



## **AGENDA**

CITY COMMISSION OF THE CITY OF WARRENTON  
REGULAR MEETING  
April 9, 2024 – 6:00 P.M.  
Warrenton City Commission Chambers  
225 South Main Avenue, Warrenton, OR 97146

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Public Meetings will also be audio and video live streamed. Go to <https://www.warrentonoregon.us/administration/page/public-meeting-zoom-access> for connection instructions.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **CONSENT CALENDAR**

- A. City Commission Meeting Minutes – 3.26.2024
- B. Monthly Finance Report – January 2024

Items on the Consent Calendar have previously been discussed and/or are considered routine. Approval of the Consent Calendar requires a motion, a second, and no discussion, unless requested by a member of the City Commission.

4. **COMMISSIONER REPORTS**

5. **PUBLIC COMMENT**

At this time, anyone wishing to address the City Commission concerning items of interest may do so. The person addressing the Commission must complete a Public Comment Card and submit it to the City Recorder prior to the meeting. All remarks will be addressed to the whole City Commission and limited to 3 minutes per person. Public Comments may also be submitted by email to the City Recorder, at [cityrecorder@warrentonoregon.us](mailto:cityrecorder@warrentonoregon.us), no later than 4:00 p.m. the day of the meeting. The Commission reserves the right to delay any action, if required, until such time as they are fully informed on a matter.

6. **PUBLIC HEARINGS** – None

7. **BUSINESS ITEMS**

A. Consideration of Ordinance No. 1272; Adding Chapter 6.12 to the WMC To Establish Regulations for Keeping Residential Poultry – First Reading

B. Consideration of City Manager Contract Renewal

**8. DISCUSSION ITEMS**

**9. GOOD OF THE ORDER**

**10. EXECUTIVE SESSION**

*Under the authority of ORS 192.660(2)(d); to conduct deliberations with persons designated by the governing body to carry on labor negotiations; ORS 192.660(2)(h); to consult with counsel concerning the legal rights and duties of public body with regard to current litigation or litigation likely to be filed; and ORS 192.660(2)(i); to review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.*

**11. ADJOURNMENT**

**Warrenton City Hall is accessible to the disabled. An interpreter for the hearing impaired may be requested under the terms of ORS 192.630 by contacting Dawne Shaw, City Recorder, at 503-861-0823 at least 48 hours in advance of the meeting so appropriate assistance can be provided.**

MINUTES  
 Warrenton City Commission  
 March 26, 2024  
 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, Gerald Poe, Paul Mitchell, Tom Dyer, and Mark Baldwin

Staff Present: City Manager Esther Moberg, Public Works Director Greg Shafer, Police Chief Mathew Workman, Fire Chief Brian Alsbury, and Deputy City Recorder Hanna Bentley

CONSENT CALENDAR

- A. City Commission Meeting Minutes – 3.12.2024
- B. Police Department Monthly Report – February 2024

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

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

COMMISSIONER REPORTS

Commissioner Mitchell noted he attended a Clatsop Economic Development Resources (CEDR) meeting. He stated the CEDR awards are coming up. He noted topics that were discussed in the meeting as well as upcoming events.

Mayor Balensifer noted that he and the City Manager attended an open house at Trillium House. He noted that he had met with a lot of tenants and received positive feedback.

City Manager Moberg stated she will be attending the Northwest Regional Managers conference in Seaside. She noted that the Urban Renewal Agency Grant for 60 South Main Ave. was signed. Mayor Balensifer noted that the signing of the contract was a big moment for the Urban Renewal Agency.

PUBLIC COMMENT – None

PUBLIC HEARINGS - None

BUSINESS ITEMS

Public Works Director Greg Shafer discussed the contract for the public works office roof replacement. He noted the process that has taken place and that three bids were received. Staff recommends awarding the bid to Coastline Roofing and Construction for \$119,547.60. The contract includes the replacement of damaged insulation as part of the department's mold remediation needs. Commissioner Baldwin noted the bids were all over the place. Commissioner Baldwin noted it would be nice to have City Hall painted. City Manager Moberg stated she is hoping to budget it for next year to paint the facility. Brief discussion followed.

