

Corrected 11/28/18.

MINUTES
Warrenton City Commission
Regular Meeting – November 13, 2018
6:00 p.m.
Warrenton City Hall - Commission Chambers
225 S. Main
Warrenton, OR 97146

Mayor Balensifer called the meeting to order at 6:05 p.m., and led the public in the Pledge of Allegiance.

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

Staff Present: City Manager Linda Engbretson, Community Development Director Kevin Cronin, Public Works Director Collin Stelzig, Public Works Analyst Trisha Hayrynen, Public Works Operations Manager Kyle Sharpsteen, and City Recorder Dawne Shaw

CONSENT CALENDAR

- A. Commission Work Session Minutes – 10.09.18
- B. Community Center Meeting Minutes – April 2018
- C. Community & Development Dept. Quarterly Report – July – Sept. 2018

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

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

City Manager Linda Engbretson requested an agenda addition – item 7-G; to provide direction to staff for homestay lodging. There were no objections to the addition.

COMMISSIONER REPORTS

Commissioner Newton commented on the recent joint work session with the Planning Commission.

PUBLIC COMMENT

Library Site Manager Nettie Lee Calog explained the bookmark contest that was held at the Warrenton Community Library. There were 3 categories; adults, children and teens. She stated Warrenton Kiwanis made laminated copies of the winning bookmarks, which will be given out when you visit the library. She introduced Ms. Tabby Blackwell, one of the winners, and named the other two design winners. Ms. Calog thanked the Commission for voting for the contest winners.

PUBLIC HEARINGS

Mayor Balensifer opened the Public Hearing on the Development Code Amendment (DCR: 18-4) – Pacific Seafoods; Ordinance No. 1233. Formalities followed. Commissioner Baldwin disclosed a possible conflict, stating he worked on the new facility. He stated would like to participate in the discussion. Mayor Balensifer noted Commissioner Baldwin will abstain from voting. Commissioners Newton and Ackley, and Mayor Balensifer disclosed contacts with the public regarding this matter. Community Development Director Kevin Cronin presented his staff report, noting this is an application for a development code amendment, which is a type 4 amendment; and he clarified this is not a variance application. He noted the Planning Commission met on this matter last month and has recommended approval. Mr. Cronin stated the proposal is to allow employee housing under strict conditions.

Mr. Michael Robinson, Land Use Attorney for the applicant, Pacific Seafoods, stated they have worked with Mr. Cronin and the State to get the amendment language that everyone was comfortable with. He noted the reason Pacific Seafoods is proposing the amendment is there is a problem finding good affordable housing for their employees; if employees cannot find housing, the business will not be here; the two are inalterably related. Mr. Robinson stated they have spent a lot of time trying to find housing. He noted the map that was submitted by Mr. Scott Widdicombe, and noted the housing will be on the side of the Pacific Fabrication building, and stated there is a fence around the property. He explained that under the state rules that govern the I-2 zone, it is not possible to build a new building for housing, they need to use an existing building. Mr. Robinson noted people's concerns, and proposed that if approved, they would be obligated to hold a community/ neighborhood meeting; and secondly they will commit to entering into a good neighbor agreement with the neighbors to the east. He noted the housing shortage, and stated Pacific Seafoods is trying to provide a solution at its own expense. Mr. Robinson continued to explain the proposed amendment and the requirements of the I-2 zone. He briefly discussed the letters submitted by Mr. Scott Widdicombe and Ms. Carol Hahn. He stated this amendment is crucial to this businesses' success; if they cannot find employees because there is no place to live, their business will not be here.

Michael Milliucci, of Pacific Seafoods said he was asked to look for workforce housing along the coast, specifically the Warrenton/Astoria area. He noted they built a state of the art plant and are very limited on how to find housing for the workforce. He discussed his efforts to find housing for team members and noted there is no other choice at this point until the housing market changes. He stated this workforce housing option has been used in Newport, Westport and South Bend. He stated the housing will be operated under a property manager structure - there will be a dorm manager and a cook; there will be house rules; and the workers will sign a workforce agreement and housing agreement. They want to be good neighbors, but they also need to find a place to house their workforce. Mayor Balensifer opened the floor for public comment.

Proponents: Mr. Hiram Cho, Pacific Seafoods Plant Manager stated he has worked for Pacific Seafoods for 27 years. He noted at this time their workforce is 92 full time workers and within 6 months they need to be up to 130 -150; and in a year will most likely add 20-30 more workers,

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totaling 170-180 full time positions. He noted the housing will be directed for seasonal workers, approximately an additional 100 people. He discussed past shortages of seasonal workers due to the lack of housing.

