



City of Warrenton City Commission

Minutes

City Hall, 225 S. Main Warrenton, OR 97146

Tuesday, November 12, 2024

1. City Commission meeting called to order at 6:00 pm.
2. Pledge of Allegiance

Commission Members	Present	Excused
Gerald Poe	X	
Jessica Sollaccio (via Zoom)	X	
Tom Dyer	X	
Paul Mitchell	X	
Henry Balensifer, Mayor	X	

Staff Members Present	
City Manager Esther Moberg	Police Chief Mathew Workman
City Recorder Dawne Shaw	Public Works Director Greg Shafer
Planning Director Matthew Ellis	Harbormaster Jessica McDonald
Library Director Josh Saranpaa	

3. Consent Calendar

*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.

Mayor Balensifer asked for clarification on the delay in receiving Advisory Board meeting minutes; staff responded and will look into the matter.

- A. City Commission Meeting Minutes 10.22.2024
- B. Monthly Finance Report – July 2024
- C. Monthly Finance Report – August 2024
- D. Warrenton Library Strategic Plan 2024-2028
- E. Community Center Advisory Board Minutes 2024.02.15
- F. Community Center Advisory Board Minutes 2024.04.17
- G. Marina Advisory Committee Minutes 2024.01.22
- H. Marina Advisory Committee Minutes 2024.02.26
- I. Marina Advisory Committee Minutes 2024.05.20
- J. Parks Advisory Board Minutes 2024.08.12

Motion:	Move to adopt the consent calendar.				
Moved:	Poe				
Seconded:	Dyer	Aye	Nay	Abstain	Recused
Vote:	Poe	X			
	Sollaccio	X			
	Dyer	X			
	Mitchell	X			

	Balensifer	X			
Passed:	5/0				

4. Commissioner Reports

Commissioner Mitchell briefly discussed the Housing Task Force meeting.

Commissioner Sollaccio noted she is currently in Salem for the Rural Women’s Leadership meeting.

Mayor Balensifer stated he and the Fire Chief met with Medix and he asked to have the Chief come back and give an update on the Medix/medical transport status; Ms. Moberg followed up. Mayor Balensifer also asked about the water policy adoption; Ms. Moberg stated it will be coming to the commission in January.

5. Public Comment

Jim Parker spoke in regard to problems with his utility account and billing. He also stated moorage rates should be lower for city residents; it was noted he does reside outside of city limits.

6. Public Hearing

A. Appeal of SDC Fees; 65 Hwy 101:

Mayor Balensifer opened the Public Hearing on the matter of the appeal of SDC fees. Formalities followed. No conflicts of interest or ex parte contacts were reported. City Manager Esther Moberg reviewed the appeal that the city received for the coffee kiosk at 65 Hwy 101. Mayor Balensifer asked for public comments. Applicant, Kenny Hopkins spoke in favor of the fee waiver. No one spoke in opposition or neutral. There being no further comments, Mayor Balensifer closed the public testimony. Mayor Balensifer asked Planning Director Matthew Ellis about the recent transportation SDC Fee change and if these fees are justified based on the amount of traffic; Mr. Ellis responded. Discussion continued on the traffic and fees. Mayor Balensifer asked Mr. Hopkins how he did not anticipate high SDC fees, based on the fact that he is from the Portland area which has very high SDC fees. Mr. Hopkins stated he was not even aware that there were SDC fees. Discussion continued. Mayor Balensifer closed the public hearing. Mayor Balensifer stated the city does not have a long history of waiving SDCs and noted examples. He stated he personally does not feel we should exempt businesses from paying the SDC fees. Commissioner Mitchell agreed not to exempt, but would like to come to a fee that makes sense, but noted the cost should not fall on the city. Commissioners Poe and Dyer agreed with the City Manager’s recommendation for a decrease in the fee; Commissioner Sollaccio agreed.