**Commissioner Baldwin made the motion to award the contract for the Public Works Office Roof Replacement Project to Coastline Roofing and Construction, Inc. in the amount of \$119,547.60 and including a 10% contingency. Motion was seconded and passed unanimously.**

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

City Manager Moberg discussed the Tansy Point license agreement. She noted that Warrenton Fiber Company requested an extension of an existing license agreement. In the agreement it is noted they will replace 3 fender pilings on the face of Tansy Point dock. Commissioner Poe noted it mentions leaving the property in similar or better condition and he would like to walk the dock. Ms. Moberg responded stating that she can arrange a date and time to inspect the dock. Ms. Moberg provided clarification on what the dock is made out of. Mayor Balensifer asked Ms. Moberg for the record if the City is receiving dockage fees; Ms. Moberg stated that the City has been receiving the dockage fees quarterly. Mayor Balensifer noted that the best way to view the dock would be from the water at low tide.

**Commissioner Mitchell made the motion to approve the license agreement extension between J.E. Mcamis and Warrenton Fiber Company; the updated agreement will go through December 31, 2025. Motion was seconded and passed unanimously.**

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

## DISCUSSION ITEMS

Mr. Shafer provided an update on the Iredale storm pipe replacement. Work began on March 11<sup>th</sup> to replace the failed section of the Iredale storm pipe and within the first 10 feet of excavation, the contractor encountered sizable timbers that had been laid under the existing pipe as its foundation. It is not possible to install the new 36-inch pipe without removing the timbers, which for cost and constructability the contractor and engineer strongly recommended against. He noted that the contractor stated it would be \$30,000 to \$40,000 to remove the timbers.

Alternatively, it was recommended to convert this section of storm pipe from one 36-inch pipe to two 18-inch pipes running in parallel. He noted that the existing 24-inch pipe had a capacity of 4.3 cubic feet per second, the dual 18-inch pipe would be 14.26 cubic feet per second, and with the 36-inch pipe the flow capacity would be 18.81 cubic feet per second. Mayor Balensifer asked for clarification on how the timbers were placed and if there is room for the 2 pipes; Mr. Shafer clarified how the timbers are placed and noted there was room for both pipes. Commissioner Baldwin noted his concerns with having two pipes instead of one. Mr. Shafer responded to his concerns. Mr. Shafer noted the full design is to replace the pipe in full. He noted they got the

## MINUTES

Warrenton City Commission

Regular Meeting 3.26.2024

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grant to finish the rest of the project. Ms. Moberg noted both ends of the segments are connected to the main and the intent is to increase capacity and not to replace it with existing. Mayor Balensifer asked if they will be adding grade when replacing the pipes; Mr. Shafer stated they might add grade. Commissioner Baldwin noted his concerns with adding grade. Mr. Shafer responded noting that the engineer has run designs on the project. Brief discussion followed.

### GOOD OF THE ORDER

Commissioner Poe noted that his child and their dance team went to State and won first place for Astoria.

Ms. Moberg noted that her annual review and contract are up for discussion. There was unanimous consent to appoint Mayor Balensifer and Mayor Pro Tem Poe to interview department heads and compile their findings. Ms. Moberg requested her review be done in executive session and any contract discussion be held in regular session; Mayor Balensifer confirmed that they will hold her review in executive session.

Mayor Balensifer noted he attended the Clatsop Community College vision plan meeting. He stated that the meeting was a good step for the college to find its niche in the community. He discussed issues with the new audio system; Ms. Moberg noted there will be fine tuning work done. Mayor Balensifer noted there is a League of Oregon Cities (LOC) vision plan work session happening April 3<sup>rd</sup>. He discussed creating a vision plan for the Hammond District as well as getting a complete City Vision plan.

At 6:35 pm, Mayor Balensifer 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 7:16 p.m. Mayor Balensifer reconvened the regular meeting. There being no further business, he adjourned the meeting at 7:16 p.m.

