

MINUTES
Warrenton City Commission
September 13, 2022
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: Mark Baldwin, Mayor Henry Balensifer, Tom Dyer (arrived at 6:01), and Gerald Poe

Staff Present: Interim City Manager/Police Chief Mathew Workman, City Attorney Josh Soper (Zoom), Finance Director April Clark, Library Director Kelly Knudsen (Zoom), Public Works Director Collin Stelzig, Public Works Operations Manager Kyle Sharpsteen, Public Works Engineering Technician Trisha Hayrynen, Fire Chief Brian Alsbury, and City Recorder Dawne Shaw

Others Present: Incoming City Manager Esther Moberg

CONSENT CALENDAR

- A. City Commission Meeting Minutes – 8.23.22
- B. City Commission Special Meeting Minutes – 9.01.22
- C. Police Department Monthly Report -July 2022

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

Baldwin – aye; Balensifer - aye; Poe – aye

COMMISSIONER REPORTS

Mayor Balensifer stated that at the Oregon Mayor's Association it was brought up that the Oregon National Guard can do cyber threat assessments, and he believes they are free. He noted it might be worthwhile for us to consider us doing that. He noted more information can be brought back later.

PUBLIC COMMENT

Courtney Bangs spoke on behalf of Encore Dance Academy and the Skipanon Marine & RV lease property. She asked equal recognition of a business that is beside Lot 4. She requested equal rights to request either lease or purchase of that lot. She stated they would like to create an

outdoor space for their students. She is hoping the commission would give them potentially first rights of refusal.

Shaelyn Bangs requested that Encore Academy is given the first right to refusal to purchase Lot 4 of adjoining lease property for a play structure. She noted the need for an outside space for the students of the academy.

Denele Sweet echoed what Courtney and Shaelyn Bangs stated and reiterated the need for an outdoor play space for the students.

Mayor Balensifer stated the commission has authorized him to negotiate with legal counsel a lease to transfer that property lease to Skipanon RV to Coast Auto Repair. He noted that is the process that is currently in place and there is not a first right of refusal written into the contract. He stated the commission will be discussing Real Property Transaction in executive session. Mayor Balensifer also noted the commission issued a formal letter to ODOT requesting to designate a school zone, as it is a safety issue. He stated there is no consideration or direction, at this time for a separate lot for adjustment.

PUBLIC HEARINGS – None

BUSINESS ITEMS

Library Director Kelly Knudsen presented an Intergovernmental Agreement between Seaside, Astoria, and Warrenton for Library Services. She noted this is a five-year renewal of the existing agreement. The last time it was renewed was in 2019.

Commissioner Dyer made the motion to approve and sign the updated Intergovernmental Agreement (IGA) between the cities of Astoria, Seaside and Warrenton libraries for five more years, through 2027. Motion was seconded and passed unanimously.

Baldwin – aye; Balensifer - aye; Dyer – aye; Poe – aye

Interim City Manager/Police Chief Mathew Workman stated there has been a date change for the Fall Festival and staff is requesting the commission update the approval for the event and amplified sound for the new date of October 15. Brief comments followed.

Commissioner Baldwin made the motion to approve the October 15, 2022 Fall Festival Event and authorize the use of amplified sound at the event. Motion was seconded and passed unanimously.

Baldwin – aye; Balensifer - aye; Dyer – aye; Poe – aye

Mayor Balensifer noted the letter of resignation from Commissioner Rick Newton. He noted the letter is in the record and being that he resigned the City Commission must formally declare the seat vacant.

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Commissioner Baldwin made the motion to declare City Commission Position No. 4 as vacant. Motion was seconded and passed unanimously.

Baldwin – aye; Balensifer - aye; Dyer – aye; Poe – aye

Public Works Director Collin Stelzig discussed a change order for the 7th and N Main Low Pressure Sewer System, noting the change order is to extend the substantial completion date. Brief discussion followed.

Commissioner Poe made the motion to approve Change Order #1, 7th and N Main Low Pressure Sewer System Project, moving the substantial completion date from August 16, 2022 to September 15, 2022. Motion was seconded and passed unanimously.

Baldwin – aye; Balensifer - aye; Dyer – aye; Poe – aye

Mr. Stelzig presented a change order for the Raw Waterline Replacement Project. He stated the change order is to increase the contract price up to \$849,462.85, for fire protection, which was not part of the original contract. Brief discussion followed.

