

MINUTES  
Warrenton City Commission  
June 11, 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, and Tom Dyer

Excused: Paul Mitchell

Staff Present: City Manager Esther Moberg, Finance Director Jessica Barrett, Planning Director Matthew Ellis, Public Works Director Greg Shafer, Deputy City Recorder Hanna Bentley, and City Recorder Dawne Shaw

CONSENT CALENDAR

- A. City Commission Meeting Minutes – 5.28.2024
- B. Monthly Finance Report – March 2024

There was unanimous consensus to approve the consent calendar as presented.

COMMISSIONER REPORTS

Commissioner Poe discussed the Columbia River Estuary Study Taskforce (CREST) budget meeting he attended.

PUBLIC COMMENT

Samuel Sadtler spoke in regard to the sanitary sewer Advanced Financing District (AFD).

Josh Stellmon, representing Jason Palmberg spoke regarding the AFD. He noted the actual cost of the project and that an additional application would have higher costs.

Robert May spoke regarding the AFD noting he is not against project but against the way it was brought about.

Steven Goldberg spoke regarding the AFD and noted he would like to see the AFD application denied because it's too expensive.

PUBLIC HEARINGS

Mayor Balensifer opened the public hearing on the adoption of the Warrenton City Budget for Fiscal Year (FY) 2024-2025. Formalities followed. No conflicts of interest or ex parte contacts

were reported. Finance Director Jessica Barrett presented her staff report on the budget, noting Resolution No. 2675 for its adoption. She noted the budget was approved by the Budget Committee on May 18<sup>th</sup> and stated the total appropriations for this budget are \$43,812,953. Mayor Balensifer asked for public comments. No one spoke in favor or opposition. There being no further comments, Mayor Balensifer closed the public hearing.

**Commissioner Poe made the motion to adopt Resolution No. 2675, adopting the City of Warrenton FY 2024-2025 Budget. Motion was seconded and passed unanimously.**

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

Mayor Balensifer opened the public hearing on the election to receive State Revenue Sharing funds. Formalities followed. No conflicts of interest or ex parte contacts were reported. Ms. Barrett presented the staff report, noting the total of estimated state shared revenue is \$736,137; \$223,377 of that amount will go into the General Fund, noting there are no restrictions on those revenues; and \$512,760 will go to the State Tax Street Fund, noting those funds are restricted to road related purposes. Mayor Balensifer asked for public comments. No one spoke in favor or opposition. There being no further comments, Mayor Balensifer closed the public hearing.

**Commissioner Poe made the motion to adopt Resolution No. 2676; a Resolution Declaring the City of Warrenton’s Election to Receive State Revenues for Fiscal Year 2024-2025. Motion was seconded and passed unanimously.**

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

#### BUSINESS ITEMS

Mayor Balensifer noted the resignation of Commissioner Mark Baldwin from Position No. 2. He noted this position is up for election this year and proposed a process to fill the vacancy.

**Commissioner Poe made the motion to declare Warrenton City Commission Position No. 2 vacant. Motion was seconded and passed unanimously.**

**Poe – aye; Dyer – aye; Balensifer – aye**

**Commissioner Dyer made the motion for the City Recorder to put forth an application for interested parties to apply for City Commission Position No. 2. Motion was seconded and passed unanimously.**

**Poe – aye; Dyer – aye; Balensifer – aye**

There was unanimous consent to make the application deadline noon on Wednesday, June 19<sup>th</sup>.

Mayor Balensifer noted the Capital Improvement Program (CIP) for adoption. He noted the CIP was reviewed in a work session with the commission on April 9, 2024, and the funding for current year capital projects was approved by the Budget Committee at the May 18, 2024 meeting.

**Commissioner Dyer made the motion to adopt the 2025-2030 Capital Improvement Program. Motion was seconded and passed unanimously.**

**Poe – aye; Dyer – aye; Balensifer – aye**

City Manager Esther Moberg noted the City received an event application from Spruce Up Warrenton for the Fourth of July parade and a request for grant funds. Jeanne Smith, Spruce Up Warrenton President commented on the safety concerns about candy at the parade and stated how they would manage it going forward. Mayor Balensifer asked why this needs to come before them; Ms. Moberg responded.

