

MINUTES  
Warrenton City Commission  
October 26, 2021  
6:00 p.m.  
Warrenton City Hall - Commission Chambers  
225 S. Main  
Warrenton, OR 97146

Mayor Balensifer called the meeting to order at 6:04 p.m. and led the public in the Pledge of Allegiance.

Commissioners Present: Mayor Henry Balensifer, Mark Baldwin, Tom Dyer, Gerald Poe, and Rick Newton

Staff Present: City Manager Linda Engbretson, Harbormaster Jane Sweet, City Recorder Dawne Shaw, Public Works Director Collin Stelzig, Public Works Operations Manager Kyle Sharpsteen, Fire Chief Brian Alsbury, Police Chief Mathew Workman, Police Sergeant Jim Pierce, Planning Director Scott Hazelton, and Deputy City Recorder Rebecca Sprengeler

CONSENT CALENDAR

- A. City Commission Meeting Minutes – 10.12.21
- B. Parks Advisory Board Minutes – 6.14.21
- C. Letter of Support – Connect Oregon Grant; East Mooring Basin Causeway Rehabilitation
- D. Harbormaster’s Quarterly Report; July – September 2021
- E. City Recorder’s Quarterly Report; July – September 2021
- F. Police Department Monthly Report – September 2021

Commissioner Newton discussed the police statistics with Police Chief Mathew Workman.

**Commissioner Dyer 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

City Manager Linda Engbretson requested to add a contract for self-contained breathing apparatuses (SCBA’s) to the agenda; there were no objections to add it as item 7.D.

PUBLIC COMMENT

Riley Keown noted the nuisance property on the agenda and stated he wants to know what they need to do to address the parking issues near St. Francis De Sales Mission Church. He discussed

efforts to address the issue and asked about city enforcement. Chief Workman explained what police can and cannot do to enforce parking on private property. Mr. Keown explained his concern is cars parked in front of the city property, not on their lot.

Bryan Kasler also spoke about the nuisance property on Fifth Avenue. There is person is living in a broken-down motorhome on a vacant lot called Ferguson Construction. He feels it looks unsafe and is not the neighborhood atmosphere Warrenton is looking for.

PUBLIC HEARINGS - None

### BUSINESS ITEMS

Planning Director Scott Hazelton discussed a nuisance property at 876 Fifth Avenue in Hammond. He reviewed the process until this point and stated the Planning Department mailed notice to the property owners on September 14, 2021 and requested abatement of the issue by September 29, 2021. He noted vehicles had been removed then replaced in the right-of-way as reported by Police Sergeant Jim Pierce. He outlined the code violations and noted lack of a 48-hour RV permit.

Commissioner Newton stated he will abstain from voting on this matter. Mayor Balensifer asked for clarification on the process for nuisance declarations. Mr. Hazelton explained a miscommunication. Ms. Engbretson noted code violations go to the planning commission, while nuisance declarations go to the city commission. Mr. Hazelton added that the vehicles are still there, there appears to be some efforts to clean up the junk, and the RV is still occupied.

Mark Simonsen spoke in regard to the nuisance. He briefly spoke about the vehicles in question and outlined communication issues. He noted the steps he has taken to clean up the property. He explained ownership of the three lots; he cannot control what is co-owned. He stated the vehicles in the right-of-way are the city's responsibility to remove. He presented a photo of the property in question, stating there is nothing on the property except for the motorhome. He read a self-prepared statement about the homeless legislation and explained that based on the commission's decision, he will move the RV from private property to city property. Mr. Simonsen showed the commission various photos and asked them to weigh in on whether or not they are nuisances. Mayor Balensifer stated they are not determining nuisances other than what is before them. Commissioner Dyer asked about ownership of the RV and if it is licensed and registered. Mr. Simonsen stated no, but it's not on the road. It belongs to his son.

Ms. Engbretson clarified her understanding of the process; if the commission declares it a nuisance, time needs to be provided to abate the issue. Mayor Balensifer confirmed. Commissioner Poe feels the homeless term is being abused. The RV has been there a while and there is no remedy being said. He stated the RV occupant is not homeless; he has made his residence in an illegal fashion. Commissioner Baldwin agreed, noting he does not want to be part of this. Commissioner Dyer would like to see the RV licensed and registered. He would also like to get legal counsel involved to determine the definition of homeless. Ms. Engbretson noted legal counsel has been consulted. This is considered a camping violation under current ordinances.

