

MINUTES  
Warrenton City Commission  
Regular Meeting – March 26, 2019  
6:00 p.m.  
Warrenton City Hall - Commission Chambers  
225 S. Main  
Warrenton, OR 97146

Mayor Balensifer called the meeting to order at 6:11 p.m., and led the public in the Pledge of Allegiance.

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

Staff Present: City Manager Linda Engbretson, Fire Chief Tim Demers, Public Works Director Collin Stelzig, Public Works Operations Manager Kyle Sharpsteen, and City Recorder Dawne Shaw

CONSENT CALENDAR

- A. Commission Regular Meeting Minutes – 2.26.19
- B. Commission Regular Meeting Minutes – 3.12.19
- C. Police Department Monthly Statistics – Feb. 2019
- D. Monthly Finance Report – Feb. 2019

Mayor Balensifer noted an addition/correction to the March 12 meeting minutes; the minutes should reflect Commissioner Baldwin's comments regarding the many phone calls he received on the burn policy.

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

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

COMMISSIONER REPORTS

Commissioner Newton briefly discussed the reduction in the past due marina accounts. He noted the new Library sign is in progress; Mayor Balensifer noted a record number of books were checked out in the last six weeks. Commissioner Newton noted the article in the Columbia press about Commissioner Dyer, the Hoxseys, Mr. Dutcher and the Bridgens and their cleanup efforts.

Commissioner Dyer gave an update on the cleanup of downtown; he noted things are improving, and they are getting positive feedback. Commissioner Newton stated he was impressed and blessed with the synergy created amongst the different groups they are working with.

Commissioner Ackley noted the joint task force had a very productive meeting; they had a great bunch of ideas, and they will focus on the next moves. She stated they are hoping to wrap up by

the end of April and get their recommendations to the commission. Mayor Balensifer echoed their comments on the amount of energy on the task forces and it is catching on.

Mayor Balensifer stated he attended the CEDR meeting, and there was a presentation from Columbia Memorial Hospital on their expansion plans and master campus ideas. He noted there was also discussion on the state of the legislature, and the bills that are out there right now. He also gave a brief report on the airport committee and subcommittees, noting he suspects they will reach out for more partnership opportunities. He stated it would be worthwhile to meet with the Port; and to start thinking about ideas on how we can work together. He also noted he received word that an elk trampled a dog in Gearhart; which is the fourth incident in a year where pets have been killed or seriously injured by elk. Commissioner Dyer noted a recent incident where his dog was being gored by an elk. Mayor Balensifer noted as they become more tame and more familiar with humans, the public safety danger becomes more ominous and frequent.

**After reading the proclamation, Mayor Balensifer declared the month of April, 2019 as *Child Abuse Prevention Month*, in the City of Warrenton.**

PUBLIC COMMENT – None

#### BUSINESS ITEMS

Community Development Director Kevin Cronin noted the Burdett property on S. Main has been drastically cleaned up; and he gave him an extra 7 days. He also gave an update on the Larson property in Hammond, noting has been cleaned up. He stated 35 nuisance cases have been closed. Mayor Balensifer applauded Mr. Cronin, and noted he mentioned the number of closed nuisance cases at the CEDR meeting, and they were very impressed. Mr. Cronin discussed the nuisance property at 165 SE 2<sup>nd</sup> Street; they have been working on it; removing cars and trailers. He stated there is progress and there is communication. He noted a date error was made on the notice and recommended postponing the determination until the next meeting.

