

City of Port Orford
City Council Meeting Minutes
In the Gable Chambers / Virtual participants
Thursday, September 16, 2021 at 5:30 P.M.

Mayor and Council	Present	City Staff	Present
<i>Pat Cox, Mayor</i>	X	<i>CA Ginsburg</i>	X
<i>Gary Burns</i>	X	<i>Shala Kudlac, City Attorney</i>	X
<i>Tim Pogwizd, President</i>	X	<i>John Isadore, Public Works</i>	X
<i>Lorrin Kessler</i>	X		
<i>James Garratt</i>	X		
<i>Carolyn LaRoche</i>	X		
<i>Greg Tidey</i>	X		

Others Present: Cynthia Stetson (Planning Commissioner), Colleen, Connie Hunter, Rhone, Shelia Megson, Rep. David Brock Smith, Marilyn Gochnour, Mr. Grim, PennySuess/Dana Gurnee, Tim Rossi, Jason Carman (RCAC), Rowland Willis, Steven Lawton, Linda Tarr (TLT), Jan Nelson.

1. Call to Order

Mayor Cox called to order this Regular Meeting of the Common Council on Thursday, September 16, 2021, at 5:30 p.m. Mayor Cox lead the council in the Pledge of Allegiance.

2. Additions to the Agenda: None.

3. Presentations to Council/Citizens: Gordon Clay did not respond.

4. Consent Calendar:

a. Approve Council Meeting Minutes August 19, 2021: Councilor LaRoche moved to approve the City Council minutes of August 19, 2021 as written with Councilor Kessler as second. *Motion carried 6-0.*

Discussion: None.

<i>Councilor Garratt</i>	<u>Yes</u>	<i>Councilor LaRoche</i>	<u>Yes</u>	<i>Councilor Burns</i>	<u>Yes</u>
<i>Councilor Kessler</i>	<u>Yes</u>	<i>Councilor Tidey</i>	<u>Yes</u>	<i>Councilor Pogwizd</i>	<u>Yes</u>

b. Approve Special Session Minutes August 27, 2021: Councilor Kessler moved to approve the Special Session minutes of August 27, 2021 with Councilor Burns as second. *Motion carried 6-0.*

Discussion: None.

<i>Councilor Garratt</i>	<u>Yes</u>	<i>Councilor LaRoche</i>	<u>Yes</u>	<i>Councilor Burns</i>	<u>Yes</u>
<i>Councilor Kessler</i>	<u>Yes</u>	<i>Councilor Tidey</i>	<u>Yes</u>	<i>Councilor Pogwizd</i>	<u>Yes</u>

5. Citizen's Concerns: (Old and New Business on Agenda).

4 **Steve Lawton** provided council members with testimony that was factual regarding vacation
5 rentals. He feels facts are critical to consider and stated that too many times cities consider
6 anecdotal information rather than hard facts. Mr. Lawton reported seeing a significant
7 problem on the Oregon Coast. Many cities are struggling with vacation rentals. Last month
8 Coos Bay placed a moratorium on vacation rentals and found that only 10 of the 82 were
9 listed with business licenses and paying TLT. Mr. Lawton listed other coastal cities limiting
10 the number of vacation rentals or in the process of considering limiting vacation rentals. Mr.
11 Lawton stated vacation rentals need limited if the city is serious about affordable housing.
12 Mr. Lawton stated if the city wants the community to live within natural limits and ensure
13 local residents and current tourists have adequate water, the city needs to vote and restrict
14 vacation rentals. He feels the economy will not be harmed. He stated the vast majority of
15 revenue brought in by vacation rentals does not flow into the community. He would like to
16 see the community restrict vacation rentals.

17
18 **Colleen Eastbonn (sp)** introduced herself as managing vacation and long-term rentals in
19 Port Orford for six years. She expressed appreciation for Steve Lawton's research, but she
20 feels some of it is inaccurate. She manages 21 homes within the city and county, and the
21 garbage bill is over 1500 dollars a month. In the garbage there is a significant amount from
22 the local businesses. Numbers from business owners who have been in business for at least
23 the last ten years, she is sure they will show a significant increase every year along with the
24 vacation rentals. She feels vacation rentals are a huge impact in the economy for the local
25 business owners. Long term rentals and vacation rentals water bills show the long-term
26 rentals use significantly more water than the vacation rentals use. She has documents to show
27 if requested.

