

City of Port Orford
City Council Meeting
In the Gable Chambers / Virtual participants
Thursday, August 18, 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>Greg Tidey</i>	X		

The minutes were prepared to the best of our ability considering the challenging quality of the audio at random times during the meeting; however, notable improvement this meeting.

Others Present: Monica Ward of Curry County Emergency Management, Penny Suess/Dana Gurnee, Aaron Ashdown of Port of Port Orford, Bob Hines, Rowland Willis, Representative David Brock Smith,

1. Call to Order

Mayor Cox called to order this Meeting of the Common Council on Thursday, August 18, 2022, at 5:30 p.m.

2. Additions to the Agenda: Presentation by Representative David Brock Smith. Old Business 7.d. UGB County Meeting update.

3. Presentation to Council / Citizens: Representative David Brock Smith updated councilors on Infrastructure, Investment and Jobs Act. CA Ginsburg and Mayor Cox will receive an email with detailed information next week. Oregon is going to receive over 5 billion dollars in investment opportunities. The funds will be received by the state over the next five-year period and will be distributed for highway programs, bridge replacement and repairs, as well as 529 million dollars for water infrastructure, which is a critical component to the City of Port Orford. Representative Brock Smith looks forward to advocating for Port Orford in 2023. He is hoping to prioritize the impound, waterline repair and sewer treatment plant.

Gordon Clay delivered a proclamation for Suicide Awareness and Prevention and Bully Prevention. September is Suicide Awareness and Prevention Month. Curry County support will help citizens assist with prevention by knowing what to say or do by asking, “are you okay.” Brochures from Suicide Awareness and Prevention Council of Curry County have been distributed and are available to local businesses. October is Bully Prevention month. Curry County student health survey identify non-heterosexual students that do not come out

4 in their preferences due to fear of bullying. Students stay home from school in fear of being
5 bullied. Education in reaching out to bully victims is available. A new emergency line 9-8-8
6 is available for mental health crises.

7
8 **4. Consent Calendar**

9 **Approve Minutes of July 21, 2022 and Workshop Summary August 8, 2022:** Councilor
10 Burns moved to approve the minutes for the July 21, 2022 council meeting and Workshop
11 Summary as written with Councilor Kessler as second. *Motion carried 5-0.*

12 Discussion: None.

13 *Councilor Pogwizd Yes Councilor Burns Yes*
14 *Councilor Kessler Yes Councilor Tidey Yes Councilor Garratt Yes*

15
16 Councilor Burns moved to approve the summary for the August 8, 2022 workshop with
17 Councilor Kessler as second. *Motion carried 3-0.*

18 *Councilor Pogwizd Abstain Councilor Burns Yes*
19 *Councilor Kessler Yes Councilor Tidey Yes Councilor Garratt Abstain*

20
21 **5. Citizens' Concerns:**

22 Teresa Kolibaba, Port Orford resident, commented on the historic preservation ordinance.
23 She wondered why the Historic Committee had to be under the oversight of the Planning
24 Commission who reports to the City Council. She wonders if the property owners have the
25 right to not be on the tourism package, which makes them subject to privacy and home
26 invasion. She wonders what it takes to demolish and relocate the structure. She feels one
27 month is a sufficient time to renew the structure.

28
29 Bret Cecil expressed his appreciation to the volunteers on commissions and council. He is
30 impressed with input from councilors. He spoke on his concerns about agenda items and
31 public input. He is concerned about the public not getting involved in the planning
32 commission meetings. He expressed the importance of having the agenda for the meetings
33 available to the public online and in person.

34
35 Ann Vileisis expressed her appreciation to the Port Orford councilors for the great letter sent
36 to the commissioners and testimony to the County Commissioners. The fact that the Curry
37 County board did not make any response is concerning. She encouraged the City of Port
38 Orford to be attentive of the STRs in the UGB.

39
40 **6. Departmental Reports**

41 **a. Public Works:** A written report has been provided to councilors by Jon Isadore.

42 Dredging permit progress was discussed. There have been delays. CA Ginsburg and
43 Mayor Cox will call to follow up on the delay. These calls might have to be repeated.
44 Public Works is short staffed. Wastewater repairs were discussed. An interpretive trail
45 walkway project was discussed versus closing the trail due to liability.

