

MINUTES  
Warrenton City Commission  
July 25, 2023  
6:00 p.m.  
Warrenton City Hall - Commission Chambers  
225 S. Main  
Warrenton, OR 97146

Prior to the meeting being called to order, Mayor Balensifer noted for the record that there were no submitted public comment cards, and no items on the agenda will have someone coming forward for public comment; City Recorder Dawne Shaw confirmed.

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, Paul Mitchell, Tom Dyer, and Gerald Poe

Excused: Mark Baldwin

Staff Present: City Manager Esther Moberg, Police Chief Mathew Workman, Fire Chief Brian Alsbury, Planning Director Jay Blake, Public Works Director Greg Shafer, and City Recorder Dawne Shaw

CONSENT CALENDAR

- A. City Commission Meeting Minutes – 7.11.23
- B. Warrenton Community Library Board Minutes – 3.08.23
- C. Police Department Monthly Report – June 2023

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

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

Mayor Balensifer noted the city manager is requesting to add item 7.L for the 69 NE Heron building lease; there were no objections.

Police Chief Mathew Workman introduced new Police Officer Rick Rempfer and gave some details on his work history. He stated Officer Rempfer will attend training in November. Chief Workman gave a brief history of the badge and Officer Rempfer's wife Kari pinned on his badge. Mayor Balensifer then administered the Oath of Office.

PUBLIC COMMENT – None

Mayor Balensifer noted there are no businesses items that require a public hearing, and as such there will be no public comments during that time.

PUBLIC HEARINGS - None

BUSINESS ITEMS

Planning Director Jay Blake discussed Ordinance No. 1262; amending the Comprehensive Plan to correct the Urban Growth Boundary map and adding related text, and recommending zoning districts tacking

back what was originally part of Hammond before Warrenton incorporated Hammond. He stated it is presented this evening for its second reading and adoption.

**Commissioner Dyer made the motion to conduct the second reading, of Ordinance No. 1262. Motion was seconded and passed unanimously.**

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

Mayor Balensifer conducted the second reading, by title only, of Ordinance No. 1262; an Ordinance Amending the City of Warrenton Comprehensive Plan Correcting the Urban Growth Boundary Map and Adding Related Text and Recommending Zoning Districts.

**Commissioner Poe made the motion to adopt Ordinance No. 1262. Motion was seconded and passed unanimously.**

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

Mayor Balensifer asked if the correct motion would be to conduct the second reading by title only; City Recorder Dawne Shaw confirmed. Mayor Balensifer declared the previous motions out of order and asked for a new motion.

**Commissioner Dyer made the motion to conduct the second reading, by title only, of Ordinance No. 1262. Motion was seconded and passed unanimously.**

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

Mayor Balensifer conducted the second reading, by title only, of Ordinance No. 1262; an Ordinance Amending the City of Warrenton Comprehensive Plan Correcting the Urban Growth Boundary Map and Adding Related Text and Recommending Zoning Districts.

**Commissioner Dyer made the motion to adopt Ordinance No. 1262. Motion was seconded and passed unanimously.**

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

Mr. Blake introduced Planning Commission member Jessica Sollaccio. Ms. Sollaccio presented the Sign Task Force recommendations and report. She discussed the challenges with the current code, recommending it gets removed from the developmental code to its own section in the Warrenton Municipal Code. Mayor Balensifer thanked Ms. Sollaccio for all her work. Commissioner Mitchell stated that when he did signage in the City of Astoria, it was based on the square footage of the building and that he did not see something similar in the report. Mr. Blake added that they currently base it off front footage of the property, they are recommending they base it on a percentage of the facade. Mayor Balensifer notes he appointed the Sign Task Force because it has been an issue since Mayor Kujala was in office. Commissioner Mitchell noted his reader board at Kia and that he is bound by ODOT and asked if this will be changed in the code. Mr. Blake added that ODOT will retain what they have on Highway 101 and that the code was sent to ODOT asking for any concerns or comments and ODOT did not have any.

**Commissioner Mitchell made the motion to forward the sign code task force to the Planning Commission for further work and development. Motion was seconded and passed unanimously.**

**Poe – aye; Mitchell – aye; Dyer – aye; Balensifer – aye**

Mr. Blake discussed the nuisance property at 158 SE Anchor Avenue. He noted that he received a complaint regarding the lack of exterior siding. Discussions began between Mr. Blake and the property owner regarding timing to complete the siding. In late June, a follow-up inspection was carried out and no movement towards completion has been made. He notified the property owner on July 3<sup>rd</sup> of the property potentially becoming a public nuisance. The City has had no contact with the property owner since then, due to their request that any contact be made through the property owner's attorney. He noted that some siding has been added to the property between July 3<sup>rd</sup> to July 25<sup>th</sup>. Mr. Blake discussed the process of declaring a public nuisance. Commissioner Mitchell stated he would like to hear from the property owner. Mayor Balensifer asked if the commission would like to suspend the rules.

