

MINUTES
Warrenton City Commission
Regular Meeting – March 10, 2020
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, Rick Newton, Pam Ackley, and Mark Baldwin
Excused: Tom Dyer

Staff Present: City Manager Linda Engbretson, Public Works Operations Manager Kyle Sharpsteen, Finance Director April Clark, Fire Chief Brian Alsbury and City Recorder Dawne Shaw

CONSENT CALENDAR

- A. City Commission Meeting Minutes – 2.25.20
- B. City Commission Work Session Minutes – 1.28.20
- C. City Commission Work Session Minutes – 2.11.20
- D. Fire Department Activity Report – February 2020

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

Baldwin – aye; Balensifer – aye; Ackley – aye; Newton – aye

COMMISSIONER REPORTS

Commissioner Ackley- saw the new Warrenton wire and noted that it looks good.

Ms. Engbretson mentioned the Warrenton Wire and noted the great job Deputy City Recorder, Lindsay Duarte, does on it. She also noted the need to add new water system developments to the agenda, as item 8-B. There were no objections. The policy restricting new water system development and connections outside the City of Warrenton was added as item 8-B.

Mayor Balensifer noted the meeting with the Elk Collaborative, and noted the group is aligned. He outlined the next steps.

PUBLIC COMMENT

Mayor Balensifer noted Mark Simonsen submitted a comment card about city park funding but was not present.

Mike Balensifer spoke about the burning permits. He noted the issue with only being able to burn during the daylight hours. He made suggestions to improve the process for controlled burns after sunset.

PUBLIC HEARING – None

BUSINESS ITEMS

Fire Chief, Brian Alsbury, discussed a regional grant with Clatsop County Fire Departments, FEMA assistance to Firefighters grant program. He noted if awarded the grant, the funds provided would allow replacement of aging and outdated radio equipment that are no longer supported from the manufacturer. The cost of replacement is \$273,000, but with the grant funds, the city's 5% match is approximately \$13,600. He continued to explain that because it is a county wide grant they need to enter into an MOU with Lewis and Clark Fire Department.

Commissioner Baldwin made the motion to enter a MOU with Lewis and Clark Fire Department. Motion was seconded and passed unanimously.

Baldwin – aye; Balensifer – aye; Ackley – aye; Newton – aye

Commissioner Baldwin made the motion to use funds from the apparatus replacement fund FY 2020/2021 for the required matching grant funds. Motion was seconded and passed unanimously.

Baldwin – aye; Balensifer – aye; Ackley – aye; Newton – aye

City Manager, Linda Engbretson, discussed an easement with Clatsop County for the Alder Creek ditch. He explained that as part of the transfer of 40 acres of preserved wetlands to the North Coast Land Conservancy, Clatsop County has granted the City of Warrenton a permanent non-exclusive maintenance easement over, under and across the 70' ditch commonly known as Alder Creek for the sole and exclusive purposes of constructing, maintaining, improving, repairing and preserving the existing storm water drainage ditch. Mayor Balensifer asked for clarification. Public Works Operations Manager Kyle Sharpsteen clarified.

Commissioner Ackley made the motion to approve the easement agreement with Clatsop County or the Stormwater Drainage Ditch Easement. Motion was seconded and passed unanimously.

Baldwin – aye; Balensifer – aye; Ackley – aye; Newton – aye

Public Works Operations Manager, Kyle Sharpsteen, discussed a contract with Civil West for the evaluation of a low-pressure sewer systems and a city policy update. He noted the previous steps taken to work towards a low-pressure sewer system. Commissioner Baldwin asked for clarification on what Civil West's role will be in the project. Mr. Sharpsteen noted that we are asking them to evaluate a system and help set the program up so everything is stream lined. He explained the value in having this process done.

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Commissioner Ackley moved to award the contract for the evaluation of low-pressure sewer systems and city policy update to Civil West Engineering. Motion was seconded and passed unanimously.

