

**City of Port Orford**  
**City Council Meeting**  
**In the Gable Chambers / Virtual participants**  
**Thursday, May 19, 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>Chief Hank Hobart</i>	X
<i>James Garratt</i>	X		
<i>Carolyn LaRoche</i>	X		
<i>Greg Tidey</i>	X		

Others Present: Bret Cecil EDOBA, Jim Howe, Monica Ward Curry County EM, Aaron Ashdown, Penny Suess/Dana Gurnee, Rowly,

**1. Call to Order**

President Cox called to order this Meeting of the Common Council on Thursday, May 19, 2022, at 5:31 p.m.

**2. Additions to the Agenda:** Right of way application from 251 5<sup>th</sup> street added to New Business h. Presentation by Bret Cecil representing Curry County Democrats presenting designation month of June LGBTQ Pride Month added to Presentations.

**3. Presentation to Council / Citizens:** Bret Cecil representing Curry County Democrats introduces self as candidate for Curry County Representative. Due to the hate at a national level, the Curry County democrats adopted a resolution in the hope the City of Port Orford will adopt the resolution and follow up with a proclamation supporting the month of June as LGBTQ Plus Pride Month whereas the rights for all individuals to be accepted as they are. Mr. Cecil read the proclamation and history of Pride Month and fly the flag of pride the entire month of June. The resolution has been presented to the City Council.

**4. Consent Calendar**

**a. Approve Minutes April 21, 2022:** Councilor Burns moved to approve the minutes for the April 21, 2022 council meeting as written with Councilor Kessler as second. ***Motion carried 6-0.***

Discussion: None.

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

**5. Citizen Concerns:** None.

4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45

**6. Department Reports**

**a. Public Works:** A written report has been provided to councilors. John Isadore updated the councilors on repairs and pumps at the contact tank and Coast Guard Hill tanks. Wastewater plant is going through growing pains. A gearbox blew in the primary clarifier and is under repair. Repairs are outlined. Cost is discussed. Communication controls at the water plant is on manual mode. Research is going into internet connection if needed. CA Ginsburg gave an update on the dredge permit. It could be 9 months plus. Temporary dam and valve discussed.

The interpretive trail does not need to be entirely built but there is rotten wood that needs replaced.

**b. Administration/Finance:** CA Ginsburg presented councilors with an admin report. Citation cleanup will continue at the end of every fiscal year. Out of state citations and municipal code pertaining were reviewed. Budget includes repairs for buildings. A new city hall office person was hired. Business licenses reviewed and letters sent out to businesses that need to update. Email received from the school inviting councilors and parks commissioners to accompany them on a wetlands field trip.

Line item for curtailment fees has been created. County has not been allocating items correctly. They will review and correct.

**c. Planning:** A written Planning update is submitted to councilors. Writing updated code definitions for ADUs was discussed at the last Planning Commission meeting. Short term rentals versus long term rentals was discussed. Separate meters for each ADU were recommended. Councilor Burns recommended the bill going to the landlord and the tenant, so all are aware and responsible. Code rewrite for water billing to vacation rentals and ADUs was discussed. CA Ginsburg will present information from Coos-Curry and **add this topic to next month's agenda.**

**d. Liaison:**

**Fire District** - Volunteers are needed in many aspects, not all include fire and danger.

**Watershed** – Councilor LaRoche has no report. Linda Tarr has nothing in addition to what is in her report she submitted to councilors. Ms. Tarr requested agenda time in June so council can vote on entering into the memorandum of understanding with Ms. Lee. That is needed for funding in the legislature. **Ms. Tarr is added to the agenda for next month.**

**Port** – Mayor Cox reported the Port received funding from Business Oregon for two new cranes.

**Parks** – Councilor Tidey reported on Buffington cleanup. Parks Commission has ordered trash cans, benches, etc. for Buffington park.

4 **Emergency** – Councilor Burns introduced Jim Howe. Mr. Howe did not report much  
5 change. A few more medical supplies will be received. Fund raising is needed. State  
6 provided MREs are available. Space for storage needs reviewed and is discussed.

