

MINUTES
Warrenton City Commission
June 27, 2023
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, Mark Baldwin, Paul Mitchell, Tom Dyer (arrived at 6:06), and Gerald Poe

Staff Present: City Manager Esther Moberg, Police Chief Mathew Workman, Public Works Director Greg Shafer, Acting Harbormaster Don Beck, Marina Office Assistant Jessica Megowan, Finance Director April Clark, Fire Chief Brian Alsbury, Planning Director Jay Blake, Deputy City Recorder Hanna Bentley, Water Treatment Plant Operator Dave Davis, and City Recorder Dawne Shaw

Mayor Balensifer requested to add agenda items 7.L – Hammond Bank Stabilization Project and item 9.A – Sheriff’s Statement under Good of the Order, and also to move the Sheriff’s statement to after Commissioner Reports; there were no objections.

CONSENT CALENDAR

- A. City Commission Special Meeting Minutes – 6.06.23
- B. City Commission Meeting Minutes – 6.13.23
- C. City Commission Work Session Minutes – 6.13.23
- D. Community Library Quarterly Report – June 2023
- E. Police Department Monthly Report – May 2023
- F. Columbia River Bar Pilots Temporary Settlement Pond
- G. OSFM Wildfire Seasonal Staffing Grant 2023

Mayor Balensifer requested to pull the 6.6.23 Special Meeting minutes from the consent calendar, to edit them for inclusion of the ‘for the record’ statements that were made; there were no objections. City Recorder Dawne Shaw noted the minutes will be amended and will be brought back at the next meeting for approval.

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

Baldwin – aye; Poe – aye; Mitchell – aye; Balensifer - aye

COMMISSIONER REPORTS

Commissioner Poe noted he recently attended two CREST budget meetings; it was noted CREST is now taking care of the Elk Collaborative.

City Manager Esther Moberg noted her appreciation of Police Chief Workman stepping in as acting city manager while she was on vacation; she noted he is also working on the permits for the camping ordinance. She also announced that Dave Davis will be moving up to Water Treatment Plant Supervisor in July.

City Recorder Dawne Shaw introduced Deputy City Recorder Hanna Bentley.

Mayor Balensifer stated he and the city manager have been tracking the FEMA Biop aspect, and noted he will be organizing coastal mayors to see if we can get a little more ahead of it. He also the letter that was sent to FEMA, from the County Chair and all Clatsop County Mayors, requesting that FEMA put the brakes on it and reconsider some of the items they are pushing. He noted the plan they have it Oregon specific and needs to be reevaluated under their proposal plan. He noted several City Commissioners now engaged with the elk issue - Commission Baldwin represents the city on the collaborative; he, himself Chairs the collaborative, and Commissioner Poe is on the CREST board which now manages the collaborative.

PUBLIC COMMENT

Tony Faletti noted the high grass on E. Harbor; he noted it is ODOT's jurisdiction and he would like to see them mow the sides and the entrances into town. He asked if the City Commission could light the fire under them and get it mowed so it looks better. Mr. Faletti and gave kudos to the city on the parks. He noted the ball tournaments and stated he was curious to see what the revenue on the field rentals is. Mayor Balensifer asked the city manager to follow up with that information before the next meeting.

GOOD OF THE ORDER

Clatsop County Sheriff Matthew Phillips stated he came to talk about a statement he made back in late 2019/early 2020 at previous planning meeting related to the jail operations and how they were going to operate, especially as it related to releasing people from the jail. He stated at that time, the plan was that anyone that got arrested and booked, they would hold them until at least their arraignment, which would be at 1:00, and then they would have time to coordinate their release. He noted at that time there was bus service at the time and there were options for getting them to where they came from or to their home. He stated that was something the law provided for at the time. Sheriff Phillips noted that since then the legislature has been very busy and in 2021 the legislature passed Senate Bill 48 which went into effect on July 1, 2022. He noted it is a major pre-trial reform; it's a bail reform bill, which created three categories of crimes. He stated with the first two categories, they do not have legal authority to hold anyone in jail, even overnight, for arraignment. He continued to explain the crime categories and the new pre-trial release requirements that they must follow. Sheriff Phillips explained the programs they have in the jail and noted their successes. Brief discussion followed.

PUBLIC HEARINGS

Mayor Balensifer opened the public hearing on the adoption of the Warrenton City Budget for FY 2023-2024. Formalities followed. No conflicts of interest or ex parte contacts were reported. Finance Director April Clark presented her staff report on the budget, noting Resolution No. 2649 for its adoption. She noted the budget was approved by the Budget Committee on May 16th and stated the total appropriations for this budget are \$47,677,770. Mayor Balensifer asked for public comments. No one spoke in favor or opposition. There being no further comments, Mayor Balensifer closed the public hearing.

