

MINUTES
Warrenton City Commission
Work Session – October 26, 2021
5:15 p.m.
Warrenton City Hall - Commission Chambers
225 S. Main
Warrenton, OR 97146

Mayor Balensifer called the work session to order at 5:17 p.m.

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

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

Police Chief Mathew Workman noted four legislative bills dealing with homelessness that necessitate changes to the camping ordinance. He has been working with legal counsel Emily Matasar and the Oregon Association Chiefs of Police. He noted meeting materials and stated he would like direction from the Commission on how to move forward with the revisions. He noted the previous work session on RVs, stating this discussion will overlap but will focus on camping and homelessness protections from current legislation. He reviewed a presentation about the new legislation, current city ordinances, recently changed ordinances from other cities, and options for regulation within the Warrenton Municipal Code (WMC). He noted HB 2006 does not apply to Warrenton and briefly discussed. HB 3124 – Removal of Homeless from Established Sites – does apply; it went into effect under emergency clause June 23, 2021. Many of the stipulations were addressed in the WMC after a work session in 2013. There are some additional modifications needed; the language has been prepared. He noted the main change is a 72-hour notice before removing camp sites. He also noted other changes and stipulations. He noted notice is not required when it is deemed there is illegal activity that is not directly related to homelessness. He noted they will be working with the Astoria Police Department to address the homeless camp near the Ocean View Cemetery that has been tied to illegal activity. He noted the notices still contain information directing people to the shelters in Astoria; the Mission Church is no longer allowing people to stay on their property. He noted HB 3261 does not apply to Warrenton and briefly discussed. He explained HB 3125 – Homelessness: Codification of Martin vs. Boise – and discussed legal suits in Medford and Grants Pass. This bill is effective July 1, 2023, but legal counsel advises addressing it now to avoid liability. He outlined changes referencing a PowerPoint and a printed copy of the bill. He discussed “objectively reasonable” as stated in the bill. He noted regulations for time, place, and manner cannot be as broad as the marijuana regulations. Chief Workman stated homeless camping cannot be outright prohibited but can be regulated and guided. He noted the camping chapter in the WMC and outlined changes that will be made. He noted sample ordinances from Dayton, Gladstone, McMinnville,

and Medford. He will be working with Ms. Matasar to incorporate the necessary sections and language required by law.


He reviewed ordinance amendment options as stated in the presentation including title, expanded, and clarified definitions around “camp” and “campsite.” He would like to be careful to not prohibit legal camping. He discussed time, place, and manner regulations. Three of the sample ordinances prohibit camping between 6:30 am – 9:30 pm on public property. For safety reasons, he would like to prohibit camping in city parks, trails, public parking lots, public property, and inside residential zones. He discussed a restriction to occupy no more than 120 cubic feet. He would like to prohibit structures and noted all things must be moveable if there are time restrictions. He discussed RV’s and homelessness. He would like to ensure restricted RV parking without violating homeless protections.

Commissioner Newton commented on a lack of funding for mental health support. Chief Workman responded discussing funding and programs. Chief Workman noted Police Sergeant Jim Pierce in attendance to answer questions about homelessness in Warrenton as the unofficial homeless liaison and member of the statewide task force. Commissioner Poe asked about timing of the ordinance; he would like to be creative and relaxed during high frequency visitor times and strict the rest of the year. Discussion followed about enforcement. Commissioner Dyer suggested adding language about offensive littering and issuing citations for repeat offenders. Chief Workman responded, noting caution from legal counsel about providing resources. Brief discussion followed. Mayor Balensifer noted Clatsop County’s needle program. He feels the County should be responsible for providing sharps containers and discussed safety concerns for first responders and illegal fires. Discussion continued. Regarding HB2006, Mayor Balensifer clarified the approval process for hypothetically restarting the warming center. Regarding HB3124, he asked if illegal fires or large amounts of combustible debris constitute danger for purposes of removal of camps. Chief Workman noted fire is not included as a means to stay warm because it is unsafe and noted another ordinance bans extra camping during fire season or at certain burn ban declarations. Discussion continued. Ms. Engbretson suggested an additional work session. Mayor Balensifer asked clarifying questions about the legislative bills. Fire Chief Brian Alsbury made comments about concerns with needles and sanitation at camps. Sergeant Pierce added comments on unattended and retaliatory fires. He noted the large amounts of garbage. He also spoke about the size of encampment structures and the need to regulate the size. Mayor Balensifer commented on poor condition and late model RV’s being fire hazards. He would like language about this regarding time, place, and manner restrictions. Ms. Engbretson commended staff for being cautious and attentive to be proactive and prepared. Commissioner Dyer asked about obtaining ownership information on RV’s. Chief Workman responded they try, but the derelict RV’s change hands often making it difficult.


There being no further business, Mayor Balensifer adjourned the work session at 6:00 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