28
29 **John Isadore**, as a citizen of Port Orford, feels the city should be careful in regulating what
30 an individual can do with their property. He compared limiting vacation rentals with telling
31 an RV park that they cannot add anymore spaces. He feels vacation rentals are an economical
32 benefit to the city. They spend money in town, buy commodities, use water and sewer. His
33 only concern is if an entire neighborhood is bought up as a vacation rental community
34 bringing in traffic and noise. He reiterates the city should be careful about limiting what
35 people can do with their properties; however, terms can be considered.

36 37 **6. Departmental Reports**

- 38 a. **Public Works:** John Isadore submitted a written report to the council members. He
39 recapped that there is a little more water in the reservoir than last month, and it is
40 maintaining at a little over two feet. They have seen a reduction of usage due to
41 restrictions. Water intake is higher than water usage. There were leaks that were repaired.
42 Temporary repairs were made to Coast Guard Hills. Wastewater is running smooth and
43 more will be addressed there after the water usage issues are addressed. Councilor
44 Pogwizd addressed the amount of time public works is having to spend at the Battle Rock
45 restrooms. Mr. Isadore stated the time is spent in repairs and unplugging. He would like
46 to put a pressure tank in. The high-flush valves are taking more water pressure than the

4 system has, thus causing plugs. Mayor Cox addressed water loss. He is concerned that the
5 water in the tank is reported as water loss, which is inaccurate. Mr. Isadore informed that
6 the water made is metered and the water going out is metered. Jason Carman of RCAC
7 was introduced by Mr. Isadore. They feel a good percent of loss rate is due to inaccurate
8 meter reading. They would like to replace the old meters with new electronic meters that
9 detect leaks in quadrants. Jason Carman agreed with changing meters, but he suggested
10 the first step would be an engineering report for a higher-level look. Mayor Cox
11 expressed appreciation to Mr. Isadore for being proactive.

- 12
- 13 b. Administration: CA Ginsburg submitted a written report in the council packet. City hall
14 building inspector did not approve recent window repairs since it is a firewall. The
15 counter was not fire rated, so it was not approved. CA Ginsburg contacted a new
16 contractor since the current contractor listed on the building permit is not licensed. The
17 new contractor was given the option of rebricking the wall up or fixing it all and get it to
18 a payment window. The cost of the payment window is about 30,000 dollars. The
19 window will be rebricked up.

20

21 Inactive utility billings were review for collectability. About 55 percent was uncollectable
22 based mostly on age. The collection process on the remainder is underway.

23

24 Traffic and ordinance fines were reviewed. There were many collectable fines.
25 Department of Revenue will assist in collecting. Procedure outlined and will be followed.

26

27 Patty Clark is retiring at the end of the year. Her job description was reviewed and
28 updated.

29

30 Tami reviewed the business licenses and municipal code. She was able to get businesses
31 licensed. Revenue in the budget for licenses was 6,500 and now is 9,162. There are still
32 home businesses that can be collected and are in the process.

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34 Main Street Association showed interest in helping with the outside of the City Hall
35 building and redoing some of the landscaping. CA Ginsburg has a meeting next week
36 regarding the kayak launch in Garrison Lake. CA Ginsburg is working with the Forest
37 Management Planning grant for the watershed project.

- 38
- 39 c. Finance: See above. Councilor Pogwizd questioned the Parks fund regarding seasonal
40 worker, which is budgeted, and the street fund expenses larger than budget due to 81K
41 bill by Civil West for Ocean View Paving, which was grant money. CA Ginsburg
42 reported there was additional demand in July and August. CA Ginsburg advised that the
43 city has not received 100 percent of the grant money, and once that grant money is
44 received it will offset the deficit. The past/current budget trend was clarified.

- 45
- 46 d. Planning: Report available in the packet.

