

MINUTES
Warrenton City Commission
Regular Meeting – July 12, 2016
6:00 p.m.
Warrenton City Hall - Commission Chambers
225 S. Main
Warrenton, Or 97146

Mayor Kujala called the meeting to order at 6:13 p.m.

Commissioners Present: Tom Dyer, Pam Ackley, Mayor Mark Kujala, Henry Balensifer, Rick Newton

Staff Present: City Manager Pro tem Linda Engbretson, City Attorney Harold Snow, Police Chief Mathew Workman, Public Works Director James Dunn, Fire Chief Tim Demers, Accountant April Clark, Community Development Director Skip Urling, Wastewater Treatment Superintendent Kyle Sharpsteen, Harbor Master Keith Pinkstaff, Assistant Harbor Master Jane Sweet, Public Works Foreman Craig Walter, Library Site Manager Nettie-Lee Calog and Administrative Assistant Dawne Shaw

COMMISSIONER COMMENTS

Commissioner Newton – Commented on the large crowd and was glad to see everyone here.

Commissioner Dyer – Welcomed everyone and asked that everyone keep Police Officers in their prayers in light of the Dallas shooting and other recent events.

Commissioner Balensifer – Welcomed everyone and also would like the Commission to review, business licensing fees in regards to nonprofits and churches.

Commissioner Ackley – Welcomed everyone and gave an update on the Way to Wellville program.

Mayor Kujala – Introduced City Manager Pro tem Linda Engbretson, noting the resignation of Kurt Fritsch and the progress that was made under his 5 year tenure.

City Manager Pro tem Engbretson – asked to remove Agenda Item D; after speaking with the Public Works Director, the State has informed us of the need to an prepare in-house policy; Adopting the OAR is not necessary.

Commissioner Balensifer made the motion to remove Agenda Item D. Motion was seconded and passed unanimously.

Dyer – aye; Newton – aye; Ackley – aye; Balensifer – aye; Kujala – aye

Mayor Kujala asked Police Chief Workman to come up and talk about the Dallas shooting and the NC suspect arrest. Police Chief Workman noted a murder suspect from North Carolina turned himself in to the WPD. He also talked about the Dallas police shooting as well as the shooting in a Michigan court room. He discussed his perspective, especially when police are targeted and how important it is for officers to treat people with respect. He stated that his daughter was just sworn in as an officer in Seaside so these events bring it closer to home. He noted the Fire Department is also out there with a target on their backs, so we are all in this together. These events bring out a lot of support from the community and it means a lot.

Mayor Kujala expressed appreciation for our Police and Fire Departments.

CONSENT CALENDAR

- A. Commission Regular Meeting Minutes - 6.28.16
- B. Commission Special Meeting Minutes – 6.30.16
- C. Commission Work Session Minutes – 6.14.16
- D. Police Dept. Monthly Finance Report - May 2016

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

Dyer – aye; Newton – aye; Ackley – aye; Balensifer – aye; Kujala - aye

BUSINESS

Mayor Kujala opened the public hearing on the consideration of a code amendment to make food and/or beverage trucks and carts permitted uses in the I-1 General Industrial Zone. Formalities followed and no ex-parte or conflicts of interest were reported.

Community Development Director Skip Urling reviewed his written staff report as included in the meeting packets, the Planning Commission discussion and concerns. Staff's recommendation is to move forward with the first reading by title only of Ordinance No. 1205-A.

Proponents: Gary Kobes, Airport Manager for the Port of Astoria, reviewed a hand out of a list of airports in WA/OR/ID with food on the airfield and proceeded to discuss the convenience and benefits of having food on the field. Paul Davis Director of Operations for Lektro reiterated the

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benefit as Lektro employees only have 30 mins for lunch so it is a big convenience, for breakfast and lunch. It is also a benefit for our fly-in customers to have food available and boxed lunches that they can purchase for their flights back out. He also noted that there is not enough demand to support a full sized restaurant and the cart is the perfect size to support the need. Steve Fulton, Port of Astoria Commissioner, spoke in support of the food carts and noted their significant benefit to the airport facility. Dan Travers, retired Coast Guard Captain, currently working for Life Flight, spoke in favor of the food carts stating that the crew wanted a galley but that was not an option. The cart also serves Coast Guard personnel who cannot leave the base to get food if they are on 24 hour duty. Carl Keyes, Command Master Chief for the Coast Guard base spoke in favor and noted that the food cart has had a positive impact on morale. No one spoke in opposition.

