

MINUTES
Warrenton City Commission
Regular Meeting – June 26, 2018
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: Rick Newton, Mark Baldwin, Tom Dyer, Pam Ackley and Mayor Henry Balensifer

Staff Present: City Manager Linda Engbretson, City Attorney Spencer Parsons, Public Works Director Collin Stelzig, Harbormaster Jane Sweet, Fire Chief Tim Demers, Community Development Director Kevin Cronin, Public Works Operations Manager Kyle Sharpsteen, Police Chief Mathew Workman, and Deputy City Recorder Dawne Shaw

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

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

Commissioner Newton asked for clarification on the Police Department Monthly Statistics Report in regards to the reduction in overtime and the increase in activity. Police Chief Workman stated there was a concerted effort to reduce overtime costs, by flexing and schedule adjustments. He also noted the increase in drug crimes and drug related DUII's, stating these numbers spike every year summer.

COMMISSIONER REPORTS –

PUBLIC COMMENT – Mr. Steve Holman spoke in regards to the nuisance on NW Warrenton Drive. He also asked about the ownership and possible subletting of the property. Mayor Balensifer noted the matter will have to be investigated. Mr. Dennis Faletti spoke in regards to Neptune Drive, between E. Harbor and Hwy 101, stating the road needs to be re-stripped. He is worried about accidents and wanted to bring it to the Commission's attention. Mr. Jim Ray also noted concerns in regards to Neptune Drive.

PUBLIC HEARINGS

Mayor Balensifer opened the public hearing on Resolution No. 2526; a Resolution declaring the City of Warrenton's election to received state revenues for fiscal year 2018-2019. Formalities followed and no conflicts of interest were reported. City Manager Linda Engbretson presented

her staff report and noted State Revenue Sharing Law; ORS 221.770 requires cities to pass an ordinance or resolution each year stating they wish to receive state revenue sharing funds. She noted the estimated revenues, as outlined in the agenda item. Mayor Balensifer asked for public comment. No one spoke in favor or opposition. There being no further comments, Mayor Balensifer closed the public hearing. He noted for clarification that even though Warrenton does not have any marijuana establishments, the City does receive Marijuana Tax since they were not outright banned.

Commissioner Ackley made the motion to adopt Resolution No. 2526; A Resolution Declaring the City of Warrenton's Election to Receive State Revenues for Fiscal Year 2018-2019. Motion was seconded and passed unanimously.

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

Mayor Balensifer opened the public hearing on Resolution No. 2525; Adopting the City of Warrenton FY 2018-2019 budget as approved by the Warrenton Budget Committee and levying taxes for municipal purposes of the City of Warrenton for the fiscal year commencing July 1, 2018. City Manager Linda Engbretson presented the staff report on the proposed budget, and outlined the figures as presented. She noted for the record there was an error on the Financial Summary that was published in the Columbia Press contained a Scribner's error on the total contingencies, and outlined the correct numbers as presented in the agenda packet. Ms. Engbretson highlighted the increases in staff for the Police Department and Public Works. Mayor Balensifer asked for public comment. No one spoke in favor or opposition. Mayor Balensifer asked for clarification on when the library bond funds will be received. Ms. Engbretson confirmed the City will not start to see the funds until November 2018. There being no further comments, Mayor Balensifer closed the public hearing.

Commissioner Dyer made the motion to adopt the City of Warrenton FY 2018-2019 budget as approved by the Warrenton Budget Committee as set forth in Resolution No. 2525. Motion was seconded and passed unanimously.

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

Mayor Balensifer opened the public hearing on the Crites Wetland Hardship Variance Appeal (File No. AP 18-2). Formalities followed and no conflicts of interest were reported. Community Development Director Kevin Cronin presented his staff report, noting the Planning Commission approved the application with seven conditions. Mr. Cronin stated an appeal was submitted by Terry & Nancy Ager, as affected property owners. He noted the permits are in hand and the wetland hardship variance is the last step in the process to secure permits for building on property compromised by wetlands. He recommends upholding the Planning Commission's decision and denying the appeal. Commissioner Newton asked for clarification on what constitutes a hardship; Mr. Cronin explained. There was no presentation from the applicant Mr. Adam Crites. Mayor Balensifer asked for public comment. No one spoke in favor. Mr. Terry Ager spoke in opposition of the application. He gave handouts to the Commission of documents that were included in the agenda packet. He stated he lives directly across the street from Mr.

