the city council to decide whether it is a good idea or not. He is a citizen of the Port Orford urban growth boundary. Kevin McHugh

does not personally support the 25-foot building height limitation across all zones. He believes they should allow 27-foot building heights for all residential buildings and 30-foot building heights for all commercial structures. All zoning allows single family or multifamily residential structures within the zones, thus he suggests height limitations per zone will not be effective, but height limitations per residential structures and height limitation per commercial structures would be effective. He gave a height example of the utility pole in front of Dana's Trading Post is 35 feet high. The utility pole in front of the Wooden Nickle is 30 feet high and the Wooden Nickle is 31 feet. Kevin McHugh respectfully requested the council make some changes to the building height restrictions and suggested it is not the city's job to maximize the value of property. Kevin McHugh reminded that the Planning Commission voted unanimously to remove the word dome from exceptions to the building height limitations.

Legal Counsel Kudlac instructed council where to find the Planning Council recommendation in their packet so they can understand the difference between the Planning Commission's recommendation and the speaker's testimony.

Steve Lawton, resident of Port Orford, clarified that his testimony is not about protecting his property view. Mr. Lawton supports a 35-foot limit with the Port being exempt. He is more concerned with the future of the small residential coastal community than he is with the height of the building. He would like to find a balance between protecting the character of the close-knit friendly town and maximizing the financial gains of investors and developers. A 3 and 4 story tall building would be too large and damage the characters of the community. Water, sewage and off-street parking would be adversely affected. If 3 and 4 story buildings are allowed real estate will go up in value, because it will generate a greater return for investors, thus adversely affecting affordable housing.

Representative David Brock Smith, resident of Port Orford, is a third-generation citizen of Port Orford and former member of city council, former chamber president of the City of Port Orford, former member of the Port Orford schoolboard and former Curry County Commissioner. He is currently the representative for house district 1 and is chair of the Oregon Legislative bi-cameral bi-partisan Coastal Caucus. He appreciates hearing today's testimony. He suggested the council look at the testimony by Mr. Bassett who has been a long-time building inspector. He addressed the testimony about other communities and stresses that Port Orford is unique geographically. He addressed the testimony about Port Orford's water system and reminded that there is not a water or sewer moratorium currently. He suggested that when there are larger developments for construction there are building codes that must be adhered to, such as fire suppression systems that are not volume using hoses, but smaller systems that reserve water. He addressed fire department capabilities and stated that the fire departments is capable and has been capable of fighting fire within the community and continues to do so. He addressed investors and reminded council of the Work Force Housing legislation that he passed in the 2017 session that allows multi-family housing to be built. As long as the multi-family housing units are renting at 120 percent or below

median income the owner can get a tax incentive. This could provide work-force housing for the community of Port Orford, that is desperately needed. Many of Port Orford rentals have been moved to vacation rentals. He adamantly disagrees with those that have stated building height limitation will not affect work-force housing. Port Orford is limited in area that is buildable. In order to build multi-family housing, Port Orford will have to build up. The height limitation of 35 feet will be needed to accommodate this multi-family housing. It costs less to build those units than it does to build multiple lower units. Representative David Brock Smith urges and respectfully requests the council to not limit development. Water and sewer services in Port Orford are limited due to the fact that there is a finite number of people to pay for the system. In order to lower the rates, there must be more people contributing to the cost of the system, and those more people are in the form of developmental houses and multifamily structures that are connected to the service to be used.

Court Boice with roots in Port Orford compliments the tremendous testimony. He addressed fire risk, health risk of an aging community with aging population and the important issue of housing. Port Orford has a restriction in buildable land. Mr. Boice agrees with middle class housing managed progression, which combats poverty. He speaks on Port Orford's water issues. No communities in Curry County really have a solid water foundation. Mr. Boice has four years in his term and will make it his interest to see to what extent he can contribute and work with the cities to identify ways to move forward with the water system issues. Water issues are not limited to Port Orford but are across the state of Oregon now and in the future.