7 **School District** – Councilor Kessler reported the new tracks are under construction.

8 **Main Street** – Councilor Burns reported Main Street met and voted to support the Story  
9 Book program. Families walk from sign to sign that tell a story. City Hall landscaping  
10 will begin with better weather. Town Guide and Maps are printed and will be distributed  
11 this and next week. Redwood trees received and now Main Street is researching a  
12 location for planting. A citywide cleanup is planned for June 28 in coordination with  
13 Jubilee committee. Main Street is hosting a community gathering open to all who want  
14 to volunteer for projects June 8 at 5:00 p.m. at OSU field station.  
15

16 **7. Old Business:**

17 **a. Ordinance 2022-05, Abatement of Nuisance and Dangerous Housing:** Mayor Cox  
18 introduced Garrett Thomson. Garrett Thomson wrote adopted article 2 of Curry County  
19 building code, an ordinance giving authority to condemn structures deemed dangerous.  
20 Some structures can be updated but this ordinance gives authority to deal with those that  
21 cannot. This ordinance addresses travel trailers, which can be regulated under this code  
22 since they are now listed as being permanent structures. Some travel trailers are parked  
23 along roadways partly outside of the right of way which limits law enforcement  
24 participation. These can now be condemned due to lack of sanitation and removed.  
25 Historical buildings with historical value are included in existing building code and are  
26 treated a little differently.

27 Councilor Burns moved to table the discussion and adoption of international existing  
28 building code ordinance 2022-05 for an additional month with Councilor Kessler as  
29 second. *Motion carried 6-0.*

30 Discussion: Motion clarified.

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

33  
34 **b. Right of Way License – Katrina Smith (Paramount Utility):** This application was  
35 addressed last month. The work has not been completed yet.

36 Councilor Burns moved to approve the right of way request from Paramount Utility at  
37 23<sup>rd</sup> and Jackson with conditions requested by public works with Councilor Kessler as  
38 second. *Motion carried 6-0.*

39 Discussion: None.

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

42  
43 **c. Ziplly Franchise Agreement:** CA Ginsburg spoke with Ziplly. They agreed to increase  
44 the percentage of franchise fee from 4 to 7 percent. They also increased insurance from 1  
45 million to 2 million. They apologized for the issues the city had to address.

City councilors authorized CA Ginsburg to write up an agreement by consensus. Councilor Garratt suggested adding in free internet for the water system.

**d. Grant Writing Companies:** CA Ginsburg spoke with several. Just Look Left is in Oregon and specializes in nonprofit and municipalities. G & G Municipal Services and Grant Writing is not local and not connected to local issues. CA Ginsburg presented a price sheet from Just Look Left. Legal Counsel Kudlac reminded councilors need three proposals.

Councilor Kessler moved to authorize staff to make an RFP to get proposals from grant services with Councilor Burns as second. **Motion carried 6-0.**

Discussion: None.

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

**e. Short Term Vacation Rentals – Attorney Contract:** Mayor Cox introduced Dan Kearns, land use lawyer and city attorney for Hood River. In the past ten years, Mr. Kearns has gained experience in regulating short term rentals in a number of cities and recently counties. Mr. Kearns can provide a process and recommendations on how to proceed with the short-term rental topics such as affordable housing and nuisances. Most communities take approximately two years to get through the process. Mr. Kearns’s fees are outlined. CA Ginsburg advised that renewal letters for established short term rentals have been sent out and outlined changes being pursued. Without the existing short-term rentals there will be no TLT. Timeline compliance to new regulations was discussed.

Attorney Kearns suggested through his communications with CA Ginsburg and CA Ginsburg’s communication with Planning Commissioners, his time and involvement can be controlled, thus cost is controlled. He suggested keeping the moratorium in place. Mayor Cox suggested a contract with a monetary limit included, which can be amended in time. Approved by Legal Counsel Kudlac.