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

APPROVED:

\_\_\_\_\_  
Henry A. Balensifer III, Mayor

ATTEST:

\_\_\_\_\_  
Dawne Shaw, CMC, City Recorder

# CITY OF WARRENTON

## FINANCE DEPARTMENT

Volume 17, Issue 7

**Monthly Finance Report  
January 2024**

April 9, 2024

### Economic Indicators

	Current	1 year ago
◆ Interest Rates:		
LGIP :	5.00%	3.37%
Prime Rate:	8.50%	7.50%
◆ CPI-U change:	3.1%	6.4%
◆ Unemployment Rates:		
Clatsop County:	3.7%	4.8%
Oregon:	4.1%	3.8%
U.S.:	3.7%	3.4%

### Department Statistics

◆ Utility Bills mailed	3,233
◆ New Service Connections	0
◆ Reminder Letters	408
◆ Door Hangers	108
◆ Water Service Discontinued	10
◆ Counter payments	481
◆ Mail payments	953
◆ Auto Pay Customers/pmts	647
◆ Online (Web) payments	1,441
◆ Checks issued	352

### Current and Pending Projects

- ◆ ARPA Funding (report due April 30, 2024)
- ◆ 2025-2030 Capital Improvement Program
- ◆ 2024-2025 Budget Preparation (1st Budget Committee Meeting May 18, 2024)

## Financial Narrative as of January 31, 2024

**Note:** Revenues and expenses should track at 7/12 or 58.3% of the budget.

**General Fund:** Year to date revenues amount to \$3,875,970, which is 61.6% of the budget, compared to the prior year amount of \$3,480,128, which was 61.1% of the budget and are up by \$395,842. Increases are shown in property taxes, franchise fees, transient room tax, municipal court, interest and lease receipts and are offset by decreases in state revenue sharing, planning fees, housing rehab loan payments, fire charges, park charges and proceeds from sale of assets. Year to date transfers from other funds are \$203,860, mostly from ARPA grant funds.

Expenses year to date amount to \$3,693,596, which is 54.9% of the budget, compared to the prior year amount of \$3,132,140, which was 49.8% of the budget. All departments are tracking at or under budget.

**WBL:** Business license revenue amounts to \$82,823, compared to \$82,314 at this time last year, a difference of \$509. Year to date licenses issued is 729 compared to 744 at this time last year.

**Building Department:** Permit revenues this month amount to \$11,434 and \$78,055 year to date, which is 29.13% of the budgeted amount. Last year year to date permit revenue was \$173,089, 56.4% of the budget.

**State Tax Street:** State gas taxes received this month amount to \$47,136 for

fuel sold in December and \$253,110 year to date. City fuels taxes received this month amount to \$28,536 for fuel sold in November and are \$168,714 year to date. Total gas taxes received year to date are \$421,824 compared to \$416,309 at this time last year.

**Warrenton Marina:** Total revenues to date are \$688,092, 91.99% of the budgeted amount, compared to the prior year amount of \$649,549, which was 90.6% of the budgeted amount. There is \$63,182 in moorage receivables outstanding.

**Hammond Marina:** Total revenues to date are \$440,201, 105.2% of the budgeted amount, compared to the prior year amount of \$399,530, which was 103.9% of the budgeted amount. There is \$2,497 in moorage receivables outstanding.

Of the total outstanding receivables:

\$17,816 (27.13%) is current,

\$14,288 (21.75%) is 30-60 days past due,

\$1,090 (1.66%) is 60-90 days past due and

\$32,485 (49.46%) is over 90 days past due.

**Water Fund:** Utility fees charged this month are \$176,720 and \$97,314, and \$1,631,844 and \$1,058,829 year to date for in-city and out-city respectively and totals \$2,690,673 and is 64.53% of the

budget. Last year at this time, year to date fees were \$1,620,641 and \$1,098,376, for in-city and out-city, respectively and totaled \$2,719,017.

**Sewer Fund:** Utility fees charged this month are \$244,012 and \$1,760,273 year to date, which is 64.2% of the budget. Last year at this time, year to date fees were \$1,574,586. Shoreline Sanitary fees year to date are \$85,474. Total revenues year to date are \$1,845,747 compared to \$1,785,488 at this time last year.

**Storm Sewer:** Utility fees (20% of sewer fees) this month are \$48,775 and \$351,905 year to date and is 64.18% of the budget. Last year to date revenues were \$314,888 which was 58.4% of the budget.