There being no further comments, Mayor Kujala closed the hearing.

Commissioner Balensifer made the motion to conduct the first reading by title only of Ordinance No. 1205-A, Providing for food and drink trucks or carts to be permitted uses on the I-1 General Commercial Zoning district. Motion was seconded and passed unanimously.

Dyer – aye; Newton – aye; Ackley – aye; Balensifer – aye; Kujala - aye

Mayor Kujala conducted the first reading by title of Ordinance No. 1205-A; *“Amending Warrenton Municipal Code Section 16.60.020 to include Food and/or Beverage Trucks or Carts as permitted uses in the I-1 General Industrial Zoning District.”*

Mayor Kujala opened the public hearing on the Amber Morgan Appeal of the Planning Commission’s decision to return a commercially used structure back to a residence. Formalities followed and no ex-parte or conflicts of interest were reported.

Community Development Director Skip Urling presented his written staff report on the appeal, as included in the meeting packets. The property was converted for use as salon a few years ago; the owners wish to convert it back to a residence, which the Planning Commission has approved. Staff recommendation is to uphold the Planning Commission decision to allow the Mossman property at 325 S. Main to be reconverted from a commercial use back to a residential use.

Proponents: Janet Mossman the property co-owner noted that the person who filed the appeal is not present. The Mossman’s wish to have it returned back to residential for real estate/resale reasons.

No one spoke in opposition. There being no further comments, Mayor Kujala closed the hearing.

City Attorney Snow asked that the record note that the appellant did not appear.

Commissioner Ackley made the motion to uphold the Planning Commission's decision to allow the Mossman property at 325 S. Main Avenue to be reconverted from a commercial use back to a residential use. Motion was seconded and passed unanimously.

Dyer – aye; Newton – aye; Ackley – aye; Balensifer – aye; Kujala - aye

Mayor Kujala opened the public hearing on the Gronmark Rezone Application RZ 16-01. Formalities followed and no ex-parte or conflicts of interest were reported.

Community Development Director Skip Urling reviewed his written staff report as included in the meeting packets. Jim Gronmark applied to rezone the abutting properties on the north side of Highway 104 Spur from the Skipanon River to S. Main Ave. The Planning Commission held a public hearing on June 9, 2016 on this matter, and voted to forward a recommendation to the City Commission to approve the application and adopt Ordinance No. 1204-A.

Proponents: Mike Morgan of Cannon Beach spoke in support of the rezone and stated that Mr. Gronmark is interested in building an apartment complex to meet the tremendous demand for housing.

Opponents: While not necessarily an opponent Alisa Jimenez lives adjacent to the area proposed for rezoning. She stated concerns about what this will do to the tax base and property values; also voiced concerns about the condition of property, and the possibility of it being marshlands. She submitted pictures of flood problems they have had in the past and is concerned with flooding and erosion. The condo owners would like further investigations and concerns addressed regarding environmental impact. Mike Morgan responded to Alisa Jimenez's concerns; there is a small amount of wetlands on site and there has been a wetlands delineation done and any construction would have to take that into account. It is most likely that the building would be closer to SE Anchor than the condos. The developer would try to avoid the wet area and build as far away from the river as possible. All the details would be worked out through the site development plan and review process. Mindy Little voiced concerns about the amount of traffic apartments would bring in to an area that currently has a lot of kids; also concerned about where the cars will enter the complex and concerns about the road.

There being no further comments, Mayor Kujala closed the hearing.

Commissioner Balensifer made the motion to conduct the first reading by title only of Ordinance No. 1204-A, Approving Application RZ-16-1 to rezone the properties abutting the north side of Highway 104 Spur between the Skipanon River and South Main Avenue from C-1 General Commercial to RH High Density Residential, based on the findings and

conclusions of the June 3, 2016 Gronmark ^{ad} remark rezone staff report and Planning Commission recommendation. Motion was seconded and passed unanimously.

