

MINUTES  
Warrenton City Commission  
Regular Meeting – November 14, 2017  
6:00 p.m.  
Warrenton City Hall - Commission Chambers  
225 S. Main  
Warrenton, OR 97146

Mayor Balensifer called the meeting to order at 6:00 p.m. and led the public in the Pledge of Allegiance.

Commissioners Present: Mayor Henry Balensifer, Pam Ackley, Tom Dyer, and Mark Baldwin  
Absent: Rick Newton

Staff Present: City Manager Linda Engbretson, City Attorney Spencer Parsons, Fire Chief Tim Demers, Police Chief Mathew Workman, Community Development Director Skip Urling, Interim Public Works Director Collin Stelzig, Public Works Operations Manager Kyle Sharpsteen, and Deputy City Recorder Dawne Shaw

#### COMMISSIONER COMMENTS

City Manager Engbretson noted an agenda addition for a grant for a new Water Tender truck. The Commission was in consensus to add this to the agenda as item 7-E.

Commissioner Baldwin thanked everyone for coming.

Commissioner Ackley welcomed everyone and noted a YouTube video that was shared on the City's and her own personal Facebook page; the video shows Representative Bonamici discussing the opioid epidemic; she also mentioned Clatsop County and our grant for juvenile substance abuse as well as the Warrenton-Hammond School district's trauma informed care. Commissioner Ackley noted how "cool it was" that on the Senate floor our community was being talked about as being leaders in trauma informed care and the war on opioids.

Commission Dyer welcomed everyone.

Mayor Balensifer welcomed everyone and discussed the recent uptick in poaching and asked if anyone sees someone poaching, to please report it.

City Manager Engbretson stated she scheduled a work session on December 12<sup>th</sup> to give an update on the Water Master Plan. She also noted on November 21<sup>st</sup>, she and Interim Public Works Director Collin Stelzig will meet with Shane Klein from the Army Corps of Engineers to tour the 8<sup>th</sup> Street dam, walk the levees and to discuss moving forward in the process for the grant. Ms. Engbretson noted the second December Commission meeting falls on December 26<sup>th</sup> which is a holiday for the City, and asked what the Commission would like to do. Mayor

Balensifer asked the Commission if there were any objections to cancel the meeting. There were no objections and all were in consensus to cancel the December 26<sup>th</sup> City Commission meeting.

**Commissioner Ackley made the motion to approve the consent calendar as presented. Motion was seconded and passed unanimously.**

**Dyer – aye; Baldwin – aye; Balensifer – aye; Ackley - aye**

## BUSINESS

PUBLIC COMMENT (agenda items) – Sunil Raju stated he is representing Paul Leitch, and spoke in opposition of proposed Ordinance No. 1214, which restricts mini-storage units. He submitted a letter for the record and noted the exhibits attached to the letter. He stated Mr. Leitch’s businesses support the fishing community and the city as a whole. He briefly reviewed the items outlined in his letter and asked the city to not move forward with the ordinance.

Paul Leitch spoke in opposition to proposed Ordinance No. 1214; noting his businesses serve the fishing community. He stated he is at full capacity and has invested a lot into his business, and plans to invest more, developing/expanding storage. He stated the ordinance harms small businesses, and it is too broad. Mr. Leitch said he hopes the Commission will take the Planning Commission’s feedback and redraft the ordinance.

Don Patterson also spoke in opposition to the ordinance, noting it is unfair and limits too much.

Mayor Balensifer opened the Public Hearing on the Tagg Appeal of the Forte Point Planned Unit Development Preliminary Approval. Community Development Director Skip Urling presented the staff report, noting the Planning Commission approved the preliminary planned unit development application submitted on behalf of Forte Point Partners LLC with 29 conditions. He noted Mrs. Elizabeth Tagg timely filed an appeal of that decision regarding Warrenton Municipal Code Chapters 16.156, Wetland and Riparian Corridor Development Standards, 16.256 Traffic Impact Study, and Section 16.208.050 Type III Procedure (Quasi-Judicial). Mr. Urling listed the appeal allegations and stated despite identifying the specific code chapters above, there is no discussion of wetland or riparian corridor improprieties, traffic impacts or procedural errors; the bulk of Mrs. Tagg’s appeal appears to focus on the potential adverse effects of storm water to her property from the development. He noted another letter from Mrs. Tagg that was dropped off today, along with invoices for work she asked to have done. Mr. Urling recommended upholding the Planning Commission decision and to deny Mrs. Tagg’s appeal. City Attorney Spencer Parsons noted a Point of Order, and stated that before proceeding, the Mayor should make a request of the Commission if there are any ex-parte contacts, bias or conflicts of interest. Mayor Balensifer asked if there were any ex-parte contacts or conflicts of interest, and none were reported. Mr. Parsons noted for the record and the public’s benefit, the criteria listed in the staff report; WMC 16.216; 16.192; 16.28; 16.128; 16.156; 16.212; 16.224; 16.256; 16.208.050, and stated all testimony provided in the public hearing portion needs to be directed to the cited WMC’s, and further explained the public hearing process. Mayor Balensifer opened the floor for public testimony. No one spoke in favor. Adam Daley, representing the

