

MINUTES
Warrenton City Commission
Regular Meeting – January 22, 2019
6:00 p.m.
Warrenton City Hall - Commission Chambers
225 S. Main
Warrenton, OR 97146

Mayor Balensifer called the meeting to order at 6:01 p.m., and led the public in the Pledge of Allegiance.

Commissioners Present: Mayor Henry Balensifer, Rick Newton, Pam Ackley, and Mark Baldwin

Excused: Tom Dyer

Staff Present: City Manager Linda Engbretson, Finance Director April Clark, Community Development Director Kevin Cronin, Police Chief Mathew Workman, Public Works Director Collin Stelzig, Public Works Operations Manager Kyle Sharpsteen, and City Recorder Dawne Shaw

CONSENT CALENDAR

- A. Commission Regular Meeting Minutes – 1.08.19
- B. Commission Work Session Minutes – 1.08.19
- C. City Commission/Planning Commission Joint Work Session Minutes- 11.08.18
- D. Police Department Monthly Statistics – Dec 2018
- E. Police Department 2018 Statistics Review
- F. Parks Advisory Board Meeting Minutes – Dec 2018

Mayor Balensifer noted a minor correction to the 1.08.19 regular meeting minutes.

Commissioner Ackley made the motion to approve the consent calendar, with corrections to the 1.08.19 regular meeting minutes. Motion was seconded and passed unanimously.

Baldwin – aye; Newton – aye; Ackley – aye; Balensifer – aye

COMMISSIONER REPORTS

Commissioner Newton noted he is head of Clatsop County Rental Owners Association and also sits on the Oregon Rental Home Owners Association; he stated the profit on Airbnb's is 2- 3 times what it is on a rental house, and the city should be prepared for that.

PUBLIC COMMENT

County Commissioner Mark Kujala (District 1) introduced himself, and stated he is really anxious to work with the City of Warrenton and District 1; and noted he is very optimistic on the

future. He stated he would like to extend his hand to the City Commission; and that he wants to do his best to represent District 1.

BUSINESS ITEMS

City Manager Linda Engbretson presented Resolution No. 2538, Modifying Building Permit Fees. She noted at the last meeting Building Official Bob Johnston presented some proposed permit fee increases, and that permit fees have not been updated since 2008. Ms. Engbretson stated in order to provide the public opportunity to comment, rate increases are considered over two meetings. Brief discussion followed.

Commissioner Ackley made the motion to conduct the first reading, by title only of Resolution No. 2538. Motion was seconded and passed unanimously.

Baldwin – aye Newton – aye; Ackley – aye; Balensifer – aye

Mayor Balensifer conducted the first reading of Resolution No. 2538; A Resolution Modifying Building Permit Fees.

Community Development Director Kevin Cronin discussed the proposed Transportation System Plan Update & Code Amendments. He noted the proposal has been reviewed and recommended by the Planning Commission. He clarified the difference between short-term versus long-term bike parking standards. Discussion continued on traffic increase percentages and traffic impact studies. Mayor Balensifer suggested a future work session on traffic. Commissioner Ackley asked about Mr. Cronin's recommendation to remove drive thrus as a conditional use - item D in Section 4. Mr. Cronin clarified that the Planning Commission has recommended adding a conditional use within the Commercial Mixed Use zone (CMU). After further discussion, the consensus was to keep it as a conditional use. Mayor Balensifer asked about Type II Procedure (Section 9), as well as notifications. He stated in the past the Port of Astoria's Airport has not been notified of development in the airport hazard overlay. He stated the Astoria/Warrenton Regional Airport should be specifically listed as an affected agency, and added to both 16.208.070 applications, as well as Section 9-e under Type II Procedural; and also insert it to Type III Procedural as well. There were no objections to this addition. Brief discussion continued. Mr. Cronin clarified for the record that this will be the first reading of the ordinance.

Mayor Balensifer made the motion to amend Ordinance No. 1225, amending Warrenton Municipal Code under 16.208.070 General Provisions, Section D, Paragraph iv; and, also under 16.208 Type II and Type III Procedures; adding Astoria/Warrenton Regional Airport to the noticed parties for hearings and applications. Motion was seconded and passed unanimously.

Baldwin – abstained Newton – aye; Ackley – aye; Balensifer – aye

Commissioner Ackley made the motion to approve the first reading of Ordinance No. 1225, as amended, by title only. Motion was seconded and passed unanimously.