Councilor Burns moved to direct staff to write a contract with Mr. Kearns and bring it to the next meeting with Councilor Kessler as second. **Motion carried 6-0.**

Discussion: Monetary limit was discussed. Councilor goals are discussed. The budget has to be passed prior to contract. A workshop is needed and to be scheduled after the budget is passed. Legal Counsel Kudlac suggested a fiscal impact review be done if STR are excluded from residential zones.

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

**8. New Business**

**a. Liquor License-Crazy Norwegian:** Councilor Burns moved to approve the liquor license request for the Crazy Norwegian with Councilor Tidey as second. **Motion carried 6-0.**

Discussion: None.

4 *Councilor LaRoche* Yes *Councilor Pogwizd* Yes *Councilor Burns* Yes  
 5 *Councilor Kessler* Yes *Councilor Tidey* Yes *Councilor Garratt* Yes  
 6  
 7

8 **b. Liquor License – Mr. Ed’s Espresso Juice and Underground Pub:** Councilor Burns  
 9 moved to approve the liquor license request by Mr. Ed’s Espresso Juice and Underground  
 10 Pub with Councilor Kessler as second. *Motion carried 6-0.*

11 *Councilor LaRoche* Yes *Councilor Pogwizd* Yes *Councilor Burns* Yes  
 12 *Councilor Kessler* Yes *Councilor Tidey* Yes *Councilor Garratt* Yes  
 13

14 **c. Liquor License – Redfish:** Councilor Burns moved to approve the liquor license request  
 15 by Refish with Councilor Tidey as second. *Motion carried 6-0.*

16 *Councilor LaRoche* Yes *Councilor Pogwizd* Yes *Councilor Burns* Yes  
 17 *Councilor Kessler* Yes *Councilor Tidey* Yes *Councilor Garratt* Yes  
 18

19 **d. Liquor License – Port Orford Circle K:** Councilor Burns moved to approve the liquor  
 20 license request with Councilor Tidey as second. *Motion carried 6-0.*

21 Discussion: The store has changed hands and needs renewal.

22 *Councilor LaRoche* Yes *Councilor Pogwizd* Yes *Councilor Burns* Yes  
 23 *Councilor Kessler* Yes *Councilor Tidey* Yes *Councilor Garratt* Yes  
 24

25 **e. Right of Way – Nancy Windholz:** Councilor Pogwizd moved to approve the right of  
 26 way request by Nancy Windholz with Councilor Burns as second. *Motion carried 6-0.*

27 Discussion: CA Ginsburg reported Ms. Windholz needs an access road to start working  
 28 on her property, which will cross the right of way.

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

32 **f. Homeless Camp Discussion:** Port Orford has a year to comply with state requirement to  
 33 designate a location for a homeless camp. Councilor Burns shared information on  
 34 transitional housing.  
 35

36 Chief Hobart is in attendance. He reported concern with the State of Oregon’s unfunded  
 37 homeless camp mandate. Transient crimes are currently occurring in Port Orford by  
 38 people not known to locals. He feels transitional housing might not be for Port Orford  
 39 since it requires 24-hour law enforcement coverage. Port Orford is not prepared for  
 40 transitional housing. The new law does not address small communities that do not have  
 41 24-hour security. He suggested security guards can solve some problems; however, they  
 42 will require law enforcement call-out.  
 43

44 When addressing a location for a homeless camp, community protection has to be  
 45 considered. Councilor Pogwizd reminded councilors Port Orford has no money for this  
 46 project or camps. Cities with a big revenue still have uncontrolled homeless

4 communities. Help is currently available at outreach programs. If Port Orford is the first  
5 to establish a camp, this could invite transients that do not want help.