**Sanitation Fund:** Service fees charged this month for garbage and recycling were \$92,470 and \$20,283, and \$657,400 and \$141,451, year to date, and are 62% and 57.22% of the budget respectively.

**Library Fund:** Current year to date property taxes received amount to \$236,909 compared to \$234,515 at this time last year.

**Community Center Fund:** Rental revenue year to date is \$34,684 and is 173.42% of the budget. Last year to date revenue was \$14,482, which was 103.4% of the budget.

**Financial data as of January, 2024**

	General Fund				
	Current Month	Year to Date	Budget	% of Budget	
Beginning Fund Balance	2,362,717	2,192,384	1,400,000	156.60	
Plus: Revenues	451,503	3,875,970	6,292,794	61.59	(see details of revenue, page 4)
Less: Expenditures					
Municipal Court	11,673	91,533	195,278	46.87	
Admin/Comm/Fin(ACF)	76,080	953,135	1,496,499	63.69	
Planning	15,655	156,180	445,507	35.06	
Police	223,701	1,339,509	2,331,713	57.45	
Fire	78,476	599,837	1,149,355	52.19	
Parks	13,516	101,221	237,467	42.63	
Transfers	20,361	452,181	871,641	51.88	
Total Expenditures	439,462	3,693,596	6,727,460	54.90	
Ending Fund Balance	2,374,758	2,374,758	965,334	246.00	

  

	WBL				Building Department			
	Current Month	Year to Date	Budget	% of Budget	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	150,020	114,568	109,000	105.11	520,520	579,592	620,000	93.48
Plus: Revenues	1,396	86,883	87,800	98.96	14,340	96,557	282,998	34.12
Less: Expenditures	408	50,443	67,981	74.20	21,699	162,988	521,845	31.23
Ending Fund Balance	151,008	151,008	128,819	117.22	513,161	513,161	381,153	134.63

  

	State Tax Street				Warrenton Marina			
	Current Month	Year to Date	Budget	% of Budget	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	2,908,768	3,222,554	3,000,000	107.42	644,181	353,642	330,000	107.16
Plus: Revenues	382,475	891,484	4,793,347	18.60	29,006	688,092	747,995	91.99
Less: Expenditures	107,085	929,880	6,829,022	13.62	17,160	385,707	866,310	44.52
Ending Fund Balance	3,184,158	3,184,158	964,325	330.20	656,027	656,027	211,685	309.91

**Financial data as of January 2024, continued**

	Hammond Marina				Water Fund			
	Current Month	Year to Date	Budget	% of Budget	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	491,434	269,706	240,000	112.38	2,611,972	1,608,654	1,400,000	114.90
Plus: Revenues	8,752	440,201	419,161	105.02	317,889	2,993,079	7,075,602	42.30
Less: Expenditures	22,919	232,640	545,445	42.65		1,671,872	7,330,014	22.81
Ending Fund Balance	<u>477,267</u>	<u>477,267</u>	<u>113,716</u>	<u>419.70</u>	<u>2,929,861</u>	<u>2,929,861</u>	<u>1,145,588</u>	<u>255.75</u>

  

	Sewer Fund				Storm Sewer			
	Current Month	Year to Date	Budget	% of Budget	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	4,216,946	3,430,433	2,900,000	118.29	2,254,225	2,012,233	1,680,000	119.78
Plus: Revenues	295,834	2,155,922	3,065,029	70.34	58,098	410,906	883,340	46.52
Less: Expenditures	144,152	1,217,727	4,410,805	27.61	43,418	154,234	2,003,002	7.70
Ending Fund Balance	<u>4,368,628</u>	<u>4,368,628</u>	<u>1,554,224</u>	<u>281.08</u>	<u>2,268,905</u>	<u>2,268,905</u>	<u>560,338</u>	<u>404.92</u>

  

	Sanitation Fund				Community Center			
	Current Month	Year to Date	Budget	% of Budget	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	735,458	568,673	445,000	127.79	48,462	35,232	30,000	117.44
Plus: Revenues	116,991	824,585	1,322,595	62.35	7,533	40,158	25,950	154.75
Less: Expenditures	150,656	691,465	1,503,237	46.00	1,622	21,017	34,532	60.86
Ending Fund Balance	<u>701,793</u>	<u>701,793</u>	<u>264,358</u>	<u>265.47</u>	<u>54,373</u>	<u>54,373</u>	<u>21,418</u>	<u>253.87</u>