Baldwin – abstained Newton – aye; Ackley – aye; Balensifer – aye

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Mayor Balensifer conducted the first reading of Ordinance No. 1225, by title only; An Ordinance Amending Warrenton Comprehensive Plan, Adopt the Transportation System Plan, and amend Warrenton Municipal Code Section 16.12 Definitions, 16.40 C-1 Commercial Uses, 16.44 Development Standards, 16.120 Vehicular Access & Circulation, 16.128.030 Vehicle Parking Standards, 16.128.040 Bicycle Parking Standards, 16.136.020 Transportation Standards, 16.208 Procedures, 16.216 General Requirements, 16.220 Conditional Use Review Criteria, 16.232 Transportation Planning Rule Compliance, and 16.265 Traffic Impact Study.

Community Development Director Kevin Cronin presented Ordinance No. 1226 for the second reading. Ms. Engbretson noted a public hearing and the first reading were held at the January 8 City Commission meeting. Commissioner Newton noted a conflict of interest, stating he owns property adjacent to the subject property. He stated he will abstain from voting. Mayor Balensifer noted for the record that if Commissioner Newton does not financially benefit from the street vacation, he does not need to recuse himself. Commissioner Newton stated he would prefer to abstain.

Commissioner Baldwin made the motion to conduct the second reading of Ordinance No. 1226 by title only. Motion was seconded and passed unanimously.

Baldwin – aye; Newton – abstained; Ackley – aye; Balensifer – aye

Mayor Balensifer conducted the second reading of Ordinance No. 1226, by title only; An Ordinance Vacating Undeveloped Streets Rights-of-way in the Plat of WC Smith's Warrenton in Warrenton, Oregon.

Commissioner Baldwin made the motion adopt Ordinance No. 1226. Motion was seconded and passed unanimously.

Baldwin – aye; Newton – abstained; Ackley – aye; Balensifer – aye

Community Development Director Kevin Cronin presented Ordinance No. 1223 for the second reading. Commissioner Baldwin noted a possible conflict of interest and will abstain from voting.

Commissioner Ackley stated based on the staff report, application and exhibits presented to the Planning Commission, the record established by the Planning Commission in its review of Application DCA 18-4, and Agenda Summary for November 13, 2018, December 11, 2018, and January 8, 2019 City Commission public hearing, public testimony, and further input received at the town hall, made the motion to approve the second reading of Ordinance No. 1223, by title only, as amended. Motion was seconded and passed unanimously.

Baldwin – abstained Newton – aye; Ackley – aye; Balensifer – aye

Mayor Balensifer conducted the second reading of Ordinance No. 1223, by title only; An Ordinance Amending Warrenton Municipal Code Chapter 16.64.020 amended.

Commissioner Ackley made the motion adopt Ordinance No. 1223. Motion was seconded and passed unanimously.

Baldwin – abstained; Newton – aye; Ackley – aye; Balensifer – aye

Ms. Engbretson asked Commissioner Baldwin to clarify the potential conflict for the record. Commissioner Baldwin stated he has done work for the applicant, and may do more work in the future. Mayor Balensifer noted neither recusal is required legally, but done as precaution and to preserve public trust.

Community Development Director Kevin Cronin stated the Commission discussed homestay lodging at multiple meetings and conducted the first reading of Ordinance No. 1224 at the January 8, 2019 meeting. It is presented tonight for a second reading and adoption. He noted the revised ordinance, switching items “N” and “O”, as discussed in the 1.08.19 meeting; the incorrect version was submitted in the agenda packet. Brief discussion continued.

Commissioner Ackley stated based on the body of evidence and research presented to the City Commission over numerous work sessions and regular meetings, including the Agenda Summary for January 8, 2019 City Commission, made the motion to approve second reading of Ordinance No. 1224, by title only. Motion was seconded and passed unanimously.

Baldwin – aye; Newton – aye; Ackley – aye; Balensifer – aye

Mayor Balensifer conducted the first reading of Ordinance No. 1224; An Ordinance Creating Warrenton Municipal Code Chapter 8.24, Regarding Safety Standards for Short Term Rentals Referred to Homestay Lodging.

Commissioner Ackley made the motion adopt Ordinance No. 1224. Motion was seconded and passed unanimously.