**Commissioner Ackley made the motion to table the consideration of nuisance determination of 165 SE 2<sup>nd</sup> Street until the next meeting. Motion was seconded and passed unanimously.**

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

Public Works Director Collin Stelzig discussed the Headstart siding repair project. He noted city staff has been working with their maintenance crew for a while to see what repairs need to happen. He noted there is some dry rot in some areas, and discussed the needed repairs. He stated the current budget is \$30,000, so they are only opening up a quarter of the wall at a time. He reviewed the revised agenda memo that was distributed. Mr. Stelzig stated he is hoping to have more money in the next fiscal year to continue the repairs. Mayor Balensifer asked about the conditions of the facility; and if there is a reasonable expectation that after this is fixed, we will be able to stay ahead of the maintenance. Ms. Engbretson noted the transfers to the facilities maintenance fund come from the general fund; city hall needs maintenance and a new roof, and other facilities need work as well. She noted she is not optimistic. Ms. Engbretson said Headstart was built with a block grant; rent is \$200 per month; and conditions were put on it so we may not

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be able to raise the rent. Discussion continued on the rental rate and the condition of the building. Commissioner Baldwin stated we need to fix it because there are kids there; dry rot turns into black mold. Mayor Balensifer suggested having legal counsel look at the lease, in regards to a rent increase. Ms. Engbretson stated we have an obligation to get it fixed; it is leaking. Discussion continued; it was noted the city was notified last year; Commissioner Baldwin stated we should have been notified a long time ago. He recommended making changes to chapter 9 of the Charter, to increase contract limitations for public improvement/repairs; noting that was a change made by most public entities 4-5 years ago. Mayor Balensifer noted that would take a vote of the people, and recommended a charter review committee every 10 years, which would be in 2020. Commissioner Ackley stated there should be an interior air mold test; we need to know how bad it is. Discussion followed on liability and mold testing before we open the walls up. Ms. Engbretson clarified that it was built with a block grant in the early 1990's, and she is not sure at this point what all of the city's obligations are in regards to the lease; we will look into that, and proceed with doing the mold test; and would like to get started if appropriate. Mayor Balensifer noted that the motion is to approve the plans and specification for bidding purposes.

**Commissioner Ackley made the motion to approve the plans and specifications for bidding purposes for the Headstart siding repair project, pending a mold test. Motion was seconded and passed unanimously.**

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

Public Works Director Collin Stelzig discussed low pressure sewer systems within the City limits. Mayor Balensifer asked for clarification on who owns the grinder pumps after installation. Mr. Stelzig clarified that if there is an overflow, it is the city's responsibility. He distributed and reviewed the operation and maintenance guide (O&M); and noted they will work on selecting a pump system. Next steps include an RFQ to select the system; and a required homeowner's manual for the systems. Discussion followed on the need to have the O&M as a recorded document. Mr. Stelzig stated the city will require an easement to allow access. Discussion continued on whether to require a generator plug, and generator purchase. Mr. Stelzig suggested a good middle ground is to require a plug in, and to require a service provider. He continued to explain the policy, noting they are working towards standardizing. Discussion continued.

**Commissioner Dyer made the motion to approve the low pressure sewer system policy. Motion was seconded and passed unanimously.**

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

City Manager Linda Engbretson noted there have been concerns regarding third party use at Tansy Point. The current lease restricts the use of the premises by any third party without prior written consent of the City; the Nygaards would like some clarification. She noted they are submitting their quarterly reports as required. Discussion continued on dockage, and what the current lease states. Ms. Engbretson confirmed that legal counsel been consulted. She stated this will clarify the language on third party use; if the use is related to their business, it is not third party use. Discussion continued. Ms. Engbretson confirmed she and legal counsel will sit down with them to discuss the lease, and answer any questions.

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**Commissioner Ackley made the motion that log deliveries, chip and hog fuel truck hauling, vendor deliveries and pickups, tire sales, bark sales, chip barges and tug boats using the Tansy Point property in direct connection with Nygaard Logging/Warrenton Fiber general operations are hereby approved activities and are not required to have additional prior written approval from the city, unless a sublease or assignment is considered. Motion was seconded and passed unanimously.**

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

**Commissioner Dyer made the motion to approve the third party use of the dock by J.E. McAmis for delivery of jetty rock, upon final approval of a License Agreement by legal counsel, between Warrenton Fiber and J.E. McAmis. Motion was seconded and passed unanimously.**