  

	Library				Warrenton Urban Renewal Agency Capital Projects Fund			
	Current Month	Year to Date	Budget	% of Budget	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	323,998	210,291	185,000	113.67	6,925	7,970	6,100	130.66
Plus: Revenues	6,925	259,187	276,280	93.81	722	214,618	5,184,828	4.14
Less: Expenditures	20,849	159,404	313,323	50.88	1,268	216,209	4,371,000	4.95
Ending Fund Balance	<u>310,074</u>	<u>310,074</u>	<u>147,957</u>	<u>209.57</u>	<u>6,379</u>	<u>6,379</u>	<u>819,928</u>	<u>-</u>



**Financial data as of January 2024, continued**

**(\$) Cash Balances as of January 31, 2024**

General Fund	2,754,569	Warrenton Marina	604,637	Storm Sewer	2,274,245
WBL	150,970	Hammond Marina	478,717	Sanitation Fund	646,606
Building Department	516,846	Water Fund	2,840,403	Community Center	56,784
State Tax Street	3,521,751	Sewer Fund	4,144,164	Library	311,032

**Warrenton Urban Renewal Agency**

Capital Projects	7,653
Debt Service	2,866,297

General Fund Revenues	Collection Frequency	Actual as a % of Collections/Accruals					(over) under budget
		2023-2024 Budget	Current Budget	Year to date			
				January 2024	January 2023		
Property taxes-current	AP	1,347,187	93.07	1,253,884	1,235,132	93,303	
Property taxes-prior	AP	30,000	78.78	23,633	26,701	6,367	
County land sales	A	-	0.00	-	-	-	
Franchise fees	MAQ	628,000	52.96	332,600	288,681	295,400	
COW - franchise fees	M	331,911	60.96	202,337	189,611	129,574	
Transient room tax	Q	648,269	60.59	392,802	381,173	255,467	
Liquor licenses	A	625	92.00	575	25	50	
State revenue sharing	MQ	209,754	37.93	79,567	80,914	130,187	
Municipal court	M	103,200	43.72	45,121	44,403	58,079	
Planning Fees	I	107,000	21.29	22,776	31,220	84,224	
Police charges	I	25,000	49.10	12,275	16,931	12,725	
Fire charges	SM, I	115,624	56.82	65,700	74,303	49,924	
Park charges	I	-	0.00	585	865	-	
Housing rehab loan payments	I	-	0.00	-	9,032	-	
Miscellaneous	I	3,000	1604.20	48,126	13,612	(45,126)	
Interest	M	50,000	155.70	77,848	36,920	(27,848)	
Lease receipts	M	221,913	62.70	139,143	143,233	82,770	
Food pod receipts	M	-	0.00	17,370	-	(17,370)	
Proceeds from sale of assets	I	-	0.00	3,761	6,127	(3,761)	
Donations	I	-	0.00	871	-	(871)	
Grants	I	-	0.00	-	-	-	
<b>Sub-total</b>		<b>3,821,483</b>	<b>71.15</b>	<b>2,718,974</b>	<b>2,578,883</b>	<b>1,102,509</b>	
Transfers from other funds	I	974,812	0.00	203,860	163,467	770,952	
Overhead	M	1,496,499	63.69	953,136	737,778	543,363	
<b>Total revenues</b>		<b>6,292,794</b>	<b>61.59</b>	<b>3,875,970</b>	<b>3,480,128</b>	<b>2,416,824</b>	

- M - monthly
- Q - quarterly
- SM - Semi-annual in January then monthly
- AP - As paid by taxpayer beginning in November
- MAQ - Century Link, NW Nat & Charter-quarterly, all others monthly
- S - semi-annual
- I - intermittently
- MQ - Monthly, cigarette and liquor and Quarterly, revenue sharing
- A - annual

Note: Budget columns do not include contingencies as a separate line item but are included in the ending fund balance. Unless the Commission authorizes the use of contingency, these amounts should roll over to the following year beginning fund balance. For budget details, please refer to the City of Warrenton Adopted Budget for fiscal year ending June 30, 2024. Budget amounts reflect budget adjustments approved by the Commission during the fiscal year. Information and data presented in this report is unaudited.