Crites proposed construction site. He stated he has lived there since 1990 and has witnessed great flooding in the area, which is tidal activated. Mr. Ager stated he does not believe it is a good idea to fill, and it is not a good move for the City or the neighborhood. Ms. Sarah Kelly spoke in opposition to the construction. She noted she is worried that construction will cause an overflow onto neighboring properties, and is also concerned about the increase in traffic. She stated she agrees with Mr. Ager. Mr. Curtis Rutherford also spoke in opposition, noting the drainage is already terrible, and the development will decrease his property value. He stated he does not want the increased traffic as there are lots of kids in area. The applicant, Mr. Crites gave a rebuttal, and submitted for the record a complete written transcript of the appellant's oral testimony from April 12, 2018 and May 10, 2018 Planning Commissions meetings as well as a statement and summary of the scope of the appeal from those meetings. He requested comments regarding property value, traffic and rental demands not be taken into consideration as they do not pertain to the scope of issues allowed by code. He also asked that at the conclusion of the hearing he be allowed to submit a final written argument in support of the application. He reiterated the positives of the project and stated the drainage issues will be addressed with engineering and improvements to the street. Mr. Crites noted no new evidence has been provided by the appellants. He requested the Commission deny the appeal, uphold the Planning Commission's decision and preclude any further appeals. There being no further comments, Mayor Balensifer closed the public hearing. Discussion followed on fire access and street width. The Commission continued to discuss and voiced concerns regarding fill, drainage and building on fill. Mr. Crites requested a continuance to submit more materials to alleviate their questions. Mayor Balensifer suggested a continuance and the Commission was in consensus. City Attorney Spencer Parsons requested the applicant submit in writing an extension to the 120-day deadline since he requested an extension. Mr. Crites agreed to waive the 120-day rule and agreed to continue the hearing to the July 24th meeting.

Commissioner Ackley made the motion to continue the hearing to the July 24th meeting to allow additional public testimony, at such time the Commission will reconsider the appeal and any new evidence in the record. Motion was seconded and passed unanimously.

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

BUSINESS ITEMS –

Mary Bosch gave a presentation on the status of the RDI, stating Phase I is near completion. She shared the survey results, noting downtown's appearance is an issue; and Hammond is also a concern. Revitalization and beautification is needed. Ms. Bosch continued reviewing the assessment results. She explained the 3 phase process, and noted the next step would be a community meeting in late July and would need good publicity. Brief discussion followed.

Downtown & Thoroughfare Aesthetic Task Force member Paul Mitchell stated the task force was created to bring forth recommendations to ensure there is a welcoming feel, increased safety, the highest and best use of land on the thoroughfares and downtown. He noted the members of the task force, and discussed the review process. Mr. Mitchell reviewed the recommendations as submitted in the agenda packet, and asked the Commission for a work session within 90 days.

MINUTES

Warrenton City Commission

Regular Meeting – 6.26.18

Page: 3

Commissioner Newton noted the importance of revising and adopting the Visioning Plan. He thanked the task force for the work they have done. Mayor Balensifer concurred with a joint work session w/in 90 days, with the Planning Commission, the Downtown & Thoroughfare Aesthetic Task Force, the Hammond Marina Task Force and the Urban Renewal Advisory Committee; the Commission agreed. Mayor Balensifer thanked Commissioner Newton for chairing the task force. Brief discussion followed. Mayor Balensifer requested that staff provide a date for the work session by the last meeting in July.

Commissioner Ackley made the motion to adopt the 2019-2024 Capital Improvement Program as presented. Motion was seconded and passed unanimously.

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

Community Development Director Kevin Cronin gave an update on the nuisances at 228 S. Main Avenue & 925 E. Harbor Drive. He noted staff is requesting direction on the next steps for properties that have not completed the cleanup to a satisfactory status. Mr. Cronin noted there is still tall grass and debris at 925 E. Harbor and at 229 S. Main there are still 5 cars on site. Brief discussion continued and consensus was to continue with the nuisances and code enforcement.

Community Development Director Kevin Cronin stated the house at 719 S. Main Avenue has multiple code violations; inoperable and unlicensed vehicles, trash, scrap metal, and construction materials. He noted all of this material is on the front yard and the concluded that conditions are consistent with and meet the intent of the descriptions of various nuisances, both enumerated and unenumerated. He stated he has been working with the tenant but the progress is not sufficient; and the property owner is proceeding with an eviction notice. Brief discussion followed.

Commissioner Ackley made the motion to declare that enumerated and unenumerated nuisances exist at 719 S. Main Avenue, and direct staff to commence actions to notify the owner of record and person responsible for the property to abate the nuisances within 10 days as prescribed in WMC 8.16.160. Motion was seconded and passed unanimously.

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

Community Development Director Kevin Cronin noted the duplex at 1062 NW Warrenton Drive has multiple code violations. He stated as a result of the yellow tag door hanger the tenant has been cleaning up however there are still vehicles parked adjacent to the right of way. He noted staff concluded that conditions are consistent with and meet the intent of the descriptions of various nuisances, both enumerated and unenumerated. Mr. Cronin stated he has been working with the tenant, Mr. Rice a lot on this one; the cars have not been removed and are in the City right-of-way. Discussion continued.

Commissioner Baldwin made the motion to declare that enumerated and unenumerated nuisances exist at 1062 NW Warrenton Drive, and direct staff to commence actions to notify the owner of record and person responsible for the property to abate the nuisances

within 10 days as prescribed in WMC 8.16.160. Motion was seconded and passed unanimously.

