

MINUTES
Warrenton City Commission
September 26, 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, Paul Mitchell, Tom Dyer, Gerald Poe, and Mark Baldwin

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

Mayor Balensifer noted he will use his Chair's prerogative to move business item 7-E up to 7-A; there were no objections.

CONSENT CALENDAR

- A. City Commission Meeting Minutes – 9.12.23
- B. Monthly Finance Report – July 2023
- C. Police Department Monthly Report – August 2023

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

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

COMMISSIONER REPORTS

City Manager Esther Moberg noted the Hammond planting day went well, and stated they were able to plant over 2,000 plants. Mayor Balensifer also noted the event. He also thanked Spruce Up Warrenton for donating the daffodil bulbs and Elk Stop Coffee for donating coffee for the volunteers.

PUBLIC COMMENT

Shane Dean discussed getting a water line for hydrants and fire suppression to the new zip line building. Ms. Moberg clarified about the fire suppression system, noting the moratorium on providing water out of city limits.

Samuel Sadtler asked if there was an update on the sewer project on 13th and Jetty and noted it is an agenda item.

PUBLIC HEARINGS - None

BUSINESS ITEMS

Police Chief Mathew Workman discussed a contract for two new patrol vehicles. Mayor Balensifer noted for the record that these are not being purchased locally due to state contracting. Commissioner Mitchell noted taxes being charged on the contract that are not legal to be passed on to the customer. Chief Workman noted the contract was checked by legal counsel and they confirmed it is legal. Discussion continued. Mayor Balensifer noted he would like legal counsel to make sure that everything is correct in the contract.

Commissioner Mitchell made the motion to approve the contract to purchase two 2023 Chevrolet Tahoe patrol vehicles and request that legal counsel evaluate the legality of the taxes. Motion was seconded and passed unanimously.

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

Monica Steele from Clatsop County discussed a feasibility study for a biodigester, noting it is \$100,000 for phase two. Commissioner Dyer asked who else is contributing; Ms. Steele stated Port of Astoria, City of Astoria, City of Warrenton, City of Gearhart, Clatsop County, and Fort George. Discussion continued.

Ms. Moberg stated that this is not currently budgeted so we would need to find it in the budget somewhere, and she felt comfortable with \$25,000. Public Works Director Greg Shafer clarified it would come from contingency. Discussion followed.

Commissioner Baldwin made the motion to approve spending \$20,000 toward the Clatsop County biodigester feasibility study. Motion was seconded and passed by majority.

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

Mayor Balensifer asked Ms. Steele if the biodigester does not take off is there a potential partnership the City could have with the County to accept septage; Ms. Steele responded. Commissioner Mitchell clarified his dissenting vote, noting it was due to the City Manager asking for \$25,000, not \$20,000.

Acting Harbormaster Don Beck discussed the intent to pursue bids for the Hammond Marina bank stabilization project. He stated that North Coast Civil Engineering has completed their engineering drafts and they are ready to move onto the bid process.

Commissioner Baldwin made the motion to approve staff to pursue construction bids for the Hammond Bank Stabilization project. Motion was seconded and passed unanimously.

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

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Planning Director Jay Blake discussed the nuisance property at 925-957 East Harbor Drive; noting the numerous junk vehicles on the property. Brief discussion followed on the process that has taken place so far. Mr. Blake stated there could be a cost to the City if no response is made from the property owner; the City would be responsible to try and clean up the property. Discussion followed on the process and possible legal action. Mayor Balensifer declared a conflict, as he has a family member who is affiliated with the other party. Mayor Balensifer stated for the record that he thinks the timeline for the cleanup should not extend too far as the person who has created this nuisance has a history of creating nuisances and abusing the generosity of staff and their time frames. Commissioner Dyer discussed the plates on the vehicles on the property and that if the City is able to run the plates and find the owner there is a possibility that the vehicles could go straight to the wrecking yard; Mr. Blake responded stating he plans on working with the police department on that.

Commissioner Mitchell made the motion to declare a nuisance and start with the official procedure.

Mayor Balensifer called a point of order to have the recommended motion be made to allow proper proceedings to take place.

Commissioner Dyer made the motion to declare a public nuisance exists at 925-957 East Harbor Drive, Warrenton, OR 97146, and direct staff to move forward with the appropriate abatement procedures or citations as outlined in the municipal code. Motion was seconded and passed unanimously.

Commissioner Mitchell withdrew his initial motion.

Ms. Moberg stated that she will follow up with a cost estimate before the removal of vehicles.

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

Ms. Moberg requested approval to open the RFEI process for the City's Hammond Marina lease area. Mayor Balensifer requested to move the pre-bid date since he will be out of town; brief discussion followed; the pre-bid date will be moved to October 31; with a response deadline of November 20.

