

MINUTES  
Warrenton City Commission  
Regular Meeting – February 27, 2018  
6:00 p.m.  
Warrenton City Hall - Commission Chambers  
225 S. Main  
Warrenton, OR 97146

Mayor Balensifer called the meeting to order at 6:01 p.m. and led the public in the Pledge of Allegiance.

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

Staff Present: City Manager Linda Engbretson, Community Development Director Skip Urling, Public Works Director Collin Stelzig, Police Chief Matt Workman, Finance Director April Clark, Fire Chief Tim Demers, Public Works Operations Manager Kyle Sharpsteen and Deputy City Recorder Dawne Shaw

#### COMMISSIONER COMMENTS

Mayor Balensifer noted an Agenda addition; item 7-F, a DEQ loan amendment. There were no objections.

Commissioner Newton stated he has been working on several projects. He noted a report he read on workforce housing being built in Seaside, but stated the high prices (\$300,000) are not affordable for the workforce.

Commissioner Dyer welcomed everyone and stated he would like to give an “Atta Boy” for a business in town, and noted how the new owner of Warrenton Auto & Marine (Brandon) is talking pride in his business and cleaning up the exterior.

Commissioner Baldwin gave an update on Chinook Street; he stated that he and Public Works Director Collin Stelzig went out and looked at it, and it looks pretty good. He noted the property owners have been working on it, and there is a little more work that needs to be done. Mr. Stelzig also noted the property owners have been working on the road and it looks good. Commissioner Baldwin stated he is pleased with the outcome.

Mayor Balensifer stated he attended the County Housing Task Force meeting and noted they have narrowed it down to 2 firms, and they are in the process of interviewing them. He stated this evening he attended the launch party of Natural Grocers, and encouraged the public to head over after meeting.

City Manager Engbretson stated that a correction was made on the resolution for the Police Levy; noting after consulting with legal counsel a change was made on the question.

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

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

PUBLIC COMMENT (Agenda Items) – none

## BUSINESS

Greg Apke from ODFW and the Statewide Fish Passage Program Leader gave a brief presentation on tidegate/fish passage regulations. He noted the issues in Warrenton are no different than what adjacent communities face and stated he is here to give prospective. He stated tidegates are very problematic for fish passage, and noted old tidegates are grandfathered in until action is taken, and/or the owner/operator has the resources to fix or replace; the same for levees, dams, culverts, etc. Mayor Balensifer asked if moving a tide gate structure up or down in elevation would trigger ODFW involvement; Mr. Apke noted he was not certain but would look into it. He stated cumulative replacement of over 50% of the gate or material; new construction, major maintenance, replacement or installation; cumulative removal, fill, replacement or addition of over 50% of structure – triggers contact with ODFW. Commissioner Dyer asked about emergency needs; and Mr. Apke stated the owner/operator needs to contact ODFW before, during and after an emergency. Discussion continued and Mr. Apke noted you can get exemption or waiver. He further discussed the maximum velocity and noted state law designs to the weakest, youngest fish. He continued his presentation and reviewed the new tidegates in Nehalem, with an approximate total project cost in excess of \$1,500,000; tidegates are approximately \$600,000. He noted at a state policy level they are very sensitive to local communities which typically cannot afford tidegate replacement and they try to find creative funding solutions. He stated he will work with Public Works Director Collin Stelzig, and work together to get solutions and look at funding solutions. He noted money is avail for hydro studies.

Mayor Balensifer opened the Public Hearing on Rezone Application 17-2, Stan Johnson: R-10 Intermediate Density Residential to RH High Density Residential. Formalities followed and no ex-parte or conflicts of interest were reported. Community Development Director Skip Urling presented his staff report and noted the subject property, 0.76 acres, is located north of Highway 104 Spur on the east bank of the Skipanon River. He noted the Planning Commission conducted a public hearing on January 11<sup>th</sup> and recommended the application be approved. He presented Ordinance No. 1219 for the first reading. Mayor Balensifer asked for public comment in favor of the zoning change. Stan Johnson spoke in regards to the rezone, and noted there were concerns about it possibly becoming a trailer park, and he clarified that it will not. Jennifer Bunch with Wickiup Consulting representing Mr. Johnson, noted concerns at the Planning Commission Public Hearing about what will be developed on the land and stated there are no plans at this time. Mr. Dennis Faletti noted he is not for or against the zone change but noted his concerns about drainage and wants to make sure drainage is away from the properties to the East. He noted ODOT installed a drain and need to make sure it continues. No one spoke in opposition. There being no further comments, Mayor Balensifer closed the public hearing.

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**Commissioner Ackley made the motion based on the findings and conclusions of the January 5, 2018 staff report and recommendation of the Planning Commission, to conduct the first reading by title only, of Ordinance No. 1219; Amending the Zoning designation of Tax Lot 81028AD02500 from R-10 Intermediate Residential to RH High Density Residential. Motion was seconded and passed unanimously.**

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

Mayor Balensifer conducted the first reading of Ordinance No. 1219 by title only.

