

City of Port Orford
City Council Meeting
In the Gable Chambers / Virtual participants
Thursday, January 20, 2022 at 5:30 P.M.

Mayor and Council	Present	City Staff	Present
<i>Pat Cox, Mayor</i>	X	<i>CA Ginsburg</i>	X
<i>Tim Pogwizd, President</i>	X	<i>Shala Kudlac, City Attorney</i>	X
<i>Gary Burns</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: Planning Commissioner Berndt, Planning Commissioner Thelen, Penny Suess and Dana Gurney, Steve Lawton, Bret Cecil, Ann Vileisis, Tom Calvanese

1. Call to Order

President Cox called to order this Meeting of the Common Council on Thursday, January 20, 2022, at 5:30 p.m.

2. Additions to the Agenda: None.

3. Presentation to Council / Citizens: None.

4. Consent Calendar

a. Approve Minutes December 16, 2021: Councilor LaRoche moved to approve the minutes for the December 16, 2021, council meeting with Councilor Kessler as second.

Motion carried 4-0.

Discussion: None.

Councilor LaRoche Yes *Councilor Pogwizd* Yes
Councilor Kessler Yes *Councilor Tidey* Yes

5. Annual Calendar Beginning of Year Housekeeping – Will be presented to Parks and Planning also.

- a. Updated copy of municipal code to City Council members.
- b. Copy of council rules provided to council members.
- c. List of current committee/commissioner membership.

6. Citizen Concerns

Stephen Lawton, resident of Port Orford, expressed appreciation to the public works staff for their hard effort. Mr. Lawton spoke in support of the vacation rental moratorium licenses. He supports the Planning Commission and City Council to develop ordinances that will assist in

4 resolving the water issues. He feels the moratorium on golf grounds should not be included
5 as an exception.

6
7 Ann Vileisis, resident of Port Orford, expressed appreciation to the public works. Ms.
8 Vileisis spoke in support of the pause on issuing permits for short term vacation rentals until
9 an ordinance is developed. She appreciates the city working on the water issues and
10 recognized that growing food is essential. Ms. Vileisis asked that bulk sales of water be
11 reviewed and farms using large amounts of water needs investigated. She feels that the golf
12 courses are not essential. She encouraged the city to look for grant money for the water
13 infrastructures.

14
15 Tom Calvanese expressed appreciation for the councilors and the mayor. He shared
16 information with councilors about a petition circulating. This conversation was muted due to
17 council rules.

19 7. Department Reports

20 a. **Public Works:** John Isadore updated councilors on the wastewater treatment plant.

21 There was a major failure last month. Public works was able to take maintenance
22 measures with the assistance of South Coast. Parts have been ordered. Garrison Lake is
23 the only emergency water system listed for the city. The city has to reinitiate the
24 application for water rights. The topic of pursuing **Garrison Lake for a backup water**
25 **source will be an agenda item.**

26 b. **Administration/Finance:** A report was submitted to councilors. Councilor Cox
27 addressed updating uniform building codes to 2021 codes. The 1982 codes were last
28 adopted in 1984 by resolution. **This topic will be on the agenda next month.** Financial
29 report entries were clarified.

30 c. **Planning:** A report was submitted by Planning. No further questions.

31 d. **Liaison:**

32 **Fire District** – Councilor Garratt reiterated the fire district is still looking for volunteers
33 to serve as fire fighters and positions of assistance. He suggested potential volunteers can
34 contact the fire district’s Facebook page. Councilor Pogwizd complimented the fire
35 district’s response to last night’s fire.

36 **TLT** – Councilor Pogwizd reported this is a work in progress. Two TLT applicants were
37 voted in at the recent meeting. Two additional applicants are pending.

38 **Watershed** – A written report has been submitted. Councilor LaRoche has no additional
39 information. The main topic is the placement of the eels. Mayor Cox would like a drone
40 video to track gorse progression over years.

41 **Health** – Councilor Burns reported there are new mental health employees. Curry Health
42 Network has new employees. He will research on how they will support each other.
43 COVID’s new variant is spreading throughout the citizens. He is impressed with the new
44 clinic.

45 **Port** - Mayor Cox reported the crab season is slowing and prices are going up. He will
46 soon have a redevelopment presentation.

4 **Parks** – Councilor Tidey gave a report on fund raisers that were discussed at the last Park
5 Commission meeting. Nuisance trees have been removed in Buffington Park. Land has
6 been cleared for the expansion of the skate park and playground improvement.

7 **Emergency** – Councilor Burns reported getting five pallets of PPE towards the caches.
8 Cache locations are being discussed.

