

MINUTES
Warrenton City Commission
May 26, 2020
6:00 p.m.
Warrenton City Hall - Commission Chambers
225 S. Main
Warrenton, OR 97146

Mayor Balensifer called the meeting to order at 6:09 p.m. and led the public in the Pledge of Allegiance.

Commissioners Present: Mayor Balensifer, Mark Baldwin, Pam Ackley (via Zoom), and Rick Newton (via Zoom)

Excused: Commissioner Tom Dyer

Staff Present: City Manager Linda Engbretson, Community Development Director Kevin Cronin, RARE Participant Morgan Murray, Library Director Kelly Knudsen, Public Works Director Collin Stelzig, Public Works Operations Manager Kyle Sharpsteen, Police Chief Mathew Workman and City Recorder Dawne Shaw

CONSENT CALENDAR

- A. City Commission Regular Meeting Minutes – 5.12.20
- B. Police Department Monthly Statistics – April 2020
- C. Monthly Finance Report – April 2020

Mayor Balensifer asked about the stats on DUIs' in Warrenton. Chief Workman clarified.

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

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

COMMISSIONER REPORTS – None

PUBLIC COMMENT – None

PUBLIC HEARING – None

BUSINESS ITEMS

Mayor Balensifer noted the work session for the Parks Master Plan was conducted prior to this Commission Meeting. He continued to note that his concern is adopting the Parks Master Plan when it is not finalized. He stated that if we have to approve it for the grant, he can approve it provisionally. Mr. Cronin noted that we have to have the Forest Rim Concept Plan approved to show Pacific Power that the City Commission is in support. The Parks Master Plan is not necessary to approve tonight. Mr. Cronin stated that he can bring back the Parks Master Plan at the June meeting for approval. Mayor Balensifer asked if there was consensus from the commission on tabling the Parks Master Plan Update until it is finalized. There was consensus. Mayor Balensifer asked about phase 1 for the Forest Rim Concept Plan-if there will be a phase 2 and 3. Mr. Cronin noted that unless the City Commission can find funds in the budget, he does not foresee the phases happening anytime soon.

Commissioner Ackley made the motion to approve the concept plan for Forest Rim Park. Motion was seconded and passed unanimously.

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

Mr. Cronin explained the Environment, Civic and Community Enhancement Grant and noted it is due mid-June. He explained the city has in-kind services lined up for this project and gave specifics. Mayor Balensifer stated that if the city is awarded the grant, and the project moves forward, he would like a letter prepared thanking all the in-kind contributors with the signatures of all commission.

Commissioner Baldwin made the motion to authorize staff to apply for the Environment, Civic and Community Enhancement Grant and to authorize the mayor's signature on a letter of support. Motion was seconded and passed unanimously.

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

Library Director, Kelly Knudsen, gave a summary of Resolution No. 2562, and presented it for its second reading and adoption. Mayor Balensifer asked for confirmation that our library services are defined by our city limits, not by the school district limits. Ms. Knudsen stated that is correct. She noted that if there is a budget issue for families, there is the option to purchase a \$10 Library card for the Warrenton Library access only. Commissioner Newton noted that all ROCC cards are free for kids.

Commissioner Ackley made the motion to conduct the second reading, by title only, of Resolution No. 2562. Motion was seconded and passed unanimously.

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

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Mayor Balensifer conducted the second reading, by title only, of Resolution No. 2562; a Resolution Setting Fees and Fines for Library Services and Repealing all Resolutions in Conflict.

Commissioner Baldwin made the motion to adopt Resolution No. 2562. Motion was seconded and passed unanimously.