**Commissioner Poe made the motion to approve the 2024 Fourth of July Event and the grant funds request for FY 2024-2025. Motion was seconded and passed unanimously.**

**Poe – aye; Dyer – aye; Balensifer – aye**

Ms. Moberg noted the Commission had requested clarification regarding financing options for advanced financing reimbursements. She noted there is an allowance for a 5 or 10 year repayment plan, within the life of the AFD. Mayor Balensifer discussed and noted he does not feel comfortable to vote on it at this time and suggested having an informal community meeting with staff to discuss and have questions answered; there was consensus. Ms. Moberg suggested Monday July 8<sup>th</sup> for the informal meeting; Mayor Balensifer suggested moving out to a different date. Staff will decide the best date to hold the meeting.

**Commissioner Dyer made the motion to table the consideration of the Advanced Financing District until such time as the community has been included. Motion was seconded and passed unanimously.**

**Poe – aye; Dyer – aye; Balensifer – aye**

Public Works Director Greg Shafer presented Resolution No. 2680, for its second reading and adoption. Mayor Balensifer asked for clarification on if staff is comfortable with this increase; Ms. Moberg elaborated on the rate review process.

**Commissioner Dyer made the motion to conduct the second reading, by title only, of Resolution No. 2680. Motion was seconded and passed unanimously.**

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

Mayor Balensifer conducted the second reading, by title only, of Resolution No. 2680, Adopting Water Department Monthly Rates, Establishing July 1, 2024 as the Effective Date, and Repealing All Other Resolutions in Conflict.

**Commissioner Poe made the motion to adopt Resolution No. 2680. Motion was seconded and passed unanimously.**

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

Mr. Shafer presented for its second reading and adoption, Resolution No. 2681, adopting sewer department monthly rates. Mayor Balensifer noted revenues will increase by \$154,261. He also noted the new Wastewater Treatment Plant will cost \$36,000,000; Ms. Moberg elaborated.

**Commissioner Poe made the motion to conduct the second reading, by title only, of Resolution No. 2681. Motion was seconded and passed unanimously.**

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

Mayor Balensifer conducted the second reading, by title only, of Resolution No. 2681, Adopting Sewer Department Monthly Rates, Establishing July 1, 2024 as the Effective Date, and Repealing All Other Resolutions in Conflict.

**Commissioner Poe made the motion to adopt Resolution No. 2681. Motion was seconded and passed unanimously.**

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

Mr. Shafer presented for its second reading and adoption Resolution No. 2682, adopting residential recycling rates. Mayor Balensifer noted the fee increase is a pass through.

**Commissioner Poe made the motion to conduct the second reading, by title only, of Resolution No. 2682. Motion was seconded and passed unanimously.**

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

Mayor Balensifer conducted the second reading, by title only, of Resolution No. 2682, Adopting and Setting New Rates for Residential Recycling Services, Establishing July 1, 2024 as the Effective Date, and Repealing All Other Resolutions in Conflict.

**Commissioner Dyer made the motion to adopt Resolution No. 2682. Motion was seconded and passed unanimously.**

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

Planning Director Matthew Ellis for its second reading and adoption Ordinance No. 1266, An Ordinance Adding a New Chapter 8.32 to the Warrenton Municipal Code to Establish Regulations for Shipping Containers. Discussion followed on identifying or cataloging existing shipping containers that would be grandfathered. Mr. Ellis provided clarification on what the process would look like for containers that are grandfathered in. Mayor Balensifer asked if there will be a registry created of shipping containers that are grandfathered in; Mr. Ellis stated that creating a catalog of existing containers would be administratively challenging. Mayor Balensifer noted his concerns about knowing who is grandfathered in and who is not. Discussion followed on what would be the best way to determine if a shipping container is grandfathered in or not. Mayor Balensifer clarified for the record that this ordinance is solely and only for everything after its adoption; Mr. Ellis confirmed. Commissioner Dyer noted it would be worth it to have a catalog of containers grandfathered in. Discussion followed on enforcement.

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**Commissioner Dyer made the motion to conduct the second reading, by title only, of Ordinance No. 1266, An Ordinance Adding a New Chapter 8.32 to the Warrenton Municipal Code to Establish Regulations for Shipping Containers. Motion was seconded and passed unanimously.**

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

Mayor Balensifer conducted the second reading, by title only, of Ordinance No. 1266.

**Commissioner Poe made the motion to adopt Ordinance No. 1266. Motion was seconded and passed unanimously.**

**Poe – aye; Dyer – aye; Balensifer – aye**

Mr. Ellis presented Resolution No. 2672 for its second reading and adoption. He noted this will revise Planning Application Fees. Mayor Balensifer noted for the record that some of the fees were reduced.