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Forte Point Developers spoke in opposition. He stated none of the raised points are factors that were done by Forte Point, and asked the appeal be denied on grounds that nothing in the appeal applies to the development. He noted the appeal has cost his client a lot of time. Dale Barrett with Otak, also representing Forte Point, noted the amount of housing the development will bring in. He stated the development is not impacting the wetlands and noted the ditches are being taken care of and water is starting to flow. There being no further comments, Mayor Balensifer closed the public hearing. Commissioner Dyer asked Mr. Urling for clarification if Mrs. Tagg is responsible for ditches on her property, and Mr. Urling confirmed, yes, as it is private property. Discussion followed on drainage ditches. Commissioner Baldwin asked if fill is required for the Forte Point development, and Interim Public Works Director Collin Stelzig clarified there may be some fill but not in the wetlands. Brief discussion followed on the DSL permit process. Mr. Urling noted the delineation for Forte Point has been approved, but he does believe they have applied for any fill/removal permits.

**Commissioner Ackley made the motion to uphold the Planning Commission decision to deny Mrs. Tagg's appeal based on the Planning Commission's findings supporting the Forte Point Preliminary PUD approval and the staff response in the agenda summary for the November 14, 2017 public hearing to Elizabeth Tagg's appeal of that decision. Motion was seconded and passed unanimously.**

**Dyer – aye; Baldwin – aye; Balensifer – aye; Ackley – aye**

Community Development Director Skip Urling presented a recommendation from the Planning Commission, to not adopt proposed Ordinance No. 1214; amending WMC to limit mini-storage facilities in the C-1 General Commercial zoning district west of Highway 101. Mr. Urling noted the Planning Commission felt the proposed amendment was too broad, would thwart commerce and economic development, and would infringe on individual property rights. He noted before scheduling a public hearing before the City Commission, staff is looking for direction whether to move forward with the proposed ordinance as is, or to revise the concept and language. He noted the ordinance would not affect existing mini-storages; they will be grandfathered in and allowed to continue to operate. Mayor Balensifer noted he brought the issue up, and envisioned Main and Harbor to not be lined with mini storage; he had proposed no mini storages on frontage roads/downtown corridors. The discussion continued on setbacks, sidewalks, retail, aesthetics and the 20 year vision plan. Mr. Urling reminded the Commission that mini storages are conditional use in the C-1 zone and have to go through site design review, which would include landscaping and aesthetics. Discussion continued and consensus was to appoint a task force comprised of members of the Planning Commission and the City Commission, to come up with acceptable standards to be discussed at the next joint meeting.

Interim Public Works Director Collin Stelzig stated on October 11, 2016, the City Commission authorized staff to apply for funding for a water meter replacement project; and on July 25, 2017, the Commission authorized the City to enter into a contract for professional services with Gray & Osborne, Inc. for the project management portion of the project. He noted staff is now asking for approval to advertise the attached plans and specifications for the implementation of the water meter replacement project.

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**Commissioner Ackley made the motion to authorize staff to advertise the proposed plans and specifications for Water Meter Replacement Project. Motion was seconded and passed unanimously.**

**Dyer – aye; Baldwin – aye; Balensifer – aye; Ackley - aye**

City Manager Linda Engbretson stated she and Chief Demers met with Tiffany Brown, Director of Clatsop County Emergency Management on Friday, November 3<sup>rd</sup>. She noted Chief Demers is working with Ms. Brown and Cannon Beach to jointly apply for a Homeland Security Grant for placement of six sirens the city obtained earlier this year from the County. Ms. Engbretson stated she would like to contract with someone to write the grant, as the deadline is approaching and it would be helpful to get assistance to complete the application process. She noted the cost will be \$15,000 – \$20,000 and will come from the professional services budget.

**Commissioner Dyer made the motion to authorize staff to go through an informal solicitation and request proposals to write a Homeland Security Grant application to update the City’s EOP. Motion was seconded and passed unanimously.**

**Dyer – aye; Baldwin – aye; Balensifer – aye; Ackley - aye**

Fire Chief Demers presented a request to pursue a contract with US Tanker for the purchase of a Kenworth model tender, to replace their existing 1978 model. He noted the Fire Department has been awarded a grant in the mount of \$350,000, which includes \$16,667 in matching Fire Department funds. The grant is from the Assistance to Firefighters/FEMA program for a replace the 1978 model tender. Mayor Balensifer noted that a volunteer fire fighter, Leonard Hanson wrote this grant, and stated it is great to see members/volunteers do things like this.

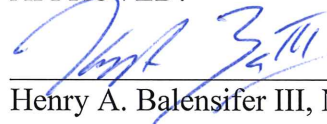
**Commissioner Ackley made the motion to authorize staff to pursue a contract with US Tanker for a Kenworth model tender for \$350,000 grant award; not to exceed \$350,000. Motion was seconded and all in favor.**

**Dyer – aye; Baldwin – aye; Balensifer – aye; Ackley - aye**

PUBLIC COMMENT – None

There being no further business Mayor Balensifer adjourned the meeting at 7:00 p.m.

APPROVED:

  
Henry A. Balensifer III, Mayor

ATTEST:

  
Dawne Shaw, Deputy City Recorder