Commissioner Dyer made the motion to approve Change Order #1 – Raw Waterline Replacement Project, to increase the contract price up to \$849,462.85, for Fire Watch Services. Motion was seconded and passed unanimously.

Baldwin – aye; Balensifer - aye; Dyer – aye; Poe – aye

Mr. Stelzig stated the bids for the Water Treatment Plant Roof project were opened on August 23rd. Roof Toppers, Inc. was the lowest bid and the only responsive bidder at \$365,109. Discussion continued. Commissioner Baldwin noted his concerns due to the six-month work timeframe and the impact inclement weather could have on the project.

Commissioner Dyer made the motion to approve awarding the contract for the Warrenton WTP Roof Modifications to Roof Toppers, Inc. for the amount of \$365,109 and grant authority to the City Manager for approving change orders for this project, of no more than 10% of the bid amount. Motion was seconded and passed unanimously.

Baldwin – nay; Balensifer - aye; Dyer – aye; Poe – aye

Commissioner Baldwin stated he voted against it, as we are allowing too much time. He would prefer to pay more for a 90-day timeframe. Mr. Stelzig stated he will talk with the contractor and if that is possible, they will come back with a different contract. He noted 180 days was the recommendation of the architect.

Mayor Balensifer noted the Real Property Transactions business item (agenda item 7.G) will be discussed after the executive session.

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Commissioner Baldwin made the motion to appoint Paul Mitchell to City Commission Position No. 4, pending attending League of Oregon Cities Basic Elected training. Motion was seconded and passed unanimously.

Baldwin – ~~may~~^{aye}; Balensifer - aye; Dyer – aye; Poe – aye

DISCUSSION ITEMS

Mayor Balensifer discussed the City Commission Position No. 4 vacancy and appointing Paul Mitchell to Position No. 4, pending his completion of Basic Elected Officials training from League of Oregon Cities (LOC). There was consensus to add an action item as Business Item 7.H – vacancy appointment for Position No. 4.

Mr. Stelzig gave an update on Levee Debris Management and the process of how they deal with debris. Mayor Balensifer asked for clarification on the tide gates at Alder Creek; Mr. Stelzig stated the gates are being recast and stated the new gates are on; the repair of the old ones is not completed yet. Mayor Balensifer continued discussion on the filling in of drainage ditches. Mr. Stelzig noted letters from DSL about cleaning of the drainages and permitting. He noted applying for permits could be a lengthy process. Mayor Balensifer suggested we explore working with our legislative officials to see if there could be some regulatory relief on that - on the need to permit just to clean drainage ditches. Discussion continued. Mr. Stelzig stated they could make a decent argument to go to DSL and state this is something they have already been doing. Mayor Balensifer noted what he would support and assist with any type of effort Public Works wants to launch to try and push this along to get our rights back to clean those drainages, to avoid another flood event, like January 2022.

GOOD OF THE ORDER

Commissioner Dyer noted he was not present for Commissioner Reports and gave an update on the LCTC meeting.

Commissioner Baldwin thanked everyone for being here, and noted he was excited to have the new City Manager in place and excited to get Paul Mitchell in place.

Commissioner Poe stated he was sad to see the fishing close early.

Chief Workman noted no one is more excited to have the new City Manager on board than he is.

Mayor Balensifer thanked Paul Mitchell for his service on the Planning Commission and welcomed him to City Commission. He also welcomed Esther Moberg to the city manager position. He noted events and debates for candidates during an LOC meeting. He encouraged everyone to get out and vote.

At 6:40 p.m. Mayor Balensifer recessed the regular meeting and announced the Commission will now meet in executive session under the authority of ORS 192.660(2)(e); *to conduct*

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deliberations with persons designated by the governing body to negotiate real property transactions; ORS 192.550(2)(f); to consider information or records that are exempt by law from public inspection; and ORS 192.660(2)(h); to consult with counsel regarding the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

At 7:30 Mayor Balensifer reconvened the regular meeting.

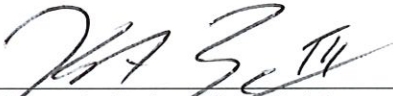
Mayor Balensifer noted a report has been made from the potential lessee on the Skipanon RV lease, and it was discussed in executive session.

Commissioner Baldwin made the motion to cease lease negotiations and move towards consideration for sale of the property, January 1st. Motion was seconded and passed unanimously.


Baldwin – aye; Balensifer - aye; Dyer – aye; Poe – aye

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

APPROVED:


Henry A. Balensifer III, Mayor

ATTEST:


Dawne Shaw, CMC, City Recorder