**Commissioner Poe made the motion to suspend the rules to allow the property owner to make a statement. Motion was seconded and passed unanimously.**

**Poe – aye; Mitchell – aye; Dyer – aye; Balensifer – aye**

Property owner Rick Newton gave comments and an update on the progress of the siding. Co-owner Patty Caples also spoke regarding problems with hiring a contractor to put up the siding on the house. She noted her difficulties with communicating with Planning Director Jay Blake and submitted her timeline for the record. Mr. Newton and Ms. Caples discussed their plan to continue working on the siding. Mayor Balensifer noted for the record Mr. Newton talked about the siding in the past, that he was looking for historical siding and that it took some time to acquire. Mr. Newton stated he is feeling better, allowing him to make progress on the house every day. Mayor Balensifer asked Mr. Blake if there was testimony stated for the record regarding financial status. Mr. Blake stated that he had received a copy of correspondence from the applicant a year prior indicating financial issues were not a concern. Mr. Blake followed up and offered options to move forward. Mayor Balensifer read into the record of previous communication with Mr. Newton from October 2<sup>nd</sup>, 2022 regarding his financial status. Commissioner Dyer asked if Mr. Newton would like to rescind his statement that all conversations must be with his attorney. Mr. Newton stated he will rescind that for the 158 SE Anchor property, as long as communication is returned.

**Commissioner Poe made the motion that the Warrenton City Commission declare a public nuisance exists at 158 SE Anchor 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.**

**Poe – aye; Mitchell – aye; Dyer – aye; Balensifer – aye**

City Manager Esther Moberg stated the City had received a request from Robert Wirt for a continued noise variance for music at his food cart on SE Marlin Avenue/Hwy 101. The music will take place on weekends until October 15<sup>th</sup>, as band availability allows.

**Commissioner Mitchell made the motion to permit the use of amplified music at the Wirt Food Cart location on weekends, until October 15, 2023, between the hours of 2:00 – 9:00 pm. Motion was seconded and passed unanimously.**

Mayor Balensifer asked about the end time; Mr. Wirt confirmed it will typically not go past 5:00 pm.

**Poe – aye; Mitchell – aye; Dyer – aye; Balensifer – aye**

Public Works Director Greg Shafer discussed Change Order No. 2 for the Safe Routes to School design. He stated the change order is for a budget adjustment of \$15,760, for a total not-to-exceed contract amount of \$179,719.00. Mayor Balensifer asked if last year it was changed to a single lane due to the

cost of storm water improvement. City Manager Esther Moberg confirmed it was changed due to storm water improvement, as well as utilities.

**Commissioner Dyer made the motion to approve Change Order #2 – Safe Routes to School design services, increasing the not-to-exceed contract amount from \$163,959.04 to \$179,719.04. Motion was seconded and passed unanimously.**

**Poe – aye; Mitchell – aye; Dyer – aye; Balensifer – aye**

Mr. Shafer presented the authorization for bids, for the 2023 Pavement Management Program. He briefly reviewed the streets that will be addressed. It was noted that 56% of the paving will be done in Hammond.

**Commissioner Poe made the motion to approve advertising for bids for the 2023 Pavement Management Program.**

**Poe – aye; Mitchell – aye; Dyer – aye; Balensifer – aye**

Mr. Shafer discussed the Out-of-City Water Policy. He noted that in March of 2020, given concerns of limited water supply and potential development growth, the City moved to enact a policy restricting new water system development and connections outside the City to preserve Warrenton's water supply/reserves, as legally obligated, to customers within the City of Warrenton. The original policy remained in effect for eighteen months, with the option of renewal every six months. The proposed updated policy is to extend the restrictions of new water system development and connections outside the City.

**Commissioner Dyer made the motion to approve the updated Policy Restricting New Water System Development and Connections Outside the City of Warrenton. Motion was seconded and passed unanimously.**

**Poe – aye; Mitchell – aye; Dyer – aye; Balensifer – aye**

Fire Chief Brian Alsbury discussed receiving a grant to allow seasonal staffing for the summer and presented Resolution No. 2653, approving and adopting increases to appropriations for unanticipated revenues from specific purpose grant for the fiscal year ending June 30, 2024. Mayor Balensifer commended the Fire Department for aggressively pursuing grants and receiving a significant amount.