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

Police Chief, Mathew Workman, noted he was approached last fall by Parks Board member, Jim Dutcher, to allow E-bikes on the trails; as State Parks allow them. Chief Workman continued to note the process that he and Jim Dutcher went through to complete the Ordinance. Mayor Balensifer noted an error. Chief Workman noted additional scribes' errors that will be corrected before the second reading. Mayor Balensifer asked to have the proposed ordinance revised to have "shall" and shall not" outlined in sections; so, the law is clear. Conversation continued on the proposed sections of the document. Chief Workman noted he will make the corrections and separate it into two sections. Mayor Balensifer asked for clarification on the section regarding sidewalks – specifically First and Second Street. Chief Workman noted bicycles were only prohibited on sidewalks in business areas, not residential areas. Mayor Balensifer continued to ask for clarification – discussion continued. Mayor Balensifer noted Section 10.04.230 E. He discussed his opinion on that matter and suggested we change the section from 60 days to 30 days. Discussion on the fees ensued. Chief Workman suggested that if the police department takes in bikes/ bike parts that amount to less than \$200.00 they can dispose of them how they see fit. If the bikes or parts are over the \$200.00 amount the department would go through a contracting ordinance or public auction. Discussion continued. There was consensus from commission on changing 10.04.230 E from 60 days to 30 days. Mayor Balensifer noted he thought we were not going to allow e-bikes on trails. Chief Workman noted he could not speak to that. Discussion continued. Mayor Balensifer asked the Commissions' pleasure on how much should be charged on impounded bikes. Commissioner Newton asked for clarification on what an impounded bike was defined as. Chief Workman clarified. Commissioner Newton suggested increasing the fee to \$50. Commissioner Ackley and Commissioner Baldwin both agreed.

Commissioner Ackley made the motion to table Ordinance No. 1240 until such time amendments can be made; clarifying the language of "shall" and "shall not", 30 day claiming period and a \$50.00 impound fee. Motion was seconded and passed unanimously.

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

Chief Workman suggested having Jim Dutcher attend when Ordinance No. 1240 comes back. Mayor Balensifer concurred. Ms. Engbretson recommended the Parks Board make a recommendation as a whole, not just Jim Dutcher. There was consensus. Mayor Balensifer will reach out and Ms. Engbretson will talk to Nancy Claterbos.

Chief Workman discussed his research on public safety fees. He noted the need to do this

equitably and stated that charging the fee through utility usage seems to be the most equitable. He continued to review the research data as outlined in the meeting packet material. Discussion continued. Mayor Balensifer asked if a large business such as Walmart would have a high RME. Mr. Stelzig noted that larger businesses have really added amenities that are low on water usage. He would suggest not basing the fees on water, he would suggest basing the fee on transportation. Commissioner Baldwin suggested the fire flow. Mr. Stelzig noted that's not metered. Mayor Balensifer noted for the record that utilizing a traffic-based method would account for both the tourism traffic and the local traffic combined. He asked what commission's thoughts were. Commissioner Baldwin asked how the larger stores are not being metered for their fire line Mr. Stelzig clarified how the fire line works. Commissioner Newton noted that LCTC brings people to our area and we do not have the facilities to take care of them because they do increase our call volume. He noted that he isn't sure what option distributes the costs equitably, but he does want to look at options to where the people visiting somehow help pay for the police services because it is not fair to load the fees onto the citizens. Commissioner Ackley agreed. Commissioner Baldwin noted that he agrees, and he would suggest meters sized one inch and under be exempt. Mr. Stelzig noted the Airbnb's. Commissioner Baldwin noted we could add the stipulation of "unless it is run as a commercial entity. Discussion continued. Chief Workman noted he will do some more research. Mayor Balensifer thanked Chief Workman for his work and having a starting point to the conversation. Commissioner Newton asked for a legal clarification.

