

MINUTES  
Warrenton City Commission  
August 10, 2021  
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, Tom Dyer, Gerald Poe, Mark Baldwin, and Rick Newton

Staff Present: City Manager Linda Engbretson, City Attorney Spencer Parsons (via Zoom), City Recorder Dawne Shaw, Finance Director April Clark, Police Chief Mathew Workman,

CONSENT CALENDAR

A. City Commission Meeting Minutes – 7.27.21

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

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

COMMISSIONER REPORTS

Commissioner Newton noted he attended the recent League of Oregon Cities (LOC) meeting and provided brief details. He noted the November LOC Small Cities meeting will be in Warrenton.

PUBLIC COMMENT – None

PUBLIC HEARINGS – None

BUSINESS ITEMS

City Manager Linda Engbretson stated Spruce Up Warrenton has requested an \$8,000 grant for the Fall Festival. She noted there is \$20,000 budgeted for community events. Mayor Balensifer noted the representatives of Spruce Up Warrenton in attendance.

**Commissioner Dyer made the motion to appropriate \$8,000 to Spruce Up Warrenton for the Fall Festival. Motion was seconded and passed unanimously.**

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

Ms. Engbretson stated Hampton Lumber Mill has submitted an event application for use of Quincy Park for their annual employee and family picnic. She noted included in the application is a proposal to use microphones, which requires City Commission approval.

**Commissioner Baldwin made the motion to permit use of microphones and other amplification to Hampton Lumber Mill for their annual staff picnic on September 18. Motion was seconded and passed unanimously.**

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

Mayor Balensifer requested to move agenda item 7-C to the end of the agenda; there were no objections.

Ms. Engbretson stated the city has received a proposal from Alex Cabalona to locate a food truck in the Hammond Marina for the Buoy 10 season, 2021.

**Commissioner Newton made the motion to approve the temporary food truck agreement in the Hammond Marina for the Buoy 10 season, 2021. Motion was seconded and passed unanimously.**

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

Ms. Engbretson presented Ordinance No. 1254, Amending Ordinance No. 1128-A, and 1076-A, increasing the City Manager’s contract signing authority, from \$25,000 up to \$50,000.

**Commissioner Newton made the motion to conduct the first reading, by title only of Ordinance No. 1254, Amending Section 1 of Ordinance No. 1128-A and Amending Section 5 of Ordinance No. 1076-A, Updating the Purchasing Manager’s Authority. Motion was seconded and passed unanimously.**

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

Mayor Balensifer conducted the first reading, by title only, of Ordinance No. 1254.

#### DISCUSSION ITEMS

Ms. Engbretson gave an update on the vacation rental activity of 1564 SE Honeysuckle Loop; she stated the Stop Work Order had been posted and there have not been any additional complaints. She outlined the steps the city has taken and noted this is still in due process and is scheduled to go before the Planning Commission in September. After brief discussion it was noted at this point, the city is not considering revocation at the Hammond property.

## GOOD OF THE ORDER

Commissioner Poe stated he attended the 100-year Seaside commemoration reception.

Commissioner Baldwin voiced concerns about a fill on Alder and SW 1<sup>st</sup> and the Lamping property on Harbor. He stated he is hoping staff will have answers in the next few days. Ms. Engbretson stated she will look into it.

Commissioner Newton noted he owns the property at 1<sup>st</sup> and Alder and was told he did not need a permit but will get one if needed. Commissioner Newton noted comments he made at a prior meeting, where he stated he would like to have a contract form to deal with people when we help them; he clarified that he wants to help people, but we need to have parameters on that to protect the city; a form to set up guidelines when we do help someone.

Mayor Balensifer stated he attended the Oregon Mayors Association conference in North Bend and gave brief updates.

Ms. Engbretson discussed a proposed department quarterly report template and asked the commission for feedback; Mayor Balensifer suggested bringing it back at next meeting.

Mayor Balensifer noted he has received one public comment from; there were no objections to reopen the public comment period it at this time.

Patricia Shannon voiced concerns on the speed at which people get off Hwy 101 to Alternate 101 and the dangers; noting she thinks the speed limit should be 35. She stated she would be glad to take around a petition. She also spoke about residential sewer charges and asked the Commission to reconsider the charges for a household of 1, compared to a household with 4-10 members, rather than everyone paying the same. Mayor Balensifer stated the city will forward her speed concerns to ODOT.

Ms. Engbretson discussed the proposed Sturgeon Paul lease transfer. She noted Mr. Paul Leitch submitted a transfer to Mr. James Fowler. The city received additional information and completed an inspection today. She stated there are some issues, but it is hard to tell how long the issues have been in place. The city would require them to be corrected before any new business license is issued to the new owner or the transfer takes place. The inspection noted illegal living quarters and electrical issues.

At 6:23 p.m. Mayor Balensifer recessed the regular meeting for 15 minutes and announced the Commission will now meet in executive session under the authority of ORS 192.660(2)(e); *to conduct deliberations with persons designated by the governing body to negotiate real property transactions.*

At 6:53 p.m. Mayor Balensifer reconvened the regular meeting. He noted the City Manager has been made aware of lease violations by the current lessee; Ms. Engbretson confirmed. The violations include building violations and tax arrears. Mayor Balensifer also noted there is a

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corporation that is running a sublease out of there - Whole Foods.

Brief discussion followed on the action to be taken. City Attorney Spencer Parsons outlined the issues that need to be corrected: building code issues, which include unpermitted work; residential use in the zone; staff has identified past due personal property taxes; and it appears that there is a sublease with US Foods for the storage of large vehicles on the property – city consent was not sought or obtained for the sublease.

**Commissioner Baldwin made the motion to cure the lease violations that have been brought to the city’s attention related to back taxes, residential uses in zoning violations, and building code violations, as well as to get into compliance related to the sublease with US Foods, before any other assignment of lease hold interest occurs. Motion was seconded.**

Mr. Parsons made a point of order – noting that motion is for staff benefit, so staff has marching order on how to proceed under the terms of the lease. He suggested a separate motion for the request for consent of assignment.

**The motion passed unanimously.**

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

**Commissioner Newton made the motion to have all lease issues cured prior to assignment of the lease.**


Mr. Parsons made a point of order, asking if this was a motion to deny the request for the consent at this time? Mayor Balensifer confirmed.

**Commissioner Newton clarified the motion, to deny consideration of the lease assignment until such time the lease violations have been cured. Motion was seconded and passed unanimously.**

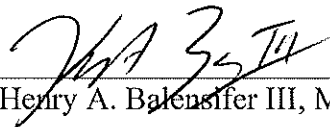
**Newton – aye; Dyer – aye; Poe – aye; Baldwin – aye; Balensifer – aye**

There being no further business, Mayor Balensifer adjourned the regular meeting at 6:58 p.m.

ATTEST:

  
Dawne Shaw, CMC, City Recorder

APPROVED:

  
Henry A. Balensifer III, Mayor