Baldwin – aye; Newton – abstained; Ackley – aye; Balensifer – aye

Finance Director April Clark noted the City has had the same Insurance Agent of Record for many years. In an effort to make sure the City is getting the best value and as many risk management services as possible for our agent commissions, an RFP was prepared and posted on our website on October 31, 2018. The RFP was distributed to our current agent as well as four other agencies experienced in providing insurance and other risk management services to municipalities. Ms. Clark stated she received four qualified responses; a staff committee was formed to review and evaluate the proposals. Staff unanimously agreed to recommend WSC Insurance as Insurance Agent of Record. Brief discussion continued.

Commissioner Ackley made the motion to award the contract for professional services to WSC Insurance for Insurance Agent of Record Services beginning January 22, 2019 for a

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three year period with the option to extend for an additional three years. Motion was seconded and passed unanimously.

Baldwin – aye; Newton – aye; Ackley – aye; Balensifer – aye

City Manager Linda Engbretson stated the City has received a request for a waiver of fees for use of the Community Center for one of the two nights for the annual Fishermen’s Benefit Fund Crab Dinner. The event will be held on February 1 and 2. Brief discussion followed.

Commissioner Baldwin made the motion to have the City cover the cost of use of the Community Center in the amount of \$422.00 for the annual Fishermen’s Benefit Fund Crab Dinner. Motion was seconded and passed unanimously.

Baldwin – aye; Newton – absent; Ackley – aye; Balensifer – aye

City Manager Linda Engbretson discussed the Falcon Community Ventures I, dba Charter Communications Franchise Agreement renewal. She noted the City Commission held the first reading of Ordinance No. 1227 at its January 8 meeting. Brief discussion continued.

Commissioner Newton made the motion to conduct the second reading, by title only, of Ordinance No. 1227. Motion was seconded and passed unanimously.

Baldwin – aye; Newton – aye; Ackley – aye; Balensifer – aye

Mayor Balensifer conducted the second reading of Ordinance No. 1227, by title only; An Ordinance Granting a Non-Exclusive cable television franchise to Falcon Community Ventures I, LP, dba Charter Communications.

Commissioner Newton made the motion to adopt Ordinance No. 1227. Motion was seconded and passed unanimously.

Baldwin – aye; Newton – absent; Ackley – aye; Balensifer – aye

City Manager Linda Engbretson stated a fire destroyed the warehouse owned by Jim Scarborough, located at 846 NE 1st Court in November 2018. The real property is owned by the City of Warrenton, and is currently under lease to Mr. Scarborough until October 2021. Mr. Scarborough does not intend to rebuild and has requested to cancel the remainder of his lease with the City. Ms. Engbretson stated Mr. Scarborough has a sublease with Pacific Future. They are requesting the lease be transferred to them; they would like to rebuild a warehouse facility for gear and equipment storage. Ms. Engbretson recommended adding this property onto the appraisal list as discussed at the last meeting. Mayor Balensifer stated he feels better cancelling the lease; not transferring it, and making a new lease at market rate. Ms. Engbretson noted the current lease goes to 2021. She stated she now has approximately six lease properties to appraise. Discussion followed on lease rates. Commission direction is to let Mr. Scarborough out of the lease; put this property on the list of properties to appraise, and then make a decision moving forward. Discussion continued.

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Commissioner Ackley made the motion to provide written notice to Mr. Scarborough of cancellation of the remainder of his lease. Motion was seconded and passed unanimously.

Baldwin – aye; Newton – aye; Ackley – aye; Balensifer – aye

Discussion continued on lease rates; consensus was to hold off on the Pacific Future lease, until we get the appraisal.

City Recorder Dawne Shaw presented Resolution No. 2531 for a second reading. She noted the City Commission held the first reading at its January 8 meeting; in order to provide the public an opportunity to comment, rate increases are considered over two meetings.

Commissioner Newton made the motion to conduct the second reading, by title only, of Resolution No. 2531 Policy, Procedures and Fees for Public Records and Information Requests, and Repealing Resolution No. 2301. Motion was seconded and passed unanimously.

Baldwin – aye; Newton – aye; Ackley – aye; Balensifer – aye

Mayor Balensifer conducted the second reading of Resolution No. 2531; Policy, Procedures and Fees for Public Records and Information Requests, and Repealing Resolution No. 2301.