4 e. Liaison

5 **Port:** Build Back Better funding came out for the Port’s seawater system, buildings and
6 entire project. The Port will be included in a coastwide package. This project will provide
7 living wage jobs and contribute to the coastal economy. Mr. Steve Lawton reiterated the
8 importance of the impact on the city. The Port needs a letter of support from the city.

9 **School District:** Councilor Kessler reported the high school has 95 students. They are
10 currently working on the track surfacing and new stairs to the track.

11 **Parks:** Councilor Tidey reported on a Park Commission meeting last Tuesday. They
12 approved a new commissioner for parks, Clark. He hopes the next council meeting will
13 have that on the agenda. The Parks Commission approved 750 dollars for a camera
14 system at the Visitor’s Center. Parks is looking at updating the bike repair station and
15 putting it in the Battle Rock area.

16 **Watershed:** Councilor LaRoche introduced Linda Tarr for update. Ms. Tarr stated the
17 most important item is the need for the Forest Management Plan. She attended the
18 Oregon Land Trust Conference on source water protection. She spoke with the forestry
19 expert from DEQ who is willing to help with the specific working for the call for
20 proposals. Ms. Tarr spoke with Southcoast Watershed Partnership to include Hubbard
21 Creek in a storm chaser program. There are resources for only two monitoring sites. This
22 might be helpful to monitor where silt is coming into the reservoir. Ongoing work is
23 continuing for gorse control and tree planting on Sorenson parcel. Ms. Tarr expressed her
24 appreciation to the council for their hard work. She stated Port Orford is becoming
25 renowned on the Oregon Coast for being forward thinking and wise in the decision to buy
26 the Wilson parcel.

27 **Emergency Management:** Councilor Burns reported on a meeting. They are working on
28 an Emergency Information Campaign where they can start working on training
29 everybody in the community on what they should be thinking about for their personal
30 emergency response. The necessity of an Emergency Response Board is still being
31 researched. The community plan is still being discussed.

32

33 7. Old Business:

34 a. **Water Infrastructure / State of Emergency:** CA Ginsburg reported letters were sent
35 out to citizens last week regarding water restrictions. Jason Carman of RCAC (Rural
36 Community Assistance Coporation) and Marlin Gochnour of Civil West toured the water
37 stations with public works. Mr. Carman introduced himself being with RCAC, which is a
38 nonprofit. He is based out of Veneta. They provide no-cost technical assistance to smaller
39 communities for water and wastewater systems. He was called in to assist Port Orford
40 with immediate needs and other water issues. He involved Civil West since they were the
41 circuit writer. They looked at the Hubbard Creek intake. They noted

42 b. **Vacation rentals:**

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44 <i>Councilor Garratt</i>	<u>Yes</u>	<i>Councilor LaRoche</i>	<u>Yes</u>	<i>Councilor Burns</i>	<u>Yes</u>
45 <i>Councilor Kessler</i>	<u>Yes</u>	<i>Councilor Tidey</i>	<u>Yes</u>	<i>Councilor Pogwizd</i>	<u>Yes</u>

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8. New Business:

a. Approval of Job Description for Utility Accounts Clerk/Receptionist:

b. Right of Way Usage Permit Approval – Maudie Swanstrom:

<i>Councilor Garratt</i>	<u>Yes</u>	<i>Councilor LaRoche</i>	<u>Yes</u>	<i>Councilor Burns</i>	<u>Yes</u>
<i>Councilor Kessler</i>	<u>Yes</u>	<i>Councilor Tidey</i>	<u>Yes</u>	<i>Councilor Pogwizd</i>	<u>Yes</u>
<i>Councilor Garratt</i>	<u>Yes</u>	<i>Councilor LaRoche</i>	<u>Yes</u>	<i>Councilor Burns</i>	<u>Yes</u>
<i>Councilor Kessler</i>	<u>Yes</u>	<i>Councilor Tidey</i>	<u>Yes</u>	<i>Councilor Pogwizd</i>	<u>Yes</u>

9. Considerations

a. Citizens:

Steve Lawton addressed grant writing. He suggested a county-wide grant writer. Other counties and communities have found success in their Emergency Preparedness plans.