Commissioner Dyer made the motion to adopt the City of Warrenton FY 2023-2024 Budget as set forth in Resolution No. 2649. Motion was seconded and passed unanimously.

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

Mayor Balensifer opened the public hearing on the election to receive State Revenue Sharing funds. Formalities followed. No conflicts of interest or ex parte contacts were reported. Ms. Clark presented the staff report, noting the total of estimated state shared revenue is \$719,967; of that amount \$209,754 goes

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into the General Fund, noting there are no restrictions on those revenues; and \$510,213 will go to the State Tax Street Fund. She noted those funds are restricted to road related purposes. Mayor Balensifer asked for public comments. No one spoke in favor or opposition. There being no further comments, Mayor Balensifer closed the public hearing.

Commissioner Baldwin made the motion to adopt Resolution No. 2652; a Resolution Declaring the City of Warrenton's Election to Receive State Revenues for Fiscal Year 2023-2024. Motion was seconded and passed unanimously.

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

BUSINESS ITEMS

Kennedy Jenks Senior Engineer Shawn Spargo gave a presentation on the three options for the wastewater treatment plant expansion. Public Works Director Greg Shafer spoke about the two different plants they visited and noted the membrane option (MBR) would be best in his opinion. City Manager Moberg also spoke in favor of the MBR system. Mr. Spargo continued his review of the power point presentation, which outlined the differences in the expansion options. Brief discussion followed. Mr. Spargo summarized the alternatives and noted Kennedy Jenks' recommendation is Alternative 3. After brief discussion, the consensus was to go with Option 3.

Commissioner Baldwin made the motion to direct staff to pursue Option 3 for the City of Warrenton Wastewater Treatment Plant project. Motion was seconded and passed unanimously.

Baldwin – aye; Poe – aye; Mitchell – aye; Dyer – aye; Balensifer – aye

Marina Advisory Committee Chairperson Pam Ackley discussed the board's recommendation for an Adopt a Marina program. She explained the draft program outline and sponsorship options. Brief discussion followed on the sponsorship program and sponsor recognition.

Commissioner Baldwin made the motion to direct the Mayor to issue a response to the Marina Advisory Committee giving tentative approval and remanding the action to the committee for further development for a plan. Motion was seconded and passed unanimously.

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

Ms. Ackley stated the advisory committee also recommends the City approve the proposed Daily and Monthly rate increases for 2023-2024 budget that were presented by staff to the commission at the May 9th meeting. She explained the recommendation to bring the rate increases back, noting that the daily and monthly rates are well below neighboring marinas. Opposition to the rate increase by fellow committee member Mike Balensifer was also submitted. Mayor Balensifer explained the process to bring a dead motion back after a failed vote and the ability to bring back the rate increases. Discussion followed on the annual moorage process. Mayor Balensifer requested a member of staff to come up; Acting Harbormaster Don Beck clarified the process; discussion continued. Commissioner Baldwin noted for the record that he feels the annual rates will be next and reiterated his thoughts on the maintenance issues at the marinas. Discussion followed on TRT funds and commercial docks/boats in the Hammond marina. The commission asked that it be clarified by legal, and a written opinion. Ms. Moberg stated she will clarify with legal. Mayor Balensifer noted he will abstain from voting on the recommendation, since his father is on the committee and was the dissenting vote.

Commissioner Baldwin made the motion to reject the Marina Advisory Committee's recommendation for rate increases for the 2023-2024 budget. There was no second to the motion.

Commissioner Mitchell made the motion to adopt the Marina Advisory Committee's recommendation for rate increases for the 2023-2024 budget. Motion was seconded and passed by majority vote.

Baldwin – nay; Poe – aye; Mitchell – aye; Dyer – aye; Balensifer – abstained

Commissioner Mitchell made the motion to conduct the first reading, by title only, of Resolution No. 2645; amending marina rate and fees, and repealing Resolution No. 2596.

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

Mayor Balensifer conducted the first reading, by title only, of Resolution No. 2645.

Ms. Clark presented the Capital Improvement Program (CIP) for adoption. She noted the CIP was reviewed in a work session with the commission on April 11, 2023, and the funding for current year capital projects was approved by the Budget Committee at the May 16, 2023 meeting.