9 **School District** – Councilor Kessler advised the next meeting is Monday. The school
10 made announcements that City Hall and the Fire District need volunteers, which is
11 showing some success.

12 **Main Street** – Councilor Burns reported exploring the advertisement for tourism. He
13 will meet with Wild River Coast Alliance for assistance.

14

15 **8. Old Business:**

16 **a. Seasonal Gas Tax Draft Ordinance:** Councilor Pogwizd reminded councilors they are
17 voting to hand this off to the citizens to vote on. He agrees with the way it is written.
18 Councilor Garratt identified decisions still needed: 1) It states April 1 through October 31
19 as seasonal dates. ***Councilors agree by consensus to change the dates from May 1***
20 ***through October 31.*** 2) It is written for two cents per gallon to be imposed on all motor
21 vehicle fuel dealers in Port Orford, which includes the card locks and the Port, thus
22 taxing the fleet in the Port of Port Orford, the logging industry and anybody with a card
23 lock. Councilors agree by consensus to exclude the Port of Port Orford and card lock fuel
24 dealers. The ordinance as written singles out the one gas station in town. CA Ginsburg
25 will get examples from cities with Ports and card locks. The timeline was discussed.
26 Process was discussed. ‘

27 Councilor Burns moved to table this item for next month’s agenda with Councilor
28 Pogwizd as second. ***Motion carried 6-0.***

29 Discussion: None.

30 ***Councilor Garratt Yes Councilor LaRoche Yes Councilor Burns Yes***
31 ***Councilor Kessler Yes Councilor Tidey Yes Councilor Pogwizd Yes***

32

33 **b. Vacation Rental Moratorium Discussion:** CA Ginsburg, Legal Counsel Kudlac and
34 Planner Shoji met and came up with the suggestion of not issuing new permits but not
35 issuing restrictions. Legal Counsel Kudlac stated DLCD advised this. The buildings
36 currently under construction can move forward, but a pause will be on future BRD
37 licenses.

38 Councilor Burns moved for a moratorium on issuance of new business licenses for
39 vacation rentals in R1 and R2 up to a year with Councilor Kessler as second. ***Motion***
40 ***carried 4-2.***

41 Discussion: Councilor Garratt suggested adding the word “new” due to renewals.
42 Councilor Pogwizd questions how to handle the 30 days it will take the moratorium to be
43 in effect. Legal Counsel Kudlac advised that since this is not an ordinance it can go into
44 effect immediately. Councilor Garratt would prefer a shorter timeline, so people are
45 aware the council is actively working on an ordinance to address the problem.

46 ***Councilor Garratt No Councilor LaRoche Yes Councilor Burns Yes***

4 *Councilor Kessler* Yes *Councilor Tidey* No *Councilor Pogwizd* Yes
 5

6 **c. Water Curtailment Ordinance 2022-04-Draft review 3:** There is more water loss in
 7 the summer due to fires, leaks and silt in the intake. By consensus councilors agree to
 8 remove the golf course language from exceptions. Councilors discussed who will declare
 9 the emergency and implement curtailment. Legal Counsel Kudlac advised councilors of a
 10 missing definition. John Isadore agrees with the definition of level 1-4 but would like a
 11 definition limited to 3 levels in the future. **The draft will need typed for next meeting.**
 12

13 **d. Water installation of New Services:** By not allowing new hookups the city is stopping
 14 construction. The option of wells is not feasible for all land owners due to regulations of
 15 placement and lack of water on the property. This should apply to new services only.
 16 Services installed but not connected cannot be stopped. Councilor Garratt hopes to keep
 17 the time frame as short as possible. **Councilors agree by consensus** to move forward. Tax
 18 lot owners need to be notified by a reliable method outside of the water bills.
 19

20 **9. New Business**

21 **a. TLT Committee Appointment – Nancy Fraser:** Councilor Burns moved to accept
 22 Nancy Fraser’s appointment to the TLT committee with Councilor Kessler as second.

23 **Motion carried 6-0.**

24 Discussion: None.

25 *Councilor Garratt* Yes *Councilor LaRoche* Yes *Councilor Burns* Yes
 26 *Councilor Kessler* Yes *Councilor Tidey* Yes *Councilor Pogwizd* Yes
 27

28 **b. TLT Committee Appointment – Michele Leonard:** Councilor Burns moved to accept
 29 Michele Leonard’s appointment to the TLT committee with Councilor Kessler as second.