Ms. Kara Niemela, HR Manager at Pacific Seafoods said that community means a lot to her and that she understands the concerns. She stated team members will sign contracts to obey all the rules. She briefly discussed her efforts to find housing.

Opponents: Mr. Scott Widdicombe requested an additional minute to respond to comments made about him. Mayor Balensifer clarified he has 3 minutes. Mr. Widdicombe thanked Mr. Robinson for agreeing to have a town hall. He noted his concerns regarding the hearing process and the Commission.

Mr. Loren Gramson stated this zone change is out of character for the area. He said this is not the type of housing that Warrenton needs and it doesn't solve the housing shortage problem. It only benefits Pacific Seafoods; it allows them to shuffle round a transient work force instead of paying them a fair amount to allow them to put down roots. He noted other companies that have come in and did not need to change the code to house workers. He voiced his concerns regarding bunk houses in the community.

Mr. Gil Gramson stated this kind of housing is a major change to the community, and noted one of the planning goals is to get public involvement before it gets to the Commission for decision. He stated the code change is an outright use and should not be allowed. He discussed alternative locations that were not looked into. He noted his concerns of establishing a precedent. He stated he would like to see it become a conditional use so the community has a chance to talk.

Ms. Dixie Lee Dowaliby noted her concerns with dormitory type housing and discussed transient traffic. She stated if we want people to invest in the community, companies need to pay them. She also noted concerns regarding access to the dikes and how the workers will get back and forth to work. She noted concerns of where the spouses and children of the workers will live.

Mr. Robinson gave his rebuttal, and answered a few questions. He noted the housing will be for seasonal employees, and they will not be housing kids in the dorm. They will provide shuttle service to the plant. He noted the list of rules which was included in agenda packet. He stated this will not set a precedent – it is linked to water dependent business in the I-2 zone. Mr. Robinson noted the State is not opposing this. He stated they will hold more than one public meeting if necessary.

Mr. Miliucci promised the neighbors that they will listen and address any problems that occur. He reiterated there is no housing available in Warrenton or Astoria for the number of people they have. He stated they will follow the code in regards to number of residents of the dormitory. He noted they can fence along the dike if needed. He discussed how the city of Newport handled workforce housing; and noted if they can stabilize the work force, they can increase wages. Commissioner Dyer suggested that to help with community concerns, they monitor the police log - to be able address issues early. Mr. Miliucci stated that once workers sign a housing agreement, they have to comply, and if not, they are removed from the living situation and could

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face termination. He stated there will be a dorm manager living full time in the dorm and a cook, and they will monitor the situation. Discussion continued. Commissioner Ackley asked if the terminated employees are bussed back to where they came from or just left here. She also asked about screening employees. Ms. Niemela stated in regards to terminated employees - she would propose that they be returned on company expense. She also noted they do background checks for all employees, including criminal records. Brief discussion followed. Commissioner Newton voiced his concern about the city dog park, between the housing and the processing plant, and noted concerns for children's safety. Discussion continued. Mayor Balensifer noted that historically promises have been made, but if it is not on paper - not in a legal document, it is not very enforceable. He noted his concern is this policy change that will affect anyone in the future that wants to put a dormitory on their property for water dependent industrial use. Mr. Robinson clarified the administrative rules for the I-2 zone, noting they do not allow anyone to build a new building. Discussion followed on conditional use versus permitted use, and the text amendment. Mayor Balensifer suggested holding a work session with public comment, or a town hall to address concerns. Discussion continued, and Mr. Robinson suggested having some draft language before the town hall. Commissioner Newton discussed research he had done on canneries in eight Alaskan towns. Discussion followed. Mr. Miliucci said this is short term solution; once the housing market changes, this will no longer be an option. Mr. Robinson stated for the record, they will monitor the police log. Mr. Cronin noted the Commission is under no obligation to make a decision tonight; he clarified the surrounding uses are mostly I-2 with the exception of NW 17th which got a zone change; and in regards to the policy change - he noted he has been part of the housing discussion for 3 years and has been "banging the drum" to allow employers to figure out their own solution. Pacific Seafoods is willing to put their investment into a solution, so he would like to work on finding a solution.