Motion:	Move to adopt the City Manager’s recommendation for the slight waiver of SDC Fees.				
Moved:	Dyer				
Seconded:	Poe	Aye	Nay	Abstain	Recused
Vote:	Poe	X			
	Sollaccio	X			
	Dyer	X			
	Mitchell	X			
	Balensifer		X		
Passed:	4/1				

B. Public Contracting Exemption - Kennedy Jenks for the Design of the Wastewater Treatment Plant:

Mayor Balensifer opened the Public Hearing on the matter of the public contracting exemption. Formalities followed. No conflicts of interest or ex parte contacts were reported. Ms. Moberg presented her staff report and explained the reasoning for the exemption. Mayor Balensifer asked for public

comments. No one spoke in favor, opposition or neutral. There being no comments, Mayor Balensifer closed the public testimony. Mayor Balensifer asked about the certainty of cost outlined in the memo, and asked if we know who did the Tillamook and Clatskanie plants? He noted they went over the budget and doubled the cost. Ms. Moberg stated she would research that. Kennedy Jenks Engineer, Mark Cullington, spoke about the cost overrun at Clatskanie. He spoke further about the cost projections/cost analysis. He stated that he believes the cost will be in the range but cannot be sure it will be exact. Mayor Balensifer asked that there be a goal on the record, that they will own any design and cost issues; Mr. Cullington agreed. Mayor Balensifer closed the public hearing.

Motion:	Move to authorize the City Manager to enter into contract negotiations with Kennedy Jenks for the design phase of the new Wastewater Treatment Plant upgrades.				
Moved:	Poe				
Seconded:	Dyer	Aye	Nay	Abstain	Recused
Vote:	Poe	X			
	Sollaccio	X			
	Dyer	X			
	Mitchell	X			
	Balensifer	X			
Passed:	5/0				

- C. Amendment to Chapter 16.88 and Adding Chapter 16.242 to the Warrenton Municipal Code to Clarify Regulations on Floodplain Development Permits; Ordinance No. 1276 - ***Tabled until after the Executive Session***

7. Business Items

- A. Oregon Clean Marina Certification:

Harbormaster Jessica McDonald briefly discussed the process and work that took place to obtain the clean marina certification. She introduced Glenn Dolphin from the Oregon State Marine Board, who presented the city with an Oregon Clean Marina Certification. He noted the final evaluation was in September 2024, after the *Suzanne* was removed. He reviewed the inspection results and presented the award to Harbormaster McDonald.

- B. Consideration of Community Center Fees for Community Thanksgiving Dinner:

Ms. Moberg reviewed a request that was received from the Fort Stevens VFW Post and Auxiliary 10580, to have the city cover the Community Center rental fees for the annual Community Thanksgiving Dinner. The total fee is \$898.00. Mayor Balensifer stated he does not have a problem supporting this important community event and noted the commission needs to come to terms on how to fund maintenance and to create a policy.

Motion:	Move to have the City cover the cost of use of the Community Center for the annual free Community Thanksgiving Dinner by using funds from the Warrenton Business License Fund.				
Moved:	Poe				
Seconded:	Dyer	Aye	Nay	Abstain	Recused
Vote:	Poe	X			
	Sollaccio	X			
	Dyer	X			
	Mitchell	X			

	Balensifer	X			
Passed:	5/0				

C. Consideration of Shoreline Sanitary District MOU Amendment:

Ms. Moberg discussed a request from the Shoreline Sanitary District to pay off the remaining connection debt. She reviewed the terms in the original MOU and noted a slight adjustment to the debt amount listed in the agenda memo. The correct amount is \$192,720.00.

Motion:	Move to approve the payment of the remaining debt for connection fees per the IGA agreement dated January 12, 2016, and to add an addendum to the IGA once the payment is received stating the amount has been paid in full.				
Moved:	Mitchell				
Seconded:	Dyer	Aye	Nay	Abstain	Recused
Vote:	Poe	X			
	Sollaccio	X			
	Dyer	X			
	Mitchell	X			
	Balensifer	X			
Passed:	5/0				

D. Consideration of E Dock Piling Replacement:

Harbormaster Jessica McDonald discussed a contract with Bergerson Construction for the Warrenton E Dock Piling Replacement Project. She noted the critical condition of the piles, and stated this project is in the budget. Brief discussion followed. Mayor Balensifer noted the need for a joint session with the Marina Advisory Board after the first of the year.

