

MINUTES
Warrenton City Commission
Regular Meeting – April 11, 2017
6:00 p.m.
Warrenton City Hall - Commission Chambers
225 S. Main
Warrenton, OR 97146

Mayor Pro Tem Balensifer called the meeting to order at 6:09 p.m. and led the public in the Pledge of Allegiance.

Commissioners Present: Mayor Pro Tem Henry Balensifer, Tom Dyer, Pam Ackley and Rick Newton

Staff Present: City Manager Linda Engbretson, Legal Counsel Chad Jacobs, Public Works Director Jim Dunn, Public Works Operations Manager Kyle Sharpsteen, Harbor Master Jane Sweet, City Engineer Collin Stelzig, Community Development Director Skip Urling, Finance Director April Clark and Deputy City Recorder Dawne Shaw

COMMISSIONER COMMENTS

Commissioner Newton congratulated Commissioner Ackley on being selected as one in the top 10% percent of Realtors.

Commissioner Dyer welcomed everyone and noted his appreciation for how civil people are at our meetings.

Commissioner Ackley welcomed everyone.

City Manager Engbretson reminded the Commission of the CIP work session next Tuesday, 4/18, and also noted the Town Hall meeting with Senator Bonamici on Saturday, 4/15. Ms. Engbretson stated the County Manager would like to schedule another joint city/county meeting. After brief discussion the Commission agreed on the date of May 17th at McMenamini's in Gearhart. Ms. Engbretson requested to add an agenda item; Kelli Olson from North Coast Abate, who has requested to use a portion of city street for event parking.

Mayor Pro Tem Balensifer noted he also would like to add an agenda item; item 6-H – a presentation from Willis Van Dusen regarding the ballot measure for air medical transportation services. He stated he would like to move items 6-H and 6-I, (Kelli Olson from North Coast Abate) up, after agenda item 6-B. Mayor Pro Tem Balensifer proceeded to welcome everyone. He noted the Library Board meeting minutes, which were included in the agenda packet, and stated they should help citizens understand the decisions that were made in regards to the Serendipity Café location. Mayor Pro Tem Balensifer asked the Commission's permission to add an "institution" to the meeting agenda; to allow for public comment for items on the agenda, right after the consent calendar. Consensus was to add Public Comment on agenda items right

MINUTES

Warrenton City Commission

Regular Meeting – 04.11.17

Page: 1

before Business Items to the meeting agenda going forward. It was noted there will still be Public Comment at the end of the meetings for items not on the agenda.

CONSENT CALENDAR

- A. City Commission Work Session Minutes – 3.14.17
- B. City Commission Meeting Minutes – 3.28.17
- C. Community Library Board Meeting Minutes – Dec 2016
- D. Planning Commission Meeting Minutes – Dec 2016
- E. Planning Commission Meeting Minutes – Feb 2017
- F. Building/Planning Dept. Update – First Quarter 2017

Commissioner Ackley thanked Community Development Director Urling for the update and asked about the secondary access at the Forest Rim development. Mr. Urling gave a brief update and noted he will submit monthly updates to the Commission for review. Mayor Pro Tem Balensifer noted concerns about receiving Planning Commission meeting minutes and the need to remain impartial. Mr. Urling stated he will not submit the minutes on potentially contentious issues.

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

Balensifer – aye; Ackley – aye; Dyer – aye; Newton – aye

PUBLIC COMMENT (Agenda Items)

John Orr, speaking as an employee of Trails End Recovery, spoke in favor of Agenda Item 6-D, No Public Use for Tax Lot 81021CB1500.

Steve Fulton, Port Commissioner spoke in opposition to Agenda Item 6-H, noting he is in favor of Lifelight but opposed the bond issue.

Pat O’Grady, spoke in regards to the Mayoral race, and spoke in favor of Commissioner Newton. Mayor Pro Tem Balensifer noted the Mayor appointment is not on the agenda.