Commissioner Newton made the motion to adopt Resolution No. 2531. Motion was seconded and passed unanimously.

Baldwin – aye; Newton – absent; Ackley – aye; Balensifer – aye

Mayor Balensifer noted the resolutions authorizing appointments and setting terms of office to the various advisory boards.

Commissioner Baldwin made the motion to adopt Resolution No. 2533; Authorizing Appointments to Fill Positions on the Warrenton Budget Committee and Setting Terms of Office. Motion was seconded and passed unanimously.

Baldwin – aye; Newton – aye; Ackley – aye; Balensifer – aye

Commissioner Ackley made the motion to adopt Resolution No. 2534; Authorizing Appointments to Fill Positions on the Warrenton Community Center Advisory Board and Setting Terms of Office. Motion was seconded and passed unanimously.

Baldwin – aye; Newton – aye; Ackley – aye; Balensifer – aye

Commissioner Baldwin made the motion to adopt Resolution No. 2535; Authorizing Appointments to Fill Positions on the Warrenton Parks Advisory Board and Setting Terms of Office. Motion was seconded and passed unanimously.

Baldwin – aye; Newton – aye; Ackley – aye; Balensifer – aye

Commissioner Ackley made the motion to adopt Resolution No. 2536; Authorizing Appointments to Fill Positions on the Warrenton Business Association and Setting Terms of Office. Motion was seconded and passed unanimously.

Baldwin – aye; Newton – aye; Ackley – aye; Balensifer – aye

Commissioner Baldwin made the motion to adopt Resolution No. 2537; Authorizing Appointments to Fill Positions on the Warrenton Planning Commission and Setting Terms of Office. Motion was seconded and passed unanimously.

Baldwin – aye; Newton – aye; Ackley – aye; Balensifer – aye

DISCUSSION ITEMS

Public Works Director Collin Stelzig stated Mr. Mark Kujala will give a brief explanation of last week's inspection of the levee system. He noted some pump stations were also inspected. City Manager Engbretson stated the city is anticipating a more formal report from the Corps in April, and she would like to schedule a work session to present the report. Mr. Mark Kujala explained the inspection process. He gave a brief overview, and noted the last periodic inspection was in 2010. Mr. Kujala stated since the last inspection, Public Works has made tremendous progress in cutting back vegetation and removing trees; there have been tremendous improvements. He further explained the inspection process and noted they walked 11 miles of levee. The pump stations were also inspected; Public Works Operations Manager Kyle Sharpsteen stated they had never inspected them before, and they were pretty impressed. Mr. Kujala stated the levee system will continue to be minimally acceptable; he noted the Corps is moving away from the current rating system, and moving towards a risk based rating system. Brief discussion followed on District 11. Mr. Kujala briefly discussed encroachments. Ms. Engbretson stated the city is working on what we can without funding; and when we get more information will give a full report, and talk about what the next steps will be. Brief discussion continued.

Ms. Engbretson discussed system development charges. She noted Community Development Director Kevin Cronin originally brought a proposal forward, and there was discussion. She stated she looked into the SDC report and methodology that was adopted, and noted she had a concern about coming in at this point, when we haven't updated the SDC's based on the actual adopted methodology. Ms. Engbretson stated she did reach out to city attorney Spencer Parsons to ask him about moving forward with \$5,200 as originally proposed. He is looking at the resolution that was adopted and methodology, but she has not heard back yet. Mr. Parsons was concerned about adopting out of the blue from an old rate study. Discussion followed. Ms. Engbretson agreed that it is important that we address this issue but it needs to be done right. After further discussion it was noted this will be postponed until we hear back from legal counsel. Ms. Engbretson assured the Commission that this is something she wants to bring forth, and she will reach out to get an idea on what a new study or update will cost.

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GOOD OF THE ORDER

Commissioner Newton discussed the recycling rates, and plastics washed up on the shoreline.

City Manager Engbretson noted she will be in Salem on Thursday for City Day at the Capital. Mayor Balensifer noted he will be in Salem next week to talk about issues, but will not be going to City Day at the Capitol.

There being no further business, Mayor Balensifer adjourned the regular meeting at 7:57 p.m.

APPROVED:


Henry A. Balensifer III, Mayor

ATTEST:


Dawne Shaw, City Recorder