Motion:	Move to approve the contract with Bergerson Construction to complete the Warrenton E Dock Piling Replacement Project.				
Moved:	Mitchell				
Seconded:	Dyer	Aye	Nay	Abstain	Recused
Vote:	Poe	X			
	Sollaccio	X			
	Dyer	X			
	Mitchell	X			
	Balensifer	X			
Passed:	5/0				

E. Consideration of Warrenton Zoning Map Amendment; Ordinance No. 1282 – Second Reading and Adoption:

Planning Director Matthew Ellis presented Ordinance No.1282 for its second reading and adoption. He briefly reviewed the amendments to the zoning map.

Motion:	Move to approve the conduct the second reading, by title only, of Ordinance No. 1282.				
Moved:	Poe				
Seconded:	Dyer	Aye	Nay	Abstain	Recused

Vote:	Poe	X			
	Sollaccio	X			
	Dyer	X			
	Mitchell	X			
	Balensifer	X			
Passed:	5/0				

Mayor Balensifer conducted the second reading, by title only, of Ordinance No. 1282; an Ordinance Amending the City of Warrenton Zoning Map to Reclassify the Zoning of Multiple Properties from General Industrial to Commercial Industrial.

Motion:	Move to adopt Ordinance No. 1282.				
Moved:	Dyer				
Seconded:	Poe	Aye	Nay	Abstain	Recused
Vote:	Poe	X			
	Sollaccio	X			
	Dyer	X			
	Mitchell	X			
	Balensifer	X			
Passed:	5/0				

F. Consideration of Grant Award Agreement – Iredale Tide Gate and Culvert:

Public Works Director Greg Shafer stated the city was awarded funding for the Iredale Tide Gate and Culvert project. He briefly reviewed the grant and project. Brief discussion followed on possible road closures for this project. Mr. Shafer stated that road closures are possible, but he is not sure yet.

Motion:	Move to approve and sign the grant award agreement for the Iredale Tide Gate and Culvert Project (LPDM-PJ-10-OR-2024-001) between the State of Oregon, acting by and through the Oregon Department of Emergency Management, and the City of Warrenton.				
Moved:	Mitchell				
Seconded:	Dyer	Aye	Nay	Abstain	Recused
Vote:	Poe	X			
	Sollaccio	X			
	Dyer	X			
	Mitchell	X			
	Balensifer	X			
Passed:	5/0				

G. Consideration of Warrenton and CCDD 11 Levee Certification Phase 1 (Interior Drainage Study) Financing Contract Amendment #1:

Mr. Shafer discussed an amendment to the financing contract for the Interior Drainage Study. He noted some minor language discrepancies in the original contract are being corrected with this amendment.

Motion:	Move to accept Amendment #1 to the financing contact with Business Oregon for Project Number A22001, pertaining to the Warrenton and CCDD 11 Levee Certification Phase 1.				
Moved:	Poe				

Seconded:	Dyer	Aye	Nay	Abstain	Recused
Vote:	Poe	X			
	Sollaccio	X			
	Dyer	X			
	Mitchell	X			
	Balensifer	X			
Passed:	5/0				

H. Consideration of Franchise Agreement – 3PO Networks, LLC:

Ms. Moberg discussed a franchise agreement with 3PO Networks. She noted this franchise agreement is fairly standard.

Motion:	Move to approve the Franchise Agreement for the installation of Fiber Optic cable, serving the Fort Point housing development with also the option for dark fiber sales.				
Moved:	Dyer				
Seconded:	Mitchell	Aye	Nay	Abstain	Recused
Vote:	Poe	X			
	Sollaccio	X			
	Dyer	X			
	Mitchell	X			
	Balensifer	X			
Passed:	5/0				

Mayor Balensifer requested to add two items to the agenda - Resolution No. 2692, as item 7.J, and to consider committee application appointments, as item 7.I; there were no objections.

I. Consideration of Advisory Committee Appointments:

Mayor Balensifer noted several applications for advisory boards and requested to appoint Kenneth Standing to the Community Center Board; reappoint Tony Faletti to the Urban Renewal Advisory Committee and the Planning Commission; reappoint Ron Dyer to the Parks Advisory Board; reappoint Mike Balensifer to the Marinas Advisory Board; and appoint Gregory Bian to the Library Advisory Board. Mayor Balensifer noted there are no other applicants for the Marinas Advisory Board, and that he will abstain from voting, as his father is one of the appointees.