BUSINESS

City Manager Engbretson stated since former Mayor Kujala resigned his position, effective March 28, 2017, the office must be declared vacant, per Section 31 of the City Charter. The Commission may then fill the vacant position by appointment; a majority vote is required to validate the appointment. The Commission may choose the process to consider the appointment to fill the Mayor’s office, term-ending December 31, 2018.

Commissioner Ackley made the motion to declare the office of Mayor officially vacant as of April 11, 2017. Motion was seconded and passed unanimously.

MINUTES

Warrenton City Commission

Regular Meeting – 04.11.17

Page: 2

Balensifer – aye; Ackley – aye; Dyer – aye; Newton – aye

City Manager Engbretson clarified that until an appointment is made Commissioner Balensifer remains Mayor Pro Tem. Discussion continued on how to proceed. Consensus was to have a Public Hearing regarding the appointment of the Mayor at the next Commission meeting, April 25, 2017. The discussion continued on the process to fill the vacant Commission seat, noting interested persons should submit a Letter of Interest and a Resume to City Hall.

Sidney Van Dusen, from Way to Wellville explained of the 2017 Wellville National Gathering and handed out an agenda of upcoming events. She invited the Commission to attend the events and a crab feed, to learn more about what Way to Wellville is doing.

Willis Van Dusen discussed a grass roots effort to help promote the Air Medical Transportation Services Bond Measure 4-187. He explained the measure and stated he would like to have a Commission vote or a letter showing support for the measure. Brief discussion continued and Commissioners Newton and Ackley noted they would like more time to review the information. Consensus was to put a letter of support on the next meeting agenda.

Kelli Olson, from North Coast Abate noted they will have a fund raising “Spring Fever Road Run,” Saturday, April 22nd 2:30 – 5:30; and requested a street closure near Lighthouse Park, for motorcycle parking. City Manager Engbretson noted there are no staff objections. Consensus was to allow the street closure.

Mayor Pro Tem Balensifer noted there was a previous request to consider whether Tax Lot 81021CB1500 serves a public purpose, and after discussion the Commission requested the neighboring property owners be notified. He noted if it is deemed no public purpose, the property reverts back to the County and will most likely be put up for auction. City Manager Engbretson stated the neighbors had been notified. She noted the property was deeded to the City in 1963 for the purpose of a garbage dump/stump dump, sand pit and other purposes; however the City has no further need for this property. She stated Police Chief Workman noted the property is adjacent to what it is identified as a meeting place for tsunami evacuation.

Commissioner Dyer made the motion to declare “No Public Purpose” for Tax Lot 81021CB1500. Motion was seconded and passed unanimously.

Balensifer – aye; Ackley – aye; Dyer – Aye; Newton - aye

Commissioner Dyer stated he requested a discussion on Prevailing Wage Rate Legislation be placed on the agenda. He noted his concerns regarding the financial impact of prevailing wage, noting the money could be better spent elsewhere, such as schools. Brief discussion continued and it was suggested to discuss a possible repeal at the County meeting and also with Senator Betsy Johnson. Legal Counsel Jacobs suggested also submitting it to the League of Oregon Cities.

City Manager Engbretson stated staff met with Molly Lawrence, Attorney with VanNess Feldman last week to discuss the challenge to FEMA's implementation of the National Marine Fisheries Services' Biological Opinion for the implementation of the National Flood Insurance Program in the State of Oregon. Ms. Lawrence presented information and a request to Warrenton to participate in the coalition challenging the Oregon Biological Opinion. Ms. Engbretson noted City Engineer Collin Stelzig also attended and has prepared a summary. Mr. Stelzig submitted a copy of his summary and reviewed the details. He noted they are requesting a contribution of \$500 to join the Coalition. Mayor Pro Tem Balensifer expressed concern for increased legal expenses, beyond the initial \$500. Mr. Stelzig stated Ms. Lawrence confirmed the City can withdraw from the lawsuit at any time. Brief discussion continued and consensus was to join the Coalition with a maximum cost of \$500.