Gordon Clay read information updating COVID cases in Curry County. He provided information with a chart to councilors. Mr. Clay addressed vacation rentals as related to Airbnb. City economy is a positive aspect in that it adds funds to the host to spend in the community. Airbnb brings in people to spend money into the community. Many want to return.

Linda Tarr addressed the grant topic. She wants the city to be aware that once a grant has been granted, staff time is required to be able to utilize the grants effectively. She suggested utilizing the resources DEQ has to offer.

b. Staff: None.

c. Councilors:

Councilor Burns suggested moving forward on affordable housing and vacation rentals when Planning Commission is finished with building height limits. He suggested a possible workshop with Planning Commission.

Councilor Pogwizd stated the importance of posting packets on time, prior to the weekend, to enable councilors to prepare. He asked for sign-off sheets for right of ways and all reports accompanying the agendas as well as financials and public works reports. Councilor Pogwizd expressed his appreciation to CA Ginsburg and Mayor Cox for their efforts. CA Ginsburg advised financials are being cleaned up. Once they are cleaned up, they will be provided to councilors. Public works has been shorthanded and busy, but CA Ginsburg will contact John Isadore.

Councilor Garratt suggested a note at the top of the agenda specifying the typed chat in the virtual sessions is not allowed as per an official decision previously made by council.

4 It would be nice to have documents in the packet in order. Previously, councilors made
5 the decision that packets should have page numbering and numbered/lettered reference to
6 agenda item. Councilor Garratt suggested considering amending council rules. Since
7 virtual sessions are continuing, he suggested public comment pertaining to items occur as
8 each item is brought up after councilors finish discussing the item. Also, items should be
9 introduced by the mayor or person speaking on the topic, motions readily made versus
10 haphazard discussions. Councilor Garratt would like to see gas tax move forward. It was
11 supposed to be on the agenda this meeting. He asked it to be put on the agenda for next
12 meeting. Councilor Garratt addressed city volunteer contribution recognition and asked
13 that City Council recognize the volunteers to encourage more volunteerism.

14
15 Councilor Tidey spoke on neighboring communities adopting a State of Oregon
16 ordinance about camping on public property. Councilor Tidey did not find a camping
17 ordinance in Port Orford. At this time, the State of Oregon states that anybody can camp
18 on public-owned property in the city limits. He feels this needs to be put on the agenda at
19 the next meeting before this becomes a city problem.

20
21 **d. Mayor:**

22 Mayor Cox asked councilors to touch bases with him prior to asking CA Ginsburg to put
23 something on the agenda. If a councilor contacts CA Ginsburg without speaking at a
24 council meeting or contacting the mayor, it is the same as a citizen going to City Hall and
25 telling CA Ginsburg what to do. People are still sending messages to Terri Richards. CA
26 Ginsburg stated those were being forwarded to David Johnson's email. David Johnson's
27 email is going directly to Tami. CA Ginsburg will talk with Tami to follow up on the
28 emails.


29
30 Mayor Cox recollected that building heights of 45 feet was approved in the marine
31 district. There were a handful of lots above that do not coincide with other districts where
32 heights should be lower. When it went to Planning, commissioners recommended a 35-
33 foot height for the entire marine district. Councilor Garratt believed that the height limit
34 will be put in place, but the Port will have exceptions for what is necessary for Port
35 functionality. This can be reviewed and addressed when the recommendations return
36 from Planning Commission.

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38 **10. Future Meetings:** Thursday, October 21, Regular meeting of the Common Council at 5:30
39 p.m.

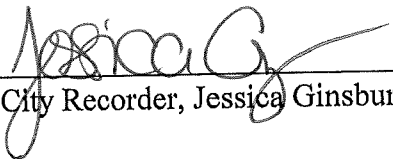
40
41 There being no further business, Mayor Cox Adjourned the meeting at 8:39 p.m.

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46 Attest:

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Mayor, Pat Cox



City Recorder, Jessica Ginsburg