6  
7 Councilor LaRoche moved to continue the meeting with Councilor Kessler as second. **Motion**  
8 **carried 6-0.**

9 **Councilor LaRoche** Yes      **Councilor Pogwizd** Yes      **Councilor Burns** Yes  
10 **Councilor Kessler** Yes      **Councilor Tidey** Yes      **Councilor Garratt** Yes

11  
12 **Homeless Camp Discussion continued:** Councilor Garratt agrees with the issues Chief  
13 Hobart presented. He reported that large cities are putting these homeless camps in the  
14 industrial areas to remove them from retail and residential. He reported on the trash and  
15 lack of sanitation apparent at these camps. These camps are a fire hazard as well. He is  
16 concerned for the safety and health of Port Orford citizens. He suggested the council  
17 claim this is dangerous and unsanitary and not to be put onto the citizens. Chief Hobart  
18 confirmed over 50 percent of the crimes they are dealing with currently are related to  
19 transients.

20  
21 **g. Audit Approval:** Councilor Burns moved to approve the audit findings for the fiscal year  
22 2020-2021 with Councilor Kessler as second. **Motion carried 6-0.**

23 Discussion: None.

24 **Councilor LaRoche** Yes      **Councilor Pogwizd** Yes      **Councilor Burns** Yes  
25 **Councilor Kessler** Yes      **Councilor Tidey** Yes      **Councilor Garratt** Yes

26  
27 **h. Right of Way, 215 5<sup>th</sup> Street:** Requesting for installation of a temporary water spigot to  
28 begin construction. The applicant is present. They are asking for a temporary spigot  
29 currently since it has to go under the main waterline. Coos-Curry needs to go in first.  
30 Councilor Tidey moved to approve the right of way request for 215 5<sup>th</sup> Street with  
31 Councilor Kessler as second. **Motion carried 6-0.**

32 Discussion: There is an existing water meter. The meter is on city property and the  
33 spigot goes next to the meter. This predates the moratorium. Temporary is not defined,  
34 but as soon as the main water line is installed it will be removed.

35 **Councilor LaRoche** Yes      **Councilor Pogwizd** Yes      **Councilor Burns** Yes  
36 **Councilor Kessler** Yes      **Councilor Tidey** Yes      **Councilor Garratt** Yes

37  
38 **9. Continuing Action Items:**

- 39 • Seasonal gas tax: Tabled to November due to high fuel costs.
- 40 • Text my Gov
- 41 • Website update
- 42 • Data storage
- 43 • Water Conservation Ordinance
- 44 • Historic Commission Ordinance Update

4 **10. Considerations:**

5 **Citizens:**

6 Bret Cecil, local resident, spoke on the homeless situation. The Curry County Homeless  
7 Coalition requested money from the county for the homeless situation, which was voted  
8 down. Curry County has no current shelter for the homeless. Mr. Cecil understands the  
9 legislation to read that as long as a shelter is provided, it prevents the community from  
10 having to allow a camp. A simple shower trailer could qualify.

11  
12 **Staff:** None.

13  
14 **Councilors:** Councilor Pogwizd clarified that he is not against helping the homeless that  
15 truly want and need the help. He is not in favor of attracting those that do not want help due  
16 to the crime, garbage, lack of sanitation and fire hazard. He agrees with observing how other  
17 cities with financial resources handle this prior to taking action.

18  
19 Councilor Kessler would like to form a coalition with other communities on the coast to  
20 address the homelessness.

21  
22 Councilor LaRoche reported on a church that provided shelter and food for homelessness, but  
23 they were not able to find citizens to assist.

24  
25 Councilor Garratt is concerned with the length of the meetings and suggested an alternative  
26 rather than extension.


27  
28 **Mayor:** Reminded councilors following state guidelines on homelessness is a business  
29 decision.

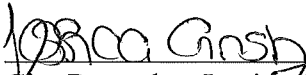
30  
31 **10. Future Meetings**

32 **Thursday, June 16, 2022, Regular Council Meeting 5:30, hybrid.**

33  
34 **11. Adjourn:** There being no further business, Mayor Cox Adjourned the meeting at 8:01 p.m.

35  
36  
37  
38 Attest:

39  
40  
41   
42 \_\_\_\_\_  
43 Mayor, Pat Cox

41   
42 \_\_\_\_\_  
43 City Recorder, Jessica Ginsburg