## AGENDA MEMORANDUM

TO: Warrenton City Commission  
 FROM: Matthew Ellis, AICP, Planning Director  
 DATE: April 9, 2024  
 SUBJ: Keeping of Residential Fowl

### SUMMARY:

The Planning Commission was advised by Planning staff regarding the establishment of rules and regulations for the keeping of poultry on residentially zoned property in the City of Warrenton.

The proposed code revision would establish definitions, a maximum number of licensed poultry, and a permit requirement. Placement would be allowed in residential zones (R-40, R-10, R-M & R-H) subject to setback requirements.

Because this ordinance modifies the Warrenton Code of Ordinances, it must be adopted by the City Commission.

### RECOMMENDATION/SUGGESTED MOTION:

*"I move to conduct the first reading, by title only, of Ordinance No 1272, AN ORDINANCE ADDING A NEW CHAPTER 6.12 TO THE WARRENTON MUNICIPAL CODE TO ESTABLISH REGULATIONS FOR KEEPING RESIDENTIAL POULTRY."*

### FISCAL IMPACT

There are no fiscal impacts of the proposed code ordinance.

Approved by City Manager: \_\_\_\_\_

All supporting documentation, i.e., maps, exhibits, etc., must be attached to this memorandum.

ORDINANCE NO. 1272  
INTRODUCED BY ALL COMMISSIONERS

**AN ORDINANCE ADDING A NEW CHAPTER 6.12 TO THE WARRENTON  
MUNICIPAL CODE TO ESTABLISH REGULATIONS FOR KEEPING  
RESIDENTIAL POULTRY**

**WHEREAS**, the public interest and welfare necessitate the reasonable regulation of keeping poultry on residential properties within the City of Warrenton; and

**WHEREAS**, the current City code does not provide such regulations, and as such the keeping of poultry in the City has to this point been entirely unregulated;

**NOW THEREFORE**, the City of Warrenton ordains as follows:

**Section 1.** A new Chapter 6.12 is hereby added to the Warrenton Municipal Code as follows:

**Chapter 6.12 – Keeping of Residential Poultry**

**6.12.010 - Purpose.**

The purpose this chapter is to establish rules and regulations for the keeping of fowl on residentially zoned property.

**6.12.015 – Definitions**

Hen – Female residential poultry more than twelve (12) weeks in age.

Residential Poultry – Small fowl, limited to chickens, ducks, quail, and partridges, kept in a residential setting.

Rooster – Male residential poultry more than twelve (12) weeks in age.

**6.12.020 - Number of residential poultry licensed.**

- A. Up to twelve (12) hens are allowed.
- B. No roosters are allowed.
- C. Chicks up to twelve (12) weeks old are allowed indoors and are not subject to the limitations of (A) or (B) above.

**6.12.030 - Location requirements.**

- A. Residential poultry are only allowed on property that is occupied by a detached single-family dwelling.

- B. Residential poultry are only allowed on property that is the principal residence of the owner of the residential poultry.
- C. Enclosures must be at least ten (10) feet from the property line and at least twenty-five (25) feet from any dwelling unit on an abutting property.

**6.12.040 - Ongoing conditions of license.**

- A. Residential poultry enclosures.
  - 1. Between sunset and sunrise, residential poultry must be kept within a secure enclosure. Between sunrise and sunset, residential poultry must be kept within a secure enclosure unless under direct supervision within a fenced yard.
  - 2. Allowing residential poultry to enter adjoining properties is prohibited.
  - 3. Enclosures must be kept clean, dry, in good repair and not cause an unreasonably offensive or annoying odor.
  - 4. Enclosures must be designed to prevent the entry of rodents and predators and must effectively contain and protect the residential poultry.
  - 5. Enclosures must be designed so they are not a breeding place or likely breeding place for rodents, flies or other pests.
- B. Residential poultry must be kept for personal, non-commercial or wholesale use only. Sales may only be farmer to consumer direct per Oregon Shell Egg Producer regulations. No person licensed under this chapter may engage in residential poultry breeding or fertilizer production for commercial purposes. The roadside sale of eggs may be allowed from roads owned by the City of Warrenton.