Dyer – aye; Newton – aye; Ackley – aye; Balensifer – aye; Kujala - aye

Mayor Kujala conducted the first reading by title of Ordinance No. 1204-A; “An ordinance amending the City of Warrenton Zoning map to reflect the rezoning of all tax lots fronting on the north side of Highway 104 Spur in the C-1 General Commercial zoning district in the SE of the ¼ of Section 28, Township 8 North, Range 10 West, WM, to RH High Density Residential, as illustrated on Application RZ 16-1 drawings, and adopting the findings and conclusions of the June 3, 2016 staff report.”

Public Works Director Jim Dunn explained the Managing Oregon Resources Efficiently (MORE) Intergovernmental Agreement contract; a multi-agency IGA that allows Oregon’s public agencies to exchange services and resources. There are over 50 agencies involved in this IGA including Clatsop County as well Astoria.

City Attorney Snow noted concerns on paragraph 9 of the contract and has asked the City’s insurer to comment on it. He also noted the IGA includes loaning equipment.

Commissioner Balensifer made the motion to approve the addition of the Managing Oregon Resources Efficiently (MORE) Intergovernmental Agreement contract to the City’s list of approved procurement agencies, pending insurance input. Motion was seconded and approved unanimously.

Dyer – aye; Newton – aye; Ackley – aye; Balensifer – aye; Kujala - aye

Mayor Kujala opened the discussion on the consideration of engaging independent counsel for legal review of 8th Street dam matters. He noted for the record that his family owns property upstream from the dam. He stated there is no project at this time before the City Commission, this is simply a look at what the City’s legal rights and responsibilities are moving forward and also to engage counsel to assist in constructing a timeline. Commissioner Ackley noted for the record that she also has property in the affected area.

Discussion followed on the scope of work presented to the commission from Mr. Akin Blitz of Bullard Law. Also discussed was budgeting, where to pull the funds from and which steps to take first.

Commissioner Balensifer stated he supports compiling information to see where we are going, and there seems to be a lot of questions about who owns it. He also asked for clarification that consideration is on compiling the record, receive a budget, and have a separate vote on it.

Discussion continued on the cost, staff time and funding for the item. City Manager Pro tem

Engbretson also voiced her concerns over the budget for this issue and discussion continued on how/where to budget for this. Discussion followed on the scope of work and the need for discovery/clarification on the easement. Mayor Kujala suggested that they engage Akin Blitz and bring back the budget discussion at the next meeting.

Commissioner Ackley made the motion to authorize engagement of Akin Blitz, Bullard Law, to oversee the compilation of factual documentation related to the 8th Street Dam as outlined in the Scope of Work presented. Motion was seconded and approved unanimously.

Dyer – aye; Newton – aye; Ackley – aye; Balensifer – aye; Kujala - aye

City Manager Pro tem Engbretson reviewed the City of Warrenton Charter that requires the City Commission to adopt a resolution of its intent to appoint a new City Manager.

Mayor Kujala noted that the Commission also needs to give the City Manager Pro tem authority to move forward on upcoming personnel matters.

Commissioner Balensifer made the motion to adopt Resolution No. 2467; “A Resolution of Intent to Appoint a Manager for the City of Warrenton.” Motion was seconded and approved unanimously.

Dyer – aye; Newton – aye; Ackley – aye; Balensifer – aye; Kujala - aye

Commissioner Balensifer made the motion to authorize the City Manager Pro tem authority to preside over personnel matters. Motion was seconded and approved unanimously.

Dyer – aye; Newton – aye; Ackley – aye; Balensifer – aye; Kujala - aye

Mayor Kujala stated he had a discussion with City Manager Pro tem Engbretson regarding her salary, retroactively to July 1st, making it the same as the previous City Manager’s starting salary from July 2011.

Commissioner Ackley made the motion to approve the adjustment to the City Manager Pro tem’s salary to be the same as the previous City Manager’s salary from July 2011. Motion was seconded and approved unanimously.

Dyer – aye; Newton – aye; Ackley – aye; Balensifer – aye; Kujala - aye

PUBLIC COMMENT

Bert Little stated his concerns about the 8th Street dam, citing erosion problems along the bank of the Skipanon River since the tide gates were removed several years ago.

Mindy Little voiced her concerns regarding the handling of the 8th Street dam and the impact to properties if it is removed.

Pat O'Grady stated concerns regarding the handling of the 8th Street dam.

There being no further business Mayor Kujala adjourned the meeting at 7:40p.m.

APPROVED:



Mark Kujala, Mayor

ATTEST:



Dawne Shaw, Administrative Assistant