Baldwin – aye; Balensifer – aye; Ackley – aye; Newton – aye

DISCUSSION ITEMS

Ms. Engbretson stated she asked Fire Chief Alsbury to bring the burn permit discussion back to the commission and noted with new leadership she wanted him to have an opportunity to provide his insight on the matter. Fire Chief, Brian Alsbury, discussed outdoor burning and burn permits. He noted the material in the packet and stated most of the complaints come from lot clearing for development preparation. He noted the DEQ's requirements. Commissioner Newton asked for clarification on clearing. Discussion continued. Mayor Balensifer noted all land clearing is currently not allowed within the city. He continued to note his issue with the 50 feet of setback requirement; most people do not have that option and he doesn't feel it is realistic. Fire Chief noted from his research, originally the 50-foot setback was for large burns, 20 feet away from a structure is the average, and 10 feet away from property line. A 10x10x4 area would need to be farther away. Discussion continued. Mayor Balensifer noted it makes no sense to create a rule that is unenforceable; he continued to justify his reasoning. He asked for clarification on the "2-night rule." Chief Alsbury asked Mike Balensifer to clarify his previous comments. Mr. Balensifer clarified his concern is having to put out a fire at dark when you have embers and will have to restart it the next day. Mayor Balensifer asked for Commission's stance on the issue. Commissioner Ackley stated you have a lot less smoke when you have coals that are burning; in her opinion it seems better to let it continue to burn as long as it is attended. Commissioner Baldwin agreed. Conversation continued. Chief Alsbury noted the problem is the education side of it. Some citizens think once they get the permit they can burn anything. He continued to note that most the calls they get are from neighbors where the smoke is coming across and going into the house. Discussion followed on the cost of the burn permits. Ms. Engbretson noted the commission's desire to generate income to recoup costs of the Fire Department staff to go out and educate/inspect. Mayor Balensifer noted he is comfortable with a \$50 permit inspection fee for the entire year. The following year would be a renewal fee of \$20- \$25 as long as the site has not changed. Suggestion was made for a violation fee. Conversation continued. Commissioner Baldwin likes a \$20 fee for an annual permit. Commissioner Ackley suggested a brochure that states the rules and regulations on burning, and the customer should sign off on having received it. Chief Alsbury noted he found a brochure that Grants Pass puts out. Discussion continued on the fines for illegal burns. Consensus was to start low on fees and if needed come back at a later time to raise; \$25 for annual permit/inspection for this year than a \$25 renewal. Next year and going forward, the inspection fee increases to encourage everyone to get in the program now. Chief Alsbury asked for clarification. Mayor Balensifer clarified. Chief Alsbury noted his intent for a bi-annual site inspection was to give him an opportunity to go back to the site every six months and check for compliance. Commissioner Baldwin suggested using the volunteers to go out to houses on training night. Mayor Balensifer noted many people would not like an unannounced visit and suggested methods to notify individuals of visits. Discussion continued. Chief Alsbury discussed the change in the calling in a burn process – the current process is not working. He suggested keeping a data base or spreadsheet of permits issued. This would not apply to gas/propane fire pits. Commissioner Newton noted his thoughts on overnight burns, and the city liability. He also noted he does not have a problem with the \$50 inspection fee. Chief Alsbury suggested that overnight burns call into the duty phone;

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commission agreed. Mayor Balensifer noted his recollection of the past discussion on this matter. Consensus was for \$20 for burn barrel and inspection and \$50 for large burns (10x10x4). Discussion continued on the fine amount for violations. Mayor Balensifer asked Commission to weigh in. Commissioner Newton stated he is okay with the \$25/\$50 fee for varied fire burn sizes, but he does think the \$200 violation fine is too cheap. Conversation continued on fees, violations, and the cost the city takes on to respond. Ms. Engbretson noted staff will come back with an ordinance. Mayor Balensifer stated if the Fire Department is responding to a single fire it should be the cost of that plus whatever markup it is going to be. If the fire goes out of control and starts torching the neighborhood, then \$200.00 per hour per apparatus. If it's just a single person's fire do the cost of the service, plus whatever punitive damage if you want to add that. Commissioner Ackley suggested having the fine and then depending on the situation have a clause in place i.e. there may be an additional fine if it is not limited to the property. Conversation continued. Mayor Balensifer confirmed with commission that they are okay with the \$50/ \$25 fees. Consensus was reached. He then asked commission if they would like this to be a six month or one year permit. Consensus was one year. Site inspection for initial for either permit, and if you get the \$50 permit than that will suffice for the contained burning permit as well (\$25 permit). He continued to note that he views the \$50 permit as any unconstrained fire- no pit or structure containing it not necessarily the 10X10X4. This can be investigated upon the site inspection and it might be worth making definitions more clear in regard to this. Chief Alsbury noted his hopes are to create a pamphlet that would help define what a burn pit is, burn pile, etc. He asked for clarification if someone purchases a camp fire permit and then months later wants to do a burn pile would it just be \$25, or would it be \$50? Mayor Balensifer stated he thinks they should have a second inspection for the upgrade at that point they would have to pay the other \$25. As long as the fire is attended and there is a water apparatus during the site inspection, burn the coals down, and issue recommendations on how to proceed through the nighttime to avoid the smoke and having to restart the fire the next day. Commission was in consensus.

8B – Ms. Engbretson noted they have checked with legal counsel, and they recommend we make some updates to our code regarding water system connections; and distributed Exhibit A - New Water Connection Policy. Mayor Balensifer noted it is a good idea to read Exhibit A aloud for the public's interest- since it was not included in the packet. Mayor Balensifer continued to note that this memo hits home with what we stated last meeting; we have a duty to serve the people who pay the taxes first. Ms. Engbretson noted that more information will be provided at the next meeting.

GOOD OF THE ORDER

Commissioner Newton noted he met with the CERT team and September 12 there will be an e-prep event. He noted he attended a meeting on population research and reported information he gathered from the meeting.

At 7:12 p.m. Mayor Balensifer announced they will now meet in executive session under ORS 192.660(2) (e); *to deliberate with persons designated by the governing body to negotiate real property transactions*. He stated the Commission is not expected to return to regular session to take action on any item considered in the executive session.

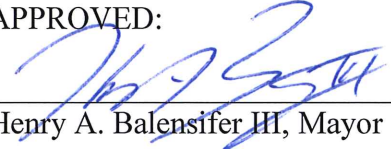
There being no further business, Mayor Balensifer adjourned the regular meeting at 7:31.

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Respectfully submitted by Lindsay Duarte, Deputy City Recorder.

APPROVED:


Henry A. Balensifer III, Mayor

ATTEST:


Dawne Shaw, City Recorder