**Commissioner Poe made the motion to conduct the second reading, by title only, of Resolution No. 2672, Revising Planning Application Fees and Repealing Resolution No. 2519 and All Resolutions in Conflict. Motion was seconded and passed unanimously.**

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

Mayor Balensifer conducted the second reading, by title only, of Resolution No. 2672.

**Commissioner Dyer made the motion to adopt Resolution No. 2672. Motion was seconded and passed unanimously.**

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

City Recorder Dawne Shaw discussed Resolution No. 2667, updating Public Records Fees. She noted these fees have not been updated since 2019, and with the implementation of new software and new records request process, staff time and records processing has changed. Ms. Shaw reviewed the proposed fees in comparison to the current fees.

**Commissioner Dyer made the motion to conduct the first reading, by title only, of Resolution No. 2667. Motion was seconded and passed unanimously.**

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

Mayor Balensifer conducted the first reading, by title only, of Resolution No. 2667, a Resolution Adopting Public Records Fee, and Repealing Resolution No. 2658.

Mayor Balensifer discussed the resignation of a Planning Commissioner and requested to declare the seat vacant.

**Commissioner Poe made the motion to declare Position No. 1 on the Planning Commission as vacant. Motion was seconded and passed unanimously.**

**Poe – aye; Balensifer – aye; Dyer – aye**

Mayor Balensifer noted his nomination of Tony Faletti to fill the vacancy. He noted his reasons for recommending Mr. Faletti to the Planning Commission.

**Commissioner Poe made the motion to appoint Tony Faletti to Position No. 1 on the Planning Commission to Fill the Unexpired Term Ended 12/31/2024. Motion was seconded and passed unanimously.**

**Poe – aye; Balensifer – aye; Dyer – aye**

### DISCUSSION ITEMS

Planning Director Matthew Ellis explained the permitting options for floodplain development. Discussion followed on the example of replacing a heater in an existing home would trigger the need for a floodplain development permit requirement; Mayor Balensifer noted that section of the code needs to be changed. He stated anything in the existing structure there should be zero cost; if you are changing the footprint/increasing the square footage of the home, there should be a cost. Commissioners Dyer and Poe noted their thoughts. Mr. Ellis explained the staff time that is spent on permit reviews. Discussion continued; Mayor Balensifer requested staff outline the full cost for staff time spent on permit review, filing, etc. There was unanimous consent to direct staff to revisit the code to make it minimal code requirements based on federal requirements and to come back with a permit regime cost breakdown. Discussion followed on past examples of flood plain permits.

City Manager Esther Moberg reviewed the Federal Emergency Management Agency (FEMA) Floodplain maps; she noted the earliest these maps will be rolled out is 2026. She noted the City has been working on/trying to certify our dikes and levees. Mayor Balensifer noted the highest priority should be diking district 2, which is downtown; Ms. Moberg agreed. Ms. Moberg noted the City's first steps; Mayor Balensifer stated do everything staff is suggesting, and send an official letter to our congressional delegation, and get in touch with a group to challenge the BiOp and have a template letter for residents to send off to congressional delegation; there was unanimous consent.

Ms. Moberg discussed the FEMA BiOp; environmental groups felt FEMA was not doing enough to protect endangered species and filed a lawsuit, the BiOp is the result of the lawsuit. She explained the lawsuit and the changes. She stated there is time to push back and noted the nearby coalition. She noted the BiOp is expected to roll out in 2027/2028.

### GOOD OF THE ORDER

Ms. Moberg provided an update on past agenda items. She noted that staff will bring back sewer rates at the next meeting, and SDC fees work session can be at the first meeting in July; consensus was to bring the SDC's back in a memo. She stated that the city has started recruitment for a building official.

Mayor Balensifer stated Hammond post office is a very publicly used facility and the parking lot should be on the nuisance list.

At 8:13 pm, Mayor Balensifer announced the Commission will now meet in executive session under authority of 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)(e); *to conduct deliberation with persons designated by the governing body to negotiate real property transactions*.


At 8:44 p.m. Mayor Balensifer reconvened the regular meeting, and noting no further business, adjourned the meeting.

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

APPROVED:

  
Henry A. Balensifer III, Mayor

ATTEST:

  
Dawne Shaw, CMC, City Recorder  
Hanna Bentley, Deputy City Recorder