30 **Motion carried 6-0.**

31 Discussion: None.

32 *Councilor Garratt* Yes *Councilor LaRoche* Yes *Councilor Burns* Yes
 33 *Councilor Kessler* Yes *Councilor Tidey* Yes *Councilor Pogwizd* Yes
 34

35 **c. Resolution 2022-02, Seasonal Motor Fuel Tax Call to Vote:** As above. No vote.
 36

37 **d. Right of Way Request – Marty Million, 1840 Oregon Street:** Councilor Burns moved
 38 to accept the right of way request with Councilor Tidey as second. **Motion carried 6-0.**

39 *Councilor Garratt* Yes *Councilor LaRoche* Yes *Councilor Burns* Yes
 40 *Councilor Kessler* Yes *Councilor Tidey* Yes *Councilor Pogwizd* Yes
 41

42 **e. Right of Way Request – Coast Community Health:** Councilor Burns moved to accept
 43 the right of way request with Councilor Tidey as second. **Motion carried 6-0.**

44 Discussion: Coast Community would like to park a mobile trailer on the right of way. It
 45 will not be in the spaces the school uses for parking.

46 *Councilor Garratt* Yes *Councilor LaRoche* Yes *Councilor Burns* Yes

4 *Councilor Kessler* Yes *Councilor Tidey* Yes *Councilor Pogwizd* Yes
5

6 **f. Right of Way Request – Lisa Pittelli:** Councilor Burns moved to accept the right of way
7 request with Councilor Pogwizd as second. *Motion carried 5-0.*

8 Discussion: Councilor LaRoche asked why the fence cannot be on the applicant’s own
9 land. It is explained that the front line of the fence is on the owner property but sides
10 extend onto right of way.

11 *Councilor Garratt* Yes *Councilor LaRoche* No *Councilor Burns* Yes
12 *Councilor Kessler* Yes *Councilor Tidey* Yes *Councilor Pogwizd* Yes
13

14 **g. Planning Committee Appointment Krista Nieraeth:** Ms. Nieraeth needs to reup to the
15 Planning Commission. Councilor Pogwizd moved to accept Krista Nieraeth’s application
16 with Councilor Kessler as second. *Motion carried 6-0*

17 Discussion: None.

18 *Councilor Garratt* Yes *Councilor LaRoche* Yes *Councilor Burns* Yes
19 *Councilor Kessler* Yes *Councilor Tidey* Yes *Councilor Pogwizd* Yes
20

21 **h. Planning Committee Appointment – Pamela Berndt:** Ms. Berndt needs to reup to the
22 Planning Commission. Councilor Pogwizd moved to accept Pamela Berndt’s application
23 with Councilor LaRoche as second. *Motion carried 6-0.*

24 Discussion: None.

25 *Councilor Garratt* Yes *Councilor LaRoche* Yes *Councilor Burns* Yes
26 *Councilor Kessler* Yes *Councilor Tidey* Yes *Councilor Pogwizd* Yes
27

28 **10. Considerations**

29 **Citizens:**

30 Tim Palmer, Port Orford resident, advised of a petition with 178 signatures to be presented to
31 councilors and administration regarding of a development being proposed.

32
33 Steve Lawton spoke in favor of taxing vacation rentals and stated others agree.

34
35 Ann Vileisis expressed appreciation to councilors and mayor. She stated that citizens are
36 frustrated with the process and lack of citizen involvement. Ms. Vileisis drew attention to the
37 resource of a DLCD introductory guide for land use planning for small cities. She agrees
38 with moving forward in updating the codes.

39
40 Pamela Berndt, resident of Port Orford expressed appreciation to council. She advised there
41 is some drone footage of the watershed done by Wild Winter Land Trust to promote
42 awareness of the watershed.

43
44 Jennifer Head, resident, expressed her appreciation for the clickable meeting link on the
45 agenda. Ms. Head supports vacation rental moratorium and water curtailment. Ms. Head

4 offered her services as a grant writer, but due to her schedule will have to serve in an editing
5 capacity or work with a team.

6
7 **Staff:** None.

8
9 **Councilors:** None.

10
11 **Mayor:** Mayor Cox asked about a Facebook post and was advised that volunteers for grant
12 writing were requested.

13
14 **11. Future Meetings**

15 **Thursday, February 17, 2022, Regular Council Meeting 5:30, hybrid.**


16
17 **11. Adjourn:** There being no further business, Mayor Cox Adjourned the meeting at 8:07 p.m.

18
19

20 Attest:

21
22

23
24 
25 _____
Mayor, Pat Cox

23
24 
25 _____
City Recorder, Jessica Ginsburg