Mayor Pogwizd suggested a deadline to receive written testimony. Additional testimony received will be included in the next packet. By consensus, city councilors agree to close public testimony December 3, 2020. By consensus, city councilors agree to continue deliberation at the regular session January 21, 2021 at 3:30 PM. A motion will be needed to open discussion. A decision is not required at the next meeting.

## **6. Departmental Reports:**

**Watershed:** Linda Tarr corrected that Lone Rock is willing to work with the watershed on a conservation easement around the tributary streams. She thinks that if Lone Rock purchases the property their intention is to hold onto it. She spoke on the Wilson property Development. Sean Stevens from Business Oregon has more information about possible funding for this, but he was not ready for the special meeting. He would like a conference call with David Johnson and CA Richards and Ms. Tarr on the 30<sup>th</sup>. Hopefully a special meeting can be held after the 30<sup>th</sup> regarding the Wilson parcel. The broker for the property has been contacted. They are doing a "quiet sale," which is not opened to the public. They tend to offer the property to other timber companies. They have not closed or accepted any offer at this time. It is still a viable possibility that the city could work towards becoming the owner of that property. The city will have to work quickly. The Wilson Company wants to sell the property within two months. Mayor Pogwizd suggested Ms. Tarr discuss the purchase of the property with David Johnson. Ms. Tarr reported there is a willing partner in the conservation fund that are willing to be a bridge buyer, in that they would make an offer

to the Wilson Company to purchase the property and require the City of Port Orford's council commit to partnering with the conservation fund. Legal Council Kudlac expressed her concern of putting the city on the hook to find funding that they are not able to find. She asks about setbacks. Stacy (sp?) clarifies there are 50 feet setbacks in the 700 feet closest to the reservoir but beyond that it narrows significantly. Linda Tarr will send an email to councilors to clarify details. Linda Tarr request a conference call with David Johnson and Jacque Fern from DEQ. Ms. Tarr recommended the city hire a professional grant writer to work David Johnson. Money might be available from water source protection and other nonprofits that might help fund a grant writer and legal fees. David McCutcheon advised of Dana Hitch from State Lands who works in wetlands litigation who is a possible source of funding.

Ms. Tarr reported on the Oregon Health Authority grant for planning for fire prevention and some treatment of gorse on the Sorenson property. Business Oregon gave approval and now it is in the hands of OHA to approve the changes.

**Financial Director:** None.

**Liaison:** Councilor Cox reported the new project manager at the Port is working with staff. Last month, funding was delayed due to COVID, but it is still earmarked for the Port.

Councilor Garratt spoke regarding the fireboard on some issues progressing with negotiation with the renewal of the contract. Councilor Garratt recommends two council members should be appointed to be involved in the negotiation proceedings excluding himself. The fireboard has expressed that they would like to be negotiating with councilors rather than just the finance director.

**7. Old Business:**

- a. Community Center Request for Annual Christmas Dinner: The Community Center is currently closed due to COVID-19 guidelines. A safety plan was requested from the requestor, but they have not replied. By consensus, councilors deny the use of the Community Center for the annual Christmas dinner due to governor mandates.

**8. New Business:**

- a. Proclamation – School Choice Week: Dies for lack of a motion.

**9. Considerations**

**a. Citizen**

David Smith expresses his appreciation for city council efforts.

Dave encouraged the city implement an ordinance regarding tree removal during property development. Trees are a wind break in a town with a lot of wind. Clear cutting affects people down wind. Trees are also aesthetic.

**b. Staff**

None.

**c. Councilor**

None.

**d. Mayor**

Mayor Pogwizd addressed the December regular meeting of the common council. Due to holiday schedules, Mayor Pogwizd offered cancelling the December meeting. By consensus, council members agree to cancel the December meeting of the common council. David Johnson advised that the audit will need approved before the end of the year. He will file an extension. If the extension is not approved, he will request a special meeting.

**11. Future Meetings:**

Thursday, January 21, 2020 Regular Meeting of the Common Council at 3:30 p.m.

**12. Adjourned**

There being no further business, Mayor Pogwizd adjourned the meeting at 7:03 p.m.

Attest:



\_\_\_\_\_  
Mayor Pat Cox



\_\_\_\_\_  
City Recorder pro tem, David Johnson