Mayor Balensifer opened the Public Hearing on the Palmberg Jetty Avenue Apartments Site Design Review and Conditional Use Permit Appeal. Formalities followed and no ex-parte or conflicts of interest were reported. Community Development Director Skip Urling presented his staff report and noted at its January 8, 2018 meeting, the Planning Commission approved applications for site design review and a conditional use permit submitted by Palmberg Development & Construction LLC for development of a 66-unit multiple family development, to be built in four phases. The Planning Commission included 29 conditions of approval, of which Mr. Palmberg is appealing 4 conditions. Mr. Urling detailed each of the appealed conditions and noted problems with downstream pump stations and the need for an assessment of pump stations and the treatment plant. Mayor Balensifer asked for public comment. The proponent, Jason Palmberg asked his engineer to step up and explain some things. Engineer Mark Mead spoke in regards to having to make improvements to SE 13<sup>th</sup> and also discussed the compact parking spaces. Mr. Palmberg discussed the 4 items they are appealing and the reasoning for the appeal. Philip Drage, owner of Skipanon Storage, stated they want sewer up in that area and now with this project they would get sewer. Kerry Johnson spoke in favor and discussed there is no need to widen SE 13<sup>th</sup> and noted it is not fair to impose that on the developer. He also stated that having to provide analysis all the way to the treatment plant, could kill projects and developers will not develop; we need affordable housing. Steve Fulton spoke in favor of the project and noted the sewer is a significant issue in that area, and as a city we should encourage that we have a sanitation system that works and this project fixes that problem. No one spoke in opposition. The Commission discussed the appealed items at length and asked for Public Works Director Collin Stelzig's input. Mr. Stelzig discussed the need for an assessment. He stated the treatment plant is near capacity, and he needs to know how quickly units are coming. He also discussed the downstream pump stations, and noted 1 or 2 are very close to capacity. Mr. Stelzig stated he feels strongly about keeping that condition in. Commissioner Baldwin noted this is a great chance for the city to partner with the developer to get something that is very needed, and it fits our community. There being no further comments, Mayor Balensifer closed the public hearing. Discussion continued.

At 8:35 the Commission took a 5 minute recess to craft a motion. At 8:38 the Commission reconvened.

**Commissioner Ackley made the motion to approve the decision of the Planning Commission, adopt the findings of the Planning Commission and staff report and to modify the conditions of approval as follows:**

- 1. Require a waiver of remonstrance against the formation of a local improvement district, consistent with Condition 4 but limited to 25 years in duration, for the purpose of making sanitary sewer, storm sewer, water or street improvements benefiting the property and assessing proportionate costs consistent with City regulations;**
- 2. Adding a limitation to the requirement of improvements imposed by Condition 8 to those that address impacts created by the development;**
- 3. Striking Condition 11 in its entirety; and**
- 4. Approving Condition 20 with the additional requirement that staff develop a resolution with the applicant so as to ensure that 26 foot travel corridors are maintained.**

**Motion was seconded and passed unanimously.**

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

City Manager Linda Engbretson presented Resolution No. 2515 and explained the current five-year local option tax for police operations end June 30, 2019. She stated revenues raised from this levy fund one full-time position in addition to partially funding one additional position. She noted staff is recommending it be placed on the May ballot, and if the measure should fail, there will be another opportunity in November. Ms. Engbretson stated staff recommends continuing the \$.28 tax. Discussion followed.

**Commissioner Baldwin made the motion to Adopt Resolution No. 2515; *Calling an Election on May 15, 2018, in the City of Warrenton, Oregon, for the Purpose of Voting on a Five Year Local Option Tax for Police Department Operations for Fiscal Year 2019-2020 through Fiscal Year 2023-2024, Adopting a Ballot Title to Submit to the Electors of the City of Warrenton.* Motion was seconded and passed unanimously.**

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

Mayor Balensifer requested to amend the agenda to move item 7-F before 7-E; there were no objections.

Finance Director April Clark stated the loan with DEQ for the Core Conveyance/Ensign Pump Station project has been completed and all disbursements have been requested and received on the project in the amount of \$1,864,762, a difference of \$55,542. She noted the purpose of the loan amendment is to reduce the principle balance amount disbursed and deduct \$500,000 Principle Forgiveness from the repayment schedule. It also sets the Loan Reserve Requirement to \$28,607. Discussion continued on the loan forgiveness.

**Commissioner Ackley made the motion to authorize the Mayor's signature on Loan Agreement No. R94945 Amendment No. 1, amending the principle balance and deducting \$500,000 Principle Forgiveness. Motion was seconded and passed unanimously.**

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

City Manager Linda Engbretson presented Resolution No. 2516 to amend to the order of business for regular City Commission meetings. Mayor Balensifer explained the changes to the order of business.

**Commissioner Baldwin made the motion to adopt Resolution No. 2516; *Setting a New Order of Business for Regular Warrenton City Commission Meetings and Repealing all Resolutions in Conflict.* Motion was seconded and passed unanimously.**

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

PUBLIC COMMENT –

There being no further business Mayor Balensifer adjourned the meeting at <sup>8:56</sup>~~none~~ 8:56 p.m.

APPROVED:

  
Henry A. Balensifer III, Mayor

ATTEST:

  
Dawne Shaw, Deputy City Recorder