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

#### DISCUSSION ITEMS

Fire Chief Tim Demers discussed the burn policy. He noted one question was about the piles the Kujalas had; he stated they were in violation of DEQ, City and State policy. He explained his conversation with DEQ; they allow burning of cleared yard debris (grass/berry vines/debris) as long as it meets the restrictions of 10x10x4 piles. He stated you cannot transfer debris from one yard to another. He stated per ODF – they can give you a permit to burn forested land, but then you have 2 years to declare what you want to do with the land. Discussion continued. Mayor Balensifer asked which one do you follow. Chief Demers stated he asked DEQ what should we do with piles of debris and trees; the initial answer was to chip it; but as long as there's not an issue, and if the city is comfortable with the 10x10x4 pile of "seasoned wood" then burning is acceptable. ODF's stance is that anywhere near the city, or in the city, they would issue a permit but would also follow the city's rules, in addition to ODF's. Discussion followed on the issues with this particular burn. Mayor Balensifer stated he is in favor of 10x10x4 open burns, noting it should be done only on weekdays, and with a permit. Different permit options were discussed - an annual burn permit for burn barrels, with a fee – with fire season observed; a specialty permit for open burns (10x10x4), with specific criteria/parameters. It was noted there is a need for a new policy, with guidelines. Commissioner Newton stated he is not in favor of big burns – they should figure in the cost of chipping it; brief discussion continued. Commissioner Ackley suggested different criteria for different property sizes. Commissioner Dyer agreed that 10x10x4 is good policy; have to haul stumps away. Commissioner Ackley noted she likes the different commercial/residential guidelines. Commissioner Baldwin agreed there should not be any commercial, slash burning in the city. Mayor Balensifer asked for clarification from the Commission if they feel there should be separate specialty permits for 10x10x4 burn, versus everything else. Consensus was to keep it separate. Ms. Engbretson stated staff can put some criteria together, with an annual permit fee for burn barrels. She noted with the separate track for large burns, it may reduce the amount of calls to the Fire Department. Commissioner Ackley clarified; there will be 3 permits, barrel, larger piles, and development. Mayor Balensifer clarified they are saying no to commercial development permits. He clarified there would be an annual permit, with a fee for burn barrels or fire pits; a separate permit track and fee for 10x10x4

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burns; and no land clearing or commercial burns. Chief Demers and staff will put something together and bring it back. It was noted the ordinance should be amended as well. Mayor Balensifer stated the temporary moratorium continues.

GOOD OF THE ORDER

Commissioner Baldwin stated what is happening at the state level in regards to new laws is ugly, and does not help rural Oregon. He also stated he would like to say that every month should be child abuse awareness month; if you see it report it, and stop it.

Commissioner Ackley agreed with Commissioner Baldwin on the child abuse awareness issue.

Commissioner Dyer also agreed on the child abuse matter, and stated he would like to see people trained to know what to look for; to identify signs of abuse. Brief discussion continued on child abuse and DHS. Commissioner Dyer also noted the girls' softball team is selling flower baskets again. He stated it is a pleasure to serve with this Commission; and the community support is pretty awesome.

Commissioner Newton briefly discussed the reading program at the Library; and noted he has been taking pictures during the program, and will be putting them up in the library. He also noted the United States is not alone on political issues – noting Brexit.


Mayor Balensifer noted the process for proclamations. He stated he submitted this proclamation regarding child abuse, as he, as well as other commissioners that have been personally affected by it, and it is important that they recognize it.

There being no further business, Mayor Balensifer adjourned the regular meeting at 7:41p.m., and announced they will now meet in executive session under ORS 192.660(2) (h); *to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.* He stated the Commission is not expected to return to regular session to take action on any item considered in the executive session.

APPROVED:

  
Henry A. Balensifer III, Mayor

ATTEST:

  
Dawne Shaw, City Recorder