Public Works Director, Collin Stelzig, discussed both Item 7G and Item 7H as they are connected. He discussed the Force Main Project. He stated the City went out to bid and received two bids back for the SE 2nd Street & Marlin Drive Force Main Replacement project. He explained pipe bursting projects. He stated he has no question that with the change order that it will work, and we are still under the amount. Discussion continued. Commissioner Baldwin asked why if the contractor said he can do it, are we offering more money -they will need it. Mr. Stelzig explained why he proceeded with the change order. Discussion continued. Mayor Balensifer asked for clarification on a circumstance of the contractor's machine breaking down mid-way. Mr. Stelzig clarified its not on us to cover that with a change order. Commissioner Newton noted for the record that he has close ties with the contractor, and it will not in any way effect his decision. Mayor Balensifer thanked Commissioner Newton for the disclosure and noted it is not conflict of interest. Commissioner Newton noted his issue with change orders. Commissioner Ackley concurred with Commissioner Newton and suggested approving the bid with North Pacific Excavation subject to potentially having to go with cost if its going to take more than one pull. Mayor Balensifer summarized Mr. Stelzig's reasoning behind obtaining a change order: this is not a project he can come back with a change order. Mr. Stelzig stated correct. He noted the city manager has authority under emergency management. Commission will approve the contract without the change order. Commissioner Newton noted he would like a well written explanation of why additional pulls are needed so we are not taken advantage of. Discussion continued. Mayor Balensifer stated he feels comfortable awarding the bid with a single pull.

Commissioner Ackley made the motion to approve the contract for Services for the SE 2nd Street & Marlin Drive Force Main Replacement project with North Pacific Excavation. Motion was seconded and passed unanimously.

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

Commissioner Baldwin made the motion to postpone indefinitely item 7H.

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

Mayor Balensifer noted the County will be reviewing their emergency order and issuing one on Friday. City Manager, Linda Engbretson, noted Resolution No. 2568 extends the State of Emergency Order to June 9, 2020. She noted we submitted approximately \$14,000 for reimbursement and outlined the expenses.

Commissioner Ackley made the motion to adopt Resolution No. 2568; A Resolution of the Warrenton City Commission Extending the State of Emergency Because of the COVID-19 Outbreak. Motion was seconded and passed unanimously.

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

DISCUSSION ITEMS - None

GOOD OF THE ORDER

Commissioner Ackley – noted they had the meeting with Spruce Up Warrenton regarding the Back to the Future/end of pandemic party. She noted the art submissions received. She disclosed other ideas that are in the works. Ms. Engbretson noted she will get back to Commissioner Ackley on the procession honoring the first responders.

Commissioner Newton– noted Jim Pierce does such a great job for the City of Warrenton, he is a very good asset. He noted Commissioner Dyer suggested suspending the Commissions stipend for a while to help with the COVID-19 short falls. Brief discussion followed on how to donate the money back to the city. He continued to note several realtors and businesses in the area that do not have business licenses, and after we are clear of covid-19 he would like to go after those individuals. He noted a show he has seen and suggested ideas.

Mayor Balensifer gave an update; He noted a conference call with Speaker, Tina Kotek, and Oregon Business & Industries. There was a lot of discussion on when legislature will get together. Mayor Balensifer summarized the concerns he took away from the conference call, noting they are trying to develop legislation that makes a presumptive standard for workers comp

claims. Assuming that if any person who is still working receives a COVID-19 health care related expense that it is workplace related and shifting cost responsibilities from government to the businesses and stated it is frankly a low blow. He continued to state that he is concerned with how legislature is strategizing, and he thought commission should be aware of it. They also talked about the Columbia River Crossing because there is going to be some maintenance next year on the I-5 Bridge that will require its closure. He also touched on setting up a place for tolling to help pay for the project. Commissioner Baldwin noted his opinion on the legislatures position on the workman's comp issue. Mayor noted that once he gets a copy of the standard concept he will forward it off to the commission to read and make comments if they wish. Brief conversation continued.

City Manager, Linda Engbretson noted the executive session will be postponed. She reported that we are researching guidelines on opening city facilities. She is shooting to have a soft opening on June 8. We will continue to do telework and encourage people to conduct business in other ways.

There being no further business, Mayor Balensifer adjourned the regular meeting at 7: 28 p.m.

Respectfully prepared and submitted by Lindsay Duarte, Deputy City Recorder

APPROVED:


Henry A. Balensifer III, Mayor

ATTEST:


Dawne Shaw, CMC, City Recorder