There being no further comment, Mayor Balensifer closed the public hearing. Commissioner Baldwin stated he has worked for Pacific Seafoods for 19 months, noting it is an amazing facility, and stated he does not buy in to the idea that big business is bad. He noted he is ashamed to hear that it's ok for one neighborhood, but not "my neighborhood." He stated that without these employees, it will impact our local fishermen, and it affects all businesses in our city, as well as the water rates. He noted his concerns with the negative comments and vilifying the cannery workers. He stated for the record he will abstain from voting. Commissioner Ackley stated there is no doubt that Pacific Seafoods went out of their way, but the Commission and the community need more information. Commissioner Dyer noted it is good idea to look out of the box. He noted he found it insulting that people voiced safety issues with the workers. He stated as long as they comply, he likes the idea. Commissioner Newton stated he has to be assured in writing there will be no problems; the Commission has to do it right the first time. Mayor Balensifer noted this is the first municipality in Oregon that is undergoing something of this nature. He discussed the housing shortage, and noted the concerns that warrant further discussion. He recommended to continue the hearing, and to hold a town hall. He suggested Pacific Seafoods draft the changes, and hopefully we can come together and move forward on this bold experimentation. Mr. Robinson stated they can get the language redrafted, and would like to schedule the town hall after Thanksgiving, but before Christmas, and also set a new hearing date. Discussion continued and it was determined to have a town hall meeting in early December, and to continue the hearing at the December 11 meeting. The language will be posted on the City website, with a link on Facebook, before Thanksgiving. Commissioner

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Ackley noted one of the biggest concerns is that the demographic is different than it was when Point Adams was going, so it pays to all be concerned about what this looks like.

Commissioner Dyer made the motion continue the public hearing for the Development Code Amendment DCR 18-4 to December 11. Motion was second and passed unanimously.

Baldwin – abstained; Balensifer – aye; Newton – aye; Dyer – aye; Ackley - aye

BUSINESS ITEMS –

Community Development Director Kevin Cronin reported that 981 King Salmon Place is no longer a nuisance property.

Community Development Director Kevin Cronin discussed the property at 115 SW Alder Court, noting that the front and side yard has four (4) inoperable vehicles. He stated staff provided a courtesy yellow tag on September 6 and sent a letter of notification on October 10, 2018 by certified mail to the owner as identified in Clatsop County Assessor's records that this would be an agenda item at the October 23 City Commission meeting. The Police Department posted the site on October 11. Mr. Cronin stated staff verified the same conditions on November 1, 2018.

Commissioner Ackley made the motion to declare that enumerated and unenumerated nuisances exist at 115 SW Alder Court, and direct staff to commence actions to notify the owner of record and person responsible for the property to abate the nuisances within 10 days as prescribed in WMC 8.16.160. Motion was seconded and passed unanimously.

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

Community Development Director Kevin Cronin commended the Commission, noting there are now 21 closed nuisance cases. He stated he has been working on the technical assistance grant with the Department of Land Conservation & Development (DLCD), since he began working for the city. He noted the grant will provide over \$22,000 worth of services that the city will not have to pay for. Mayor Balensifer noted for public benefit what the MOU includes:

- Buildable Lands Inventory (residential only)
- Housing Needs Projection (how much based on population projection)
- Residential Needs Analysis (types of housing based on the market)
- Potential measures for addressing identified needs

He noted this is much needed document and thanked Director Cronin for pursuing and securing this grant.

Commissioner Ackley made the motion to authorize the Mayor to sign the MOU to conduct a housing needs analysis. Motion was seconded and passed unanimously.

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

Public Works Director Collin Stelzig stated Resolution No. 2350 was presented for the first reading at the October 23, 2018 meeting, and is presented today for adoption. Mayor Balensifer noted this resolution does not raise the water rates; it is in regards to fees. MS. Engbretson noted a small change in the language – “emergency after hours turn on fee” – to add “turn on.” Brief discussion followed.

Commissioner Baldwin made the motion to adopt Resolution No. 2350; Adopting Water Department Rates, Establishing December 1, 2018 as the Effective Date, and Repealing Any Other Resolution in Conflict. Motion was seconded and passed unanimously.

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

Public Works Director Collin Stelzig presented Ordinance No. 1222 for the second reading and adoption. He stated the first reading was done at the October 23, 2018 meeting. Brief discussion continued.

Commissioner Ackley made the motion to conduct the second reading by title only, of Ordinance No. 1222; Providing for Rules and Regulations for City of Warrenton Water Department and All Areas Served by the Municipal Water Department Outside Warrenton’s City Limits; Requiring Installation of Water Meters; Repealing Any Other Water Ordinances or Resolutions or Parts Thereof in Conflict Herewith; Providing a Penalty for Violation of Any Terms and Conditions Herein. Motion was seconded and passed unanimously.

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

Commissioner Ackley made the motion to adopt Ordinance No. 1222. Motion was seconded and passed unanimously.