**6.12.050 - Procedure for obtaining a residential poultry license.**

- A. In residential zones (R-40, R-10, R-M & R-H), a resident who wants to keep residential poultry per the requirements of this chapter must apply for a license, demonstrate compliance with the above standards, and pay a processing fee in an amount determined by the City Commission by resolution. The city shall issue a license after determining compliance with this chapter.
- B. Tenants and renters of property are permitted to keep residential poultry only with the written permission of the property owner included with the license application.
- C. Licenses issued under this chapter are issued to a specified individual for the keeping of residential poultry on specified property where the

individual resides, are non-transferable, and are valid for a period of five (5) years. Licenses may be renewed for successive five (5) year terms.

- D. Neighbor notice requirements.
  - 1. The city will provide written notice within fourteen (14) calendar days after issuance of a license by first class mail to all property owners and known residents immediately abutting the license holder's property.
  - 2. Contents of neighborhood notice.
    - a. Name and address of the license holder.
    - b. A copy of this chapter.
    - c. Contact information for city enforcement of this chapter and the process for filing complaints.
    - d. The current dollar amounts for penalties for violations of this chapter.

#### **6.12.060 - Penalties.**

The provisions of this chapter are in addition to and not in lieu of any other requirements imposed under any other code provision, city ordinance, law or regulation having application in the city. If a conflict occurs with another code provision or regulation, the most restrictive provision or regulation shall apply.

- A. Violation of this chapter shall be punishable by a fine not to exceed \$250, except that keeping of residential poultry without a license shall be punishable by a fine not to exceed \$1,000.
- B. Each violation of a separate provision of this chapter shall constitute a separate violation, and each day that a violation of this chapter is committed or permitted to continue constitutes a separate violation.
- C. In addition to any other remedy provided by law, a person that commits more than two (2) violations of this chapter within any six (6) month period may have their license revoked for up to one (1) year. During the period in which a license is revoked under this subsection, no other resident of a dwelling in which a person whose license has been revoked resides may be licensed to keep residential poultry under this chapter.

#### **6.12.070 – Rules.**

The City Manager is authorized to adopt rules to implement this chapter.

**Section 2.** This ordinance shall take full force and effect 30 days after its adoption by the Commission of the City of Warrenton.

**First Reading:**  
**Second Reading:**

ADOPTED by the City Commission of the City of Warrenton, Oregon this \_\_\_\_ day of \_\_\_\_\_, 2024.

APPROVED:

\_\_\_\_\_  
Henry A. Balensifer III, Mayor

ATTEST:

\_\_\_\_\_  
Dawne Shaw, CMC, City Recorder



## AGENDA MEMORANDUM

TO: The Warrenton City Commission  
FROM: Esther Moberg, City Manager  
DATE: April 9, 2024  
SUBJ: City Manager Contract

### SUMMARY

Current City Manager Contract expires August 2024. Pending successful annual evaluation, requesting 2 year extension of existing contract with the following amendments added to the 2 year extension:

A pay increase on July 1, 2024 of \$5,000 (not including COLA).

4 additional personal days per fiscal year as well as all other accruals etc. that follow the prior addendum to contract and/or regular exempt employees COLA, holidays, etc.

Upon satisfactory completion of Masters in Public Administration coursework receive additional \$5,000 in pay (anticipated graduation May 2026).

### RECOMMENDATION/SUGGESTED MOTION

### ALTERNATIVE

- 1) Other action as deemed appropriate by the City Commission
- 2) None recommended

### FISCAL IMPACT

Additional \$5,000 budgeted in next fiscal year for administration personnel budget, currently reimbursing for school at \$5-6,000 per year for school 2024-

2025. Would be same amount as for school for raise (in 2026) upon completion of schooling in 2026.

Approved by City Manager: \_\_\_\_\_

All supporting documentation, i.e., maps, exhibits, etc., must be attached to this memorandum.