Commissioner Ackley made the motion to authorize staff to take necessary steps to participate in the Coalition Challenging the Oregon Biological Opinion. Motion was seconded and passed unanimously.

Balensifer – aye; Ackley – aye; Dyer – aye; Newton – aye

Community Development Director Urling presented Ordinance No. 1211-A; a Code Amendment to Allow Multifamily Development as a Conditional Use in the C-1 General Commercial Zoning District. He stated the housing situation has changed dramatically and this is a measure help loosen up the market. He noted development proposals would get extra scrutiny under the conditional use permit review. Mr. Urling noted a public hearing was conducted at the March 9, 2017 Planning Commission meeting, and they voted unanimously to recommend the adoption of the ordinance. Brief discussion continued on the C-1 areas that could be conditional use. Mayor Pro Tem Balensifer noted concerns about deviation from the vision plan and having multifamily housing on the Harbor and Main corridors; Harbor from Hwy 101 to the 4-way stop at Main, and Main from the 4-way stop to Hwy 101 Alt.

Based on the findings and recommendation of the Planning Commission, Commissioner Ackley made the motion to approve the first reading by title only, of Ordinance No. 1211-A, Amending Warrenton Municipal Code 16.40.030, Conditional Uses, to Allow Multifamily Housing Development as a Conditional Use in the C-1 General Commercial Zoning District. Motion was seconded and passed.

Balensifer – nay; Ackley – aye; Dyer – aye; Newton – aye

Commissioner Balensifer noted for the record, his opposition was not to the amendment in general, but based upon the corridors that he specified.

Commissioner Newton presented a draft Resolution No. 2485; Declaring the City of Warrenton a City of Inclusivity. Commissioner Newton noted Astoria passed a Resolution of Inclusivity and Seaside is working on one. He noted there were some concerns over language included in the resolution. Mayor Pro Tem Balensifer stated resolution included in the packet is an amended

version, and brief discussion continued on the amended language. Legal Counsel Jacobs noted the corrected language is also found in State law.

Commissioner Newton made the motion to adopt Resolution No. 2485, *A Resolution Reaffirming the City of Warrenton's Policy of Inclusivity with Respect to the People of all Nations*. Motion was seconded and passed.

Balensifer – aye; Ackley – aye; Dyer – nay; Newton – aye

Commissioner Dyer noted for the record that his objection is not in regards to being inclusive, but he grew up in a law background and he has a tough time supporting something that does not reflect the law of the land.

PUBLIC COMMENT

Scott Widdicombe asked if a City of Inclusivity is the same as a Sanctuary City. The Commission noted they are not the same. Mr. Widdicombe also noted concerns about the bond measure for Life Flight, and had questions regarding the change orders presented in the Urban Renewal Agency meeting.

Steve Fulton, spoke in regards to the Biological Opinion and noted he previously asked the City for support at the Port meetings to discuss participation in levee certification. He noted it would be very helpful if the City Engineer could attend a Port meeting to make a presentation to the Port Commission.

Diane Collier noted a historical photo in the Commission Chambers and asked permission to have restored. The Commission agreed.


Barb Balensifer asked for clarification on the process to choose the next Mayor and the new Commissioner. She requested the public be allowed to ask questions. The Commission clarified, the Meet and Greet is for Commission seat; Public Hearing/Public Comment is for the Mayor position, and the public can ask questions.

There being no further business Mayor Pro Tem Balensifer adjourned the regular meeting at 7:16 p.m., and announced an executive session, under the authority of ORS 192.660(2)(h); *to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed*. He stated the Commission is not expected to return to regular session to take action on any item considered in the executive session.

APPROVED:


Henry Balensifer, Mayor Pro Tem

ATTEST:


Dawne Shaw, Deputy City Recorder