Commissioner Baldwin made the motion to adopt the 2024-2029 Capital Improvement Program. Motion was seconded and passed unanimously.

Baldwin – aye; Poe – aye; Mitchell – aye; Dyer – aye; Balensifer – aye

City Recorder Dawne Shaw reviewed a request from Robert Wirt for a noise variance for amplified music at a planned event at the Hwy 101/Marlin Avenue food cart location. The “Fun in the Sun Food Truck Bash” is scheduled to take place on July 1st with a live band during the hours of 2:00 – 9:00 pm. Mr. Wirt briefly explained the event. He noted the hours will be 2:00 – 5:00 but may extend depending on attendance. Brief discussion followed on the property boundaries of the food cart area and the right-of-way.

Commissioner Mitchell made the motion to permit the use of amplified music at the Wirt Food Cart location on July 1, 2023, between the hours of 2:00 – 9:00 pm. Motion was seconded and passed unanimously.

Baldwin – aye; Poe – aye; Mitchell – aye; Dyer – aye; Balensifer – aye

Ms. Moberg noted Resolution No. 2648 for recycling rates, which is presented for its adoption. Commissioner Mitchell noted the rate increase was lower than suggested, discussion continued about rate increases.

Commissioner Baldwin made the motion to adopt Resolution No. 2648; Adopting and Setting New Rates for Residential Recycling Services; Establishing July 1, 2023, as the effective date; and repealing all resolutions in conflict. Motion was seconded and passed unanimously.

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

Public Works Director Greg Shafer presented Resolution No. 2650 for its adoption. Mr. Shafer also presented Resolution No. 2651 for its adoption.

Commissioner Dyer made the motion to adopt Resolution No. 2650; Adopting Sewer Department Monthly Rates, Establishing July 1, 2023, as the effective date; and repealing all resolutions in conflict. Motion was seconded and passed unanimously.

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

Commissioner Poe made the motion to adopt Resolution No. 2651; Adopting Water Department Rates and Fees, Establishing July 1, 2023, as the effective date; and repealing all resolutions in conflict. Motion was seconded and passed unanimously.

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

Mr. Shafer discussed a contract for the Hammond Transmission waterline. He stated the contract with Consor Engineers is for engineering design, project management, survey, permitting, and construction management. Mayor Balensifer asked for clarification on the project due to past bidding processes. Mr. Shafer explained they will be utilizing the original design to help with the cost of engineering. Ms. Moberg noted this project started in 2016 causing an increase in cost. Commissioner Paul Mitchell noted his concern with projects continuing to come back up with change orders for additional costs. A brief discussion continued.

Commissioner Baldwin made the motion to approve the attached contract with Consor Engineers, Inc. in the amount of \$411,920, per the attached scope of work. Motion was seconded and passed unanimously.

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

Mr. Shafer reviewed an additional contract with Consor Engineering for the Raw Waterline Segment Number 2 (RWL-2) replacement; for engineering design, project management, survey, permitting, and construction management.

Commissioner Baldwin made the motion to approve the attached contract with Consor Engineers, Inc. in the amount of \$396,092 and per the attached scope of work. Motion was seconded and passed unanimously.

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

Planning Director Jay Blake discussed a nuisance property at 235 North Main Avenue. He noted the owner intends to remove the derelict structure. He noted past issues with multiple campers on the property; discussion followed.

Commissioner Mitchell made the motion to declare a public nuisance exists at 235 North Main Avenue, Warrenton, OR 97146 and direct staff to move forward with the appropriate abatement procedures as outlined in the municipal code. Motion was seconded and passed unanimously.

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

Acting Harbormaster Don Beck discussed a contract for bank stabilization in the Hammond basin with North Coast Civil Design. He noted the storm damage and significant erosion to the banks. Ms. Moberg noted time is of the essence due to the need for significant low tides. It was noted this contract is within the city manager's spending authority, however staff wanted the commission to be aware.

DISCUSSION ITEMS - None

GOOD OF THE ORDER (Continued) – None

At 7:57 p.m., Mayor Balensifer recessed the regular meeting to conduct the Urban Renewal Agency meeting.

8:02 Mayor reconvened and announced the Commission will now meet in executive session under authority of ORS 192.660(2)(e); *to conduct deliberations with persons designated by the governing body to negotiate real property transactions.*

At 8:24 p.m. Mayor Balensifer reconvened the regular meeting and noting no further business, adjourned the meeting.

APPROVED:


Henry A. Balensifer III, Mayor

ATTEST:


Dawne Shaw, CMC, City Recorder