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

Public Works Director Collin Stelzig stated the Parks Advisory Board recommends the City support the application of Lower Columbia Youth Soccer Association (LCYSA) to Pacific Power for the installation of six streetlights on already existing poles along Ridge Road at the LCYSA soccer complex. He noted there is currently only one light at the complex and additional lighting will enhance safety for players and spectators. Mr. Stelzig stated LCYSA will be responsible for all costs associated with the installation, and the Public Works Department Parks Fund would be assessed the monthly bill of approximately \$28 per light/\$2016 per year. Discussion on whether the lights are LED and it was noted the City Commission prefers LED's. Mr. Stelzig stated he will check with Pacific Power to see if that is an option.

Commissioner Ackley made the motion to approve the Lower Columbia Youth Soccer Association's petition for City support of their efforts to improve safety conditions at the Ridge Road Soccer Complex, provided they use LED lights. Motion was seconded and passed unanimously.

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

Finance Director April Clark presented Resolution No. 2520 for the second reading and adoption. She noted the rate increase will help with maintenance and improvements of the Community Center.

Commissioner Dyer made the motion to adopt Resolution No. 2520; Adopting and Setting Rental Rates and Fees for the Warrenton Community Center, Effective July 1, 2018. Motion was seconded and passed unanimously.

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

Harbormaster Jane Sweet presented Resolution No. 2523 for the second reading and adoption. She noted this increase will help with the pier replacement and dredging in Hammond. Mayor Balensifer noted for the record we have about \$780,000 in the current Hammond Marina reserve fund and it will cost over that amount to dredge. Brief discussion followed.

Commissioner Newton made the motion to adopt Resolution No. 2523; Adopting and Setting Moorage Rental Rates and Fees in the Warrenton and Hammond Municipal Basins, and repeal any other resolutions in conflict. Motion was seconded and passed unanimously.

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

Public Works Director Collin Stelzig presented Resolution No. 2521 for the second reading and adoption. He noted the budget committee approved a 7% water rate increase for Fiscal Year 2018-2019; if approved the new rates would be effective July 1, 2018.

Commissioner Newton made the motion to adopt Resolution No. 2521; Adopting Water Department Rates and Fees, Establishing July 1, 2018 as the Effective Date, and Repealing all Resolutions in Conflict. Motion was seconded and passed unanimously.

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

Public Works Director Collin Stelzig presented Resolution No. 2522 for the second reading and adoption. He stated the budget committee approved a 5% monthly sewer rate increase for Fiscal Year 2018-2019; if approved the new rates would be effective July 1, 2018.

Commissioner Ackley made the motion to adopt Resolution No. 2522; Adopting Monthly Sewer Service Rates, Establishing July 1, 2018 as the Effective Date, and Repealing all Resolutions in Conflict. Motion was seconded and passed unanimously.

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

Public Works Director Collin Stelzig presented Resolution No. 2524 for the second reading and adoption. He noted this resolution sets new rates for residential recycling services effective July 1, 2018.

Commissioner Dyer made the motion to adopt Resolution No. 2524; Adopting and Setting New Rates for Residential Recycling Services, effective July 1, 2018, and Repealing all Resolutions in Conflict. Motion was seconded and passed unanimously.

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

DISCUSSION ITEMS – None

GOOD OF THE ORDER –

Commissioner Newton stated there was a large amount of paperwork to read through on the public hearing appeal agenda item, and he did not mean to downplay the importance of it. He also noted the old Napa building will be cleaned up soon.

Commissioner Dyer noted there has been some success with the nuisance property on S. Main; and briefly discussed getting a group together to help citizens start cleanup before it gets to the nuisance process. He also discussed cleaning up the roadsides in Hammond.

Commissioner Ackley gave a brief update on Way to Wellville activities. She also discussed the Walmart grand opening, and noted Walmart is very proactive in supporting our community.

Commissioner Baldwin noted with all the grief about Walmart coming to Warrenton, the parking lot is full every day. He noted he is glad to see them here.

Mayor Balensifer echoed Commissioner Newton's comments on the wetland hardship variance and stated he is glad the Commission is taking time to consider it. He stated he just received notification that the 142nd Fighter Wing will do a "fly over" with an F-15 Eagle, at the Warrenton 4th of July parade. He stated he sits on the Oregon Workforce Investment Board, and there was a statistic that rated all employment openings in Lincoln, Benton, Tillamook and Clatsop counties, and of those openings there was only a .50 cent difference between a trade skill hourly rate vs. a degree. He also noted they are still working with ODFW on the elk issue. He asked permission from the Commission to appoint Commissioner Dyer as chair of a community action team, to identify and prioritize nuisance properties; there was Commission consensus.

At 8:30 p.m. Mayor Balensifer recessed the regular meeting for 15 minutes. Mayor Balensifer reconvened the regular meeting at 8:42 p.m., and there being no further business Mayor Balensifer adjourned the meeting and announced they will now meet in exec session under the authority of 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*; and 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*; and 192.660(2)(e); *to conduct deliberations with persons designated by the governing body to negotiate real property transactions*. 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 A. Balensifer III, Mayor

ATTEST:


Dawne Shaw, Deputy City Recorder