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

City Manager Linda Engbretson stated the City has received a request for waiver of fees for use of the Community Center, for the annual free Thanksgiving Dinner. She noted in the past, Thankful Hearts, a group of volunteers led by Dianne and Carl Burkhart have organized the event; however the VFW will be managing the dinner this year. The request is for use on Wednesday and Thursday, November 21 and 22, 2018. Ms. Engbretson stated the City has waived the fees in previous years. The Community Center Advisory Board has reviewed the request and generously recommends approval of the waiver. Due to the very small operating budget for the Community Center, Ms. Engbretson recommended not waiving the fee, but paying for the event from the Commission travel and training budget, so the Community Center fund does not have to absorb the cost. Mayor Balensifer noted he and Ms. Engbretson discussed this option, and it is a good solution.

Mayor Balensifer made the motion to have the City cover the cost of use of the Community Center for the annual free Community Thanksgiving Dinner by using funds from the Commission travel and training budget. Motion was seconded and passed unanimously.

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

Community Development Director Kevin Cronin clarified the Commission direction to staff on homestay lodging, from the previous work session is as follows: remove the restrictions on ADU's to open them up to the open market; go with "up to 5* bedrooms" - the asterisk indicating that if you have 5, it will trigger a building code review; 2 contacts are necessary; NOHA radio; 30 day grace period to register. He noted he will bring back an ordinance on Homestay Lodging. Brief discussion followed.

DISCUSSION ITEMS

Community Development Director Kevin Cronin stated he is coming back to the Commission with the requested information on SDCs. Discussion followed on the current rate and how SDCs are related to parks. Ms. Engbretson noted the language will be reviewed and clarified before the ordinance is brought to the Commission. She stated they would like direction on whether to increase SDCs as proposed – from \$3,500 to 2018 rates - \$4,159. Discussion continued and it was noted there is a need to address the storm water rate issue. Public Works Director Collin Stelzig clarified they are looking into how much I&I is coming from Fort Stevens park. Discussion continued on rate studies; Ms. Engbretson recommended putting this increase in place and consider budgeting for a new rate study. Commissioner Baldwin stated does not want to pay for another study if we are not going to follow it. Discussion followed on the increase in housing prices, and Ms. Engbretson noted it has been fairly inexpensive to build in Warrenton; and the purpose of SDCs is to offset the impact all of these houses have on the infrastructure. Discussion continued on the amount of the rate increase; Commissioner Baldwin suggested not using the cost index, but implementing the \$5,200 fee as outlined in the last rate study. Ms. Engbretson stated she would confirm the figure and bring it back to the Commission for review and direction.

GOOD OF THE ORDER

City Manager Engbretson noted there is are upcoming Elected Essentials Workshops, provided by League of Oregon Cities; and another training centered around Planning Commissioners, provided by DLCD, and hosted by the City of Astoria, on November 29. Mayor Balensifer suggested sending a letter encouraging all Planning Commissioners to attend that training; the Commission was in consensus.

Commissioner Baldwin noted he is unhappy with the repeated statements of not being transparent. He also noted he is proud that the community passed the school bond.

Commissioner Ackley stated she participated in the recent "walk around" with the economic roadmap process, and noted the group will meet again on Thursday. Mayor Balensifer stated he is excited about the economic roadmap and thanked the Commissioners for participating. Brief discussion followed.

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Commissioner Dyer stated he recently spoke with the local Cub Scout leader and they are interested in helping the elderly take care of their property.

Mayor Balensifer stated he is happy with the local elections and looks forward to working with Mayor Jones of Astoria. He noted he was asked what the new commission agenda is, and he replied, "full steam ahead." He noted the commission shares a common goal and that what makes this commission strong and what makes this city as bustling as it is. He stated he appreciates everyone on the commission.

At 8:37 p.m., Mayor Balensifer recessed the regular meeting and announced they will now meet in executive session under ORS 192.660(2)(d); *to conduct deliberations with persons designated by the governing body to conduct labor negotiations*. He stated it is likely the Commission will reconvene the regular session to take action on items considered in executive session.

After the conclusion of the executive session, Mayor Balensifer reconvened the regular session at 8:46 p.m.

Commissioner Ackley made the motion to add the Memorandum of Agreement to the agenda as item 10A. Motion was seconded and passed unanimously.

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

Commissioner Dyer made the motion to approve the MOA, between the City of Warrenton, Warrenton Police Employees and AFSCME Local 2746-1. Motion was seconded and passed unanimously.


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

There being no further business, Mayor Balensifer adjourned the regular meeting at 8:49 p.m.

APPROVED:


Henry A. Balensifer III, Mayor

ATTEST:


Dawne Shaw, City Recorder