- 4 **b. Administration/Financial Report:** CA Ginsburg reviewed her written report with
5 councilors. Building code and county inspectors are discussed. A new City Planner was
6 discussed due to Planner Shoji's retirement. Some grants have been denied due to Port
7 Orford's delayed or deferred maintenance. An updated water plan is suggested. Financial
8 auditors due the first week in September.
- 9 **c. Fire District:** Councilor Garratt announced no additional information other than needing
10 volunteers.
- 11 **d. Watershed:** Linda Tarr expressed her appreciation for all the work that Carolyn
12 LaRoche has done for the Watershed committee. The deadline for Drinking Water State
13 Revolving fund was missed. The loan is at 1 percent interest and can be used to purchase
14 the Wilson property. This is a green project so half of the loan will be forgiveness. Ms.
15 Tarr worked with Jackie from DEQ to assist but due to lack of engagement from the city
16 the deadline was missed. She would like the city to decide if they are willing to follow
17 through on the commitment of the Conversation Fund for the Wilson property.
18 Councilors agree to work on a November deadline. CA Ginsburg is instructed to email
19 directly to DEQ with answers to their questions. Jon Isadore will forward previous
20 contact information with DEQ to Linda Tarr. Councilors commit to working with DEQ to
21 continue proceedings.

22
23 Linda Tarr attended the county board meeting, and the board did not show concern about
24 anything stated. Ms. Tarr suggested the city take advantage of resources available the
25 county has been using. She suggested those resources give a presentation regarding
26 drilling wells and the watershed sometime in October.

- 27 **e. Port:** Mayor Cox reported the port is still working on their drain replacement project.
- 28 **f. Parks:** Councilor Tidey advised Buffington park looks great. They are hiring a
29 contractor to clear up back trails to expand the frisbee golf course.
- 30 **g. Emergency Management:** Councilor Burns reported the committee is addressing
31 tsunami evacuation locations and the needs at those locations. They are working on the
32 emergency plan for Port Orford and community education.
- 33 **h. School:** Councilor Kessler reported the school district hired two assistant ED teachers.
34 They are still in pursuit of a new superintendent for next year.
- 35 **i. Main Street:** Councilor Burns reported the education and certifications have been
36 completed to open the childcare center. The A-frame, Community Center and Episcopal
37 Church has been inspected for possible locations. Bike rack grant is being pursued for
38 Highway 101. City Hall landscaping continues.

40 7. Old Business

- 41 **a. Building Maintenance/Roof Repair:** Two proposals received, one from Tom West and
42 another from Roofers LLC. Timeliness is discussed. Flat roofed buildings should be
43 pitched. Wastewater plant is priority. Additional rot/repairs might be found during the
44 maintenance not included in the bids. Councilor Pogwizd moved to allow Roofers LLC to
45 roof the Wastewater Treatment Plant at cost not to exceed 22,000 dollars with Councilor
46 Burns as second. *Motion carried 5-0.*

4 Discussion: Councilor Pogwizd suggested contacting Roofers LLC to offer a discount if
5 they were to be contracted for all work on all buildings. Types of materials needs to be
6 specified.

7 *Councilor Pogwizd* Yes *Councilor Burns* Yes
8 *Councilor Kessler* Yes *Councilor Tidey* Yes *Councilor Garratt* Yes

9 Councilor Pogwizd moved to rescind his previous motion to allow Roofers LLC to roof
10 the Wastewater Treatment Plant at cost not to exceed 22,000 dollars with Councilor
11 Burns to rescind his second.

12 Discussion: CA Ginsburg will get additional information to include type of materials,
13 timeline, and discounts available.

14 *Councilor Pogwizd* Yes *Councilor Burns* Yes
15 *Councilor Kessler* Yes *Councilor Tidey* Yes *Councilor Garratt* Yes

16
17 **b. Ordinance 2023-02 Building Code:** Building abatement and dangerous building code has
18 not been updated since 1981. Councilors wanted “reasonable effort” defined. Other entities
19 have a building abatement fund. CA Ginsburg will talk with auditors about setting up a
20 building abatement fund. This fund is for the city to use when the property owner does not
21 comply, and the city has to intercede in cleanup. Ideally the funds spent should be recouped
22 by billing the homeowner or foreclosing on the property and sending to auction. Legal
23 Counsel Kudlac does not have any issues with the code; however she reiterated that the cost
24 will have to be dealt with. Eyesore buildings and dangerous buildings are not to be confused.

25
26 Commissioner Kessler moved to continue the meeting with Commissioner Burns as second.
27 Discussion: None.