Commissioner Dyer made the motion to start the official RFEI process as outlined in the attached packet with the changes in the dates as noted. Motion was seconded and passed unanimously.

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

Mr. Shafer presented two easements, the first easement with the Singer's and the second with Alcobenda's. Both are for the SW 9th and Main Safe Routes to School project. Commissioner Baldwin asked for clarification on the cost per square foot; Mr. Shafer explained.

Commissioner Mitchell made the motion to accept the proposed Perpetual Easement for Right-of-Way and Utilities for the Singer Easement, allowing for the construction of the 9th

and Main intersection, thereby improving the safe maneuvering of traffic and pedestrians at this intersection. Motion was seconded and passed unanimously.

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

Commissioner Poe made the motion to accept the proposed Perpetual Easement for Right-of-Way and Utilities for the Alcobendas Easement, allowing for the construction of the 9th and Main intersection, thereby improving the safe maneuvering of traffic and pedestrians at this intersection. Motion was seconded and passed unanimously.

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

DISCUSSION ITEMS

Planning Director Jay Blake discussed the proposed moratorium on grading and fill permits. He noted staff received direction to bring back a resolution for a moratorium, and noted there needs to be a 45 day notification process to DLCD (Department of Land Conservation and Development). He reviewed the history of this topic, noted the options to move forward, and asked for direction. Mayor Balensifer noted his concerns; code audit process is too slow for our citizens. Commissioner Dyer stated the code amendment would get things done quicker; and identify the problem areas; discussion continued. Commissioner Baldwin noted his concerns with past and current City practice with fill. He recommended setting a set elevation for everyone. After further discussion Commissioner Mitchell asked what Mr. Blake would do; Mr. Blake outlined his thoughts on the path to moving forward. Discussion followed; Ms. Moberg noted her thoughts. Mayor Balensifer asked the commission what their preference was. Commissioner Mitchell noted he does not agree with a moratorium. Commissioner Poe stated he agrees with Mr. Blake and believes it needs to be a more specific moratorium on low lying areas. Commissioner Baldwin agreed with Commissioner Poe's opinion. The general consensus was for staff to come forward with a moratorium in strategic/specific areas and a plan. Mr. Blake reiterated what his steps will be to move forward. Discussion followed. Mayor Balensifer stated the decision on fill is not an easy one. Mayor Balensifer asked if staff will create the proposed moratorium and locations, the plan for what to do in the interim with the moratorium and bring it back for consideration when staff has had time to figure it out. Mr. Blake stated he hopes to have it prepared by the end of October. Ms. Moberg requested it be discussed in a November meeting.

Mr. Shafer gave an update on the SE Dolphin Avenue culvert failure. He noted the history of the failure and the potential path forward. The culvert has not been able to be repaired due to the culvert being submerged under a foot of water. Based on the efforts to repair the culvert it was determined the culvert is compromised. Mr. Shafer stated the project will be funded under the approved 2023/2024 budget under the storm sewer fund. Mayor Balensifer thanked Mr. Shafer for the update.

Mr. Shafer discussed the SE Jetty Ave/SE King Ave sewer laterals. He discussed that the contractor has been proactive and installed Y/T branches from the main line for future lateral connections. There are upwards of fourteen possible connections, however five are past the south end manhole and may require special accommodation. He noted an estimate received from Big River for the installation of the laterals. Ms. Moberg asked the commission for staff direction on the five possible connections that go beyond the main, will need spaghetti line connections and

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are beyond the scope of the current project. Commissioner Baldwin asked if the five homes are Southwest of Jetty; Mr. Shaffer confirmed. Mayor Balensifer asked how the advanced financing district (AFD) would work. Ms. Moberg stated that the city has seen advanced financing districts both before and after the project is completed. She noted in the past an advanced financing district was submitted after the fact and was denied by the City Commission. Mayor Balensifer clarified that with an advanced financing district when someone hooks up to the sewer, they would pay the full amount; Ms. Moberg stated that if they connect within ten years they would pay at the time of connection. Mayor Balensifer stated the AFD that is being requested would connect the homes to the sewer; Ms. Moberg stated that if he is doing the laterals yes, if he is not doing the laterals, he would be requesting the sewer line. Mayor Balensifer asked if the city code requires connection since it is stated they have ten years to connect; Ms. Moberg clarified that it is for undeveloped properties that would become developed in those ten years and that city code requires connection if a public sewer line is put in. Commissioner Baldwin noted the missed sewer saddle at 1275 SE King and requested they go back and fix it as it was designed and approved. Discussion followed.

GOOD OF THE ORDER - None

There being no further business, Mayor Balensifer adjourned the meeting at 7:44 p.m.

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

ATTEST:


Dawne Shaw, CMC, City Recorder

APPROVED:


Henry A. Balensifer III, Mayor