Motion:	Move to appoint the candidates to the respective boards.				
Moved:	Poe				
Seconded:	Dyer	Aye	Nay	Abstain	Recused
Vote:	Poe	X			
	Sollaccio	X			
	Dyer	X			
	Mitchell	X			
	Balensifer			X	
Passed:	4/0				

J. Consideration of Resolution No. 2692 will be tabled until after the executive session. Mayor Balensifer read the resolution into the record since it was not included in the agenda packet. He explained his reasoning for writing the resolution.

8. Discussion Items – None

9. Good of the Order – None

10. Executive Session

At 7:11 pm., Mayor Balensifer recessed the regular meeting and announced the Commission will now meet in Executive Session, under the 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.*

At 8:40 pm., Mayor Balensifer reconvened the regular meeting.

6. Public Hearings Continued:

- C. Amendment to Chapter 16.88 and Adding Chapter 16.242 to the Warrenton Municipal Code to Clarify Regulations on Floodplain Development Permits; Ordinance No. 1276:

Mayor Balensifer opened the Public Hearing on the matter of amending the Warrenton Municipal Code, to clarify regulations on floodplain development permits. Formalities followed. No conflicts of interest or ex parte contacts were reported. Mayor Balensifer stated he had a town hall on this matter; however, he does not see that as a conflict. Planning Director Matthew Ellis presented his staff report noting this is technically a housekeeping measure to move the Floodplain Regulations to its own chapter in the code. Mayor Balensifer asked for public comments. No one spoke in favor, opposition or neutral. There being no further comments, Mayor Balensifer closed the public testimony. Commissioner Sollaccio asked for clarification on the timeline of the application reviews; Mr. Ellis clarified. Brief discussion followed. Mayor Balensifer closed the public hearing.

Motion:	Move to amend Ordinance No. 1276, removing section 16.24.080.				
Moved:	Poe				
Seconded:	Mitchell	Aye	Nay	Abstain	Recused
Vote:	Poe	X			
	Sollaccio	X			
	Dyer	X			
	Mitchell	X			
	Balensifer	X			
Passed:	5/0				

Motion:	Move to conduct the first reading, by title only, of Ordinance No. 1276 as amended.				
Moved:	Poe				
Seconded:	Mitchell	Aye	Nay	Abstain	Recused
Vote:	Poe	X			
	Sollaccio	X			
	Dyer	X			
	Mitchell	X			
	Balensifer	X			
Passed:	5/0				

Mayor Balensifer conducted the first reading, by title only, of Ordinance No. 1276; an Ordinance Amending Chapter 16.88 and Adding Chapter 16.242 to the Warrenton Municipal Code to Clarify Regulations on Floodplain Development Permits.

7. Business Items Continued:

J. Consideration of Implementation of Floodplain Compliance; Resolution No. 2692:

Mayor Balensifer noted amendments to Section 1 of the proposed resolution; there were no objections.

Motion:	Move to amend Section 1 of Resolution No. 2692 to: The Warrenton Planning Department shall expeditiously process all floodplain development applications under the current code until the floodplain development code is amended.				
Moved:	Poe				
Seconded:	Dyer	Aye	Nay	Abstain	Recused
Vote:	Poe	X			
	Sollaccio	X			
	Dyer	X			
	Mitchell	X			
	Balensifer	X			
Passed:	5/0				

Motion:	Move to approve Resolution No. 2692, as amended.				
Moved:	Poe				
Seconded:	Dyer	Aye	Nay	Abstain	Recused
Vote:	Poe	X			
	Sollaccio	X			
	Dyer	X			
	Mitchell	X			
	Balensifer	X			
Passed:	5/0				

11. Adjournment

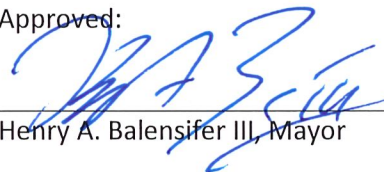
There being no further business, Mayor Balensifer adjourned the meeting at 8:51 pm.

Attest:



Dawne Shaw, CMC, City Recorder

Approved:



Henry A. Balensifer III, Mayor