28 *Councilor Pogwizd* Yes *Councilor Burns* Yes
29 *Councilor Kessler* Yes *Councilor Tidey* Yes *Councilor Garratt* Yes

30
31 The priority of the funds to enforce the abatement and dangerous building code was
32 discussed in length. Councilors agree with the verbiage in the ordinance. Councilor Garratt is
33 concerned that a process for the inspector entering the premises has not been addressed in the
34 ordinance. Councilors would like the building owner to have the opportunity to be present
35 when the building inspector and city administrator enters the building for the protection of
36 the citizens and the city.

37
38 **c. Historic Commission Ordinance Update (Draft):** Councilor Pogwizd addressed the
39 homeowners right to privacy, with omitting from brochures and magazines. Currently,
40 the property owner has to sign a consent to be put on public communication. They
41 currently can decline. By consensus, councilors agree with the verbiage on the draft.

42
43 **d. UGB County Meeting STR update:** Mayor Cox expressed his appreciation to
44 Councilors Tidey and Kessler and citizens for attending the meeting and being a part of
45 the conversation. Unfortunately, it seems they were not heard by the UGB board. More

4 conversation is needed. There is a concern that there is a communication block with the
5 county and decisions were made prior to the meeting regardless of the city attendance.
6

7 Ann Vileisis was invited to speak. She explained the difference in the UGB and
8 investment properties in other communities versus Port Orford.
9

10 Bret Cecil explained the buildable land in Port Orford versus other communities.
11

12 **8. New Business:**

13 **a. Right-of-Way Usage License – 760 Jefferson Street:** Applicant was turned in for
14 proceeding without approval. They were instructed to stop all work until approval.
15 Councilor Pogwizd does not feel councilors should be tasked with approving the right of
16 way applications. They should be approved by Chief Hobart, Public Works and City
17 Administrator. Councilor Kessler moved to approve the right-of way application from
18 760 Jefferson Street with Councilor Burns as second. *Motion carried 5-0.*

19 Discussion: None.

20 *Councilor Pogwizd Yes Councilor Burns Yes*
21 *Councilor Kessler Yes Councilor Tidey Yes Councilor Garratt Yes*
22

23 **b. Proposal for Road Closure – The Run to the Rogue Community Dinner:** Councilor
24 Burns moved to approve the road closure request from The Run to the Rogue Community
25 Dinner with Councilor Kessler as second.

26 Discussion: None.

27 *Councilor Pogwizd Yes Councilor Burns Yes*
28 *Councilor Kessler Yes Councilor Tidey Yes Councilor Garratt Yes*
29

30
31 **9. Continuing Action Items:** These are to be amended at the next meeting.

- 32 **a. Seasonal Gas Tax**
- 33 **b. Text My Gov**
- 34 **c. Data Storage**
- 35 **d. Water Conservation Ordinance**
- 36 **e. Emergency Commission Ordinance**
- 37 **f. Website Update**

38
39 **10. Considerations:**

40 **Citizen:**

41 Rowland Willis appreciates the councilors and the work they are doing. Mr. Willis
42 commented on the poor sound quality of the meetings. Tonight was improvement but not
43 good. He suggested a sound cable.
44

45 Mr. Willis complained that the Dark Sky ordinance is not enforced. A letter was written for a
46 particular noncompliance, but that did not succeed in compliance. He wonders why penalties

4 were included in the ordinance if not enforceable. Legal Counsel Kudlac explained the
5 process. CA Ginsburg advised the city cannot do anything to collect fines other than tax
6 refunds. Mayor Cox asked Mr. Willis for additional time to solve the enforcement problem.
7 Legal Counsel Kudlac gave enforcement suggestions.

8
9 **Staff:** None.

10
11 **Councilor:** Councilor Kessler expressed approval and appreciation to the citizens who
12 attended the county UGB meeting.

13
14 **Mayor:** None.


15
16 **11. Future Meetings:**

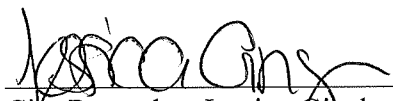
17 **Thursday, September 15, 2022, Regular Council Meeting 5:30, hybrid.**

18 **Workshop: Wednesday, September 7, 2022 at 5:30.**

19
20 **Adjourn:** There being no further business, Mayor Cox Adjourned the meeting at 8:20 p.m.

21
22
23
24 Attest:

25
26
27 
28 _____
29 Mayor, Pat Cox

27 
28 _____
29 City Recorder, Jessica Ginsburg