### MINUTES

The use is not currently legal. Mayor Balensifer noted issues with RV's in yards. It is a violation of the land use zoning code. He noted the legislation mentioned in public comment does not go into effect yet and amendments are being developed to address it. The city has had multiple complaints about camping. He is not concerned about the legislation because it is being addressed with legal counsel. He asked for clarification on whether the abandoned vehicles are unregistered. Mr. Hazelton clarified it will be determined based upon commission decision. Commissioner Poe restated his thoughts. Brief discussion followed about the process.

**Commissioner Baldwin made the motion to adopt the findings in the staff report and to declare that the property listed in the staff report, 876 Fifth Avenue in Hammond, has nuisances on it and is a nuisance. Motion was seconded and passed unanimously.**

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

Ms. Engbretson discussed a lease amendment of the Tackle Time lease. She noted consideration of the renewal was brought to the commission several months ago. Based on the appraisal, they were paying over the annual rental. She outlined the changes. Discussion followed on the termination terms and lease amount. Commissioner Baldwin would like to see the fee increase and noted concerns about the structure. Ms. Engbretson explained the city does not own the improvements and recalled previous direction from the commission. Commissioner Dyer stated he would like to have the building inspected before signing the lease. Mayor Balensifer agreed all lease properties should be inspected before renewal. He also agreed that the lease amount is low. Discussion continued. Commissioner Baldwin suggested a 3-year lease. Mayor Balensifer noted he likes the idea of a shorter-term lease and would like the Marinas Advisory Board to provide feedback for surrounding properties. Ms. Engbretson reminded the commission that she is working towards selling land. Mayor Balensifer stated he prefers to sell. Commissioner Poe agreed with a shorter lease and asked about renegotiating the terms. Mayor Balensifer noted the lease can be ended with 30-day notice if they want to revisit it. Commissioner Poe agreed there should be an inspection. Commissioner Newton agreed the amount is low and asked about taking 3% per year. Ms. Engbretson noted the rental COLA incorporated in the original lease

**Commissioner Poe made the motion to authorize the Mayor's signature on the lease agreement between the City of Warrenton and Linda and Eugene Kane, dba, Tackle Time. Motion was seconded and passed unanimously.**

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

City Recorder Dawne Shaw discussed Ordinance 1255 to repeal Ordinance No. 123-A which designated the Phlox as the city flower. Spruce Up Warrenton requested to make the Daffodil the official city flower. It is necessary to repeal the original ordinance to remove Phlox as the city flower. A separate resolution will be prepared to declare the Daffodil as the new city flower. Commissioner Newton noted Spruce Up Warrenton's Daffodil bulbs.

**Commissioner Dyer made the motion to conduct the first reading, by title only, of Ordinance No. 1255. 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. 1255; An Ordinance repealing Ordinance No. 123-A

Fire Chief Brian Alsbury discussed a contract for SCBA’s. He noted they were awarded the SCBA grant and discussed the figures. He would like to order them before a price increase.

**Commissioner Baldwin made the motion to authorize the Mayor’s signature on the contract for goods titled MSA G-1 SCBA. Motion was seconded and passed unanimously.**

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

DISCUSSION ITEMS - None

GOOD OF THE ORDER

Commissioner Newton met with Finance Director April Clark about unusual numbers and explained. He noted the number of applications received for the Library Assistant position. He also noted the Fall Festival and discussed his family’s recovery from COVID.

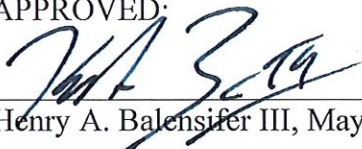
Commissioner Dyer noted 3 family members that had COVID. He is thankful for community support.

Mayor Balensifer noted it is good to be back and thanked Commissioner Dyer for presiding in his absence. He asked about clarification of Marina dredging discussion at the last meeting regarding a public comment. Harbormaster Jane Sweet clarified the discussion on the additional dredging. Mayor Balensifer noted a League of Oregon Cities work session he will be attending. He also noted being reappointed with the Oregon Mayor’s Association.

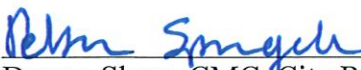
There being no further business, Mayor Balensifer adjourned the regular meeting at 6:59 p.m.

Respectfully prepared and submitted by Rebecca Sprengeler, Deputy City Recorder.

APPROVED:

  
Henry A. Balensifer III, Mayor

ATTEST:

  
~~Dawne Shaw, CMC, City Recorder~~  
Rebecca Sprengeler, Deputy City Recorder