**Commissioner Dyer made the motion to approve Resolution No. 2653. Motion was seconded and passed unanimously.**

**Poe – aye; Mitchell – aye; Dyer – aye; Balensifer – aye**

City Recorder Dawne Shaw discussed the Police Levy. She stated the current levy ends June 30, 2024, and noted the city would like to place the levy on the November ballot. Ms. Shaw stated revenues from the current levy at \$.28 funds an estimated one and a half full-time positions. If the levy is increased to \$.34 it will fund an estimated two full-time positions. Mayor Balensifer noted the issue with the tax levies and with it not being clear that if it was not approved, we would lose everything the levy currently provides. Discussion followed. Consensus was to go with the \$.34 option; staff will bring back a revised resolution. Mayor Balensifer asked Police Chief Workman what the levy increase would allow him to accomplish. Chief Workman noted the city is experiencing growth and will need additional staff. He stated if it does not pass, 24-hour coverage will be the first to go. Ms. Moberg stated the levy will fund two current patrol officer positions. There was unanimous consent to table the levy until the next meeting.

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Ms. Shaw presented two resolutions confirming the committee appointments that were made at the July 11, 2023 meeting, for the Parks Advisory Board and the Marinas Advisory Committee.

**Commissioner Dyer made the motion to adopt Resolution No. 2655. Motion was seconded and passed unanimously.**

**Poe – aye; Mitchell – aye; Dyer – aye; Balensifer – aye**

**Commissioner Poe made the motion to adopt Resolution No. 2656. Motion was seconded and passed unanimously.**

**Poe – aye; Mitchell – aye; Dyer – aye; Balensifer – aye**

Commissioner Mitchell stepped down from the dais for the next agenda item, due to a conflict of interest.

Ms. Moberg discussed an addendum to the Warrenton Kia lease. She noted the dealership has been sold to Par Coastal Enterprises LLC.

**Commissioner Dyer made the motion to approve the following lease addendum and first right of refusal for the Kia dealership to be transferred to Par Coastal Enterprises LLC. Motion was seconded and passed unanimously.**

**Poe – aye; Dyer – aye; Balensifer – aye**

Commissioner Mitchell returned to his seat at the dais.

At 6:58 pm, Mayor Balensifer asked the commission to stand at ease for five minutes to review the added agenda item, a lease for the building at 69 NE Heron; there were no objections. Mayor Balensifer brought the meeting back to order at 7:03 pm.

Ms. Moberg discussed a lease with Battery 245 for the building at 69 NE Heron. She noted it is a draft lease and noted an error in Article 3, section 3.1. Mayor Balensifer discussed the agreement for the adjoining lot, allowing the neighbor to use the lot as well. Ms. Moberg stated it will be permitted use by the tenant but not a transfer of ownership. Ms. Moberg highlighted several items in the lease. Discussion continued. Commissioner Mitchell requested to get clarification from legal; Ms. Moberg stated she will clarify with legal. Commissioner Mitchell noted the lease agreement is one of the best he has seen.

**Commissioner Poe made the authorize the City Manager to enter into a lease agreement with the stated changes and questions and authorize City Manager’s signature on the lease. Motion was seconded and passed unanimously.**

**Poe – aye; Mitchell – aye; Dyer – aye; Balensifer – aye**

DISCUSSION ITEMS - None

GOOD OF THE ORDER

Commissioner Mitchell stated he attended the CEDR meeting. He stated they approved their budget and noted other highlights from the meeting. He noted in the meeting they discussed occupancy rates are down in local hotels and there is an increase of people visiting for the day. He noted an event on August

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15<sup>th</sup> which is a tour of our major industries and showing how the industries work and what they do in our community.

Commissioner Dyer stated he was glad to be in attendance, noting he has been ill. Due to his illness, he requested to be excused from his LCTC committee responsibility. Commissioner Poe agreed to be the LCTC representative.

Mayor Balensifer commented on the August 15<sup>th</sup> meeting; he noted other upcoming events on August 19<sup>th</sup> with the Fly-in event. He noted the Parks Advisory Committee fundraising cornhole tournament on August 19<sup>th</sup> and thanked Sara Long, Brooke Terry, and the Parks Advisory Committee for all their work to get the event to happen.

City Manager stated she attended the Oregon City Manager conference last week; the conference allowed her to gain lot of valuable information and allowed her to network with other city managers including a former Warrenton city manager.

There being no further business, Mayor Balensifer adjourned the meeting at 7:16 p.m.

Respectfully prepared and submitted by Hanna Bentley, Deputy City Recorder.

ATTEST:

  
Dawne Shaw, CMC, City Recorder

APPROVED:

  
Henry A. Balensifer III, Mayor