



**Regular City Council Meeting
March 12, 2013
MEETING MINUTES**

CALL TO ORDER Mayor John Kinsky called to order the Regular Meeting of the Banks City Council at 7:01 PM. Present were: Rob Fowler, Brian Biehl, Christy Greagor, Craig Stewart, Mark Gregg, and Mayor Kinsky. Pete Edison was absent.

Staff present: Interim City Manager Jolynn Becker, Interim City Recorder Angie Lanter, City Attorney Paul Elsner, and Gian Palo Mammone, Human Resources Intern.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPEARANCE OF INTERESTED CITIZENS

Dorothy Johnston, 42010 NW Broadshire Lane, Banks, Oregon 97106, requested direction about how to stop the delivery of plastic wrapped newspapers on her driveway. The deliveries are never placed in the newspaper tube and she has talked with the driver and the Forest Grove newspaper company about stopping the deliveries to no avail. She hoped that laws against littering could be effective.

Mayor Kinsky asked Ms. Becker to contact the newspaper about being so inconsiderate in hopes that an official call might be more effective.

CEREMONIAL PRESENTATIONS & PROCLAMATIONS

1. Banks Arbor Day Proclamation – Mayor Kinsky read the Proclamation.
2. National Community Development Week Proclamation – Mayor Kinsky announced Community Development Week would be April 1st through 6th 2013.

BRIEFINGS AND PROGRAMS

3. Sheriff Office Activities and Projects – Sheriff Pat Garrett reiterated the importance of the relationship Washington County Sheriffs have with the citizens of Banks and reminded that he is available for any questions or to address any problems or challenges. He had met with the Mayor and would work to ensure that PERS and healthcare costs did not jeopardize the department's ability to meet the service needs of the City within its resources.
4. Police Monthly Briefing – Deputy Hanlon presented the police report for February 2013. Council noted that having the drug K9 come to the school was a good example of the added value the City receives from the Sheriff's office.
5. Planning Commission Liaison – Planning Commissioner Chair Ray Deeth reported a quorum was not present, so the Commission held a short work session regarding the pre-applications for Oregon Transportation Growth Management Program Services, which would come before Council. He announced Banks Clean Up Day is scheduled for April 20th, 2013 as is the Recycling Event at Sunset Park where electronics and metal will be received and document shredding services provided.

CITY REPORTS

6. City Manager Report – Interim City Manager Jolynn Becker presented the City Manager Report via PowerPoint, and responded to clarifying questions from Council. An application was received for a Budget Committee position late in the day and added to the Regular Business agenda.

CONSENT CALENDAR:

7. City Council Meeting Minutes – February 12, 2013
Councilor Stewart moved to approve the Consent Calendar as presented. Councilor Gregg seconded the motion. MOTION CARRIED 5-0. Ayes: Fowler, Biehl, Gregg, Greagor and Stewart; Nays: None.

BUSINESS AGENDA

Public Hearing– None

Regular Business

Mayor Kinsky added the consideration of Budget Committee Candidate Gene Stout to the Regular Agenda.

Regular Business

8. Shall the City Council adopt an Ordinance amending the Banks Municipal Code revising the Zoning Codes for new residential zoning districts and design standards? (First reading, second reading, and consideration for adoption) (CL 2013-07) Jolynn Becker clarified this was not an emergency ordinance. Council could adopt the ordinance at once with a unanimous vote. The rush for approval was based on K.J. Won's pending retirement and additional steps needed with DLCD. Paul Elsner explained an emergency ordinance would become effective immediately. This ordinance would become effective 30 days after approval. Ms. Becker reviewed that based on Council's input at the December meeting, changes to the draft involved the building height for new construction on Page 7, and the minimum area for a manufactured home park on Page 11. Mayor Kinsky recalled Councilor Edison had advocated for lot sizes being a minimum ¼-acre. Council discussed concerns about whether limitations exist due to State regulations involving the urban growth boundary. Mr. Elsner agreed to return next month with information about any constraints concerning land use as well as a script for legislative enactment to assure the City complies with all announcement requirements of the State. On Page 9, Section 151.041(c) was corrected to state, "~~Uniform Building~~ **International Residential Code**". City Council consented to defer the Ordinance to the April 2013 City Council meeting.

9. Shall the City Council adopt the Ordinance Amending Chapter 50.19 of the Banks Code of Ordinances Regarding Tampering with Water System? (First reading) (CL 2013-08).

a. Shall the City Council adopt a Resolution Authorizing Water Department Emergency Shut-Off Policy (discussion)

Jolynn Becker reviewed the Staff report and the procedure for adopting the ordinance and resolution, with added comments from Mr. Elsner. The resolution was provided to Council as a preview. Mayor Kinsky conducted the First Reading.

10. Shall the City Council approve an amendment to Ordinance 70.19 of the Banks Code of Ordinances to include Minor Parking and Traffic Violations? (First reading) (CL 2013-09)

a. Shall the City Council adopt a Resolution Authorizing The Municipal Court To Establish And Revise Fines For Minor Parking and Traffic Violations (discussion)

b. City Council review of the proposed court order for Parking Violations.

Jolynn Becker described the purpose of the Ordinance and court order, noting the resolution was provided for Council's review, and addressing clarifying questions from Council. The parking violations' process was similar to that of Forest Grove and Cornelius. Deputy Hanlon confirmed the proposed amendment would be helpful. Mayor Kinsky conducted the First Reading.

11. Shall the City Council approve the Mayor's recommendation for the City Attorney search? (CL 2013-10)

Mayor Kinsky stated after meeting with the candidate and his partner, he recommended that Reeves/Kerns be hired as the City Attorney. Councilor Gregg moved to accept the Mayor's recommendation to hire Reeves/Kern as City Attorney. Councilor Greagor seconded the motion. MOTION CARRIED 5-0. Ayes: Fowler, Biehl, Gregg, Greagor and Stewart; Nays: None.

12. City Council discussion regarding combining the Parks Management Committee & the Tree Board.

a. Addendum #2 to Park Management Agreement.

b. Review the draft of "An Ordinance of the Banks City Council Creating a Parks, Recreation, and Tree Board under Chapter 32.35 of Banks Code of Ordinances, and Repealing Chapter 94.05 and Amending Chapter 92.01".

Jolynn Becker reviewed Addendum #2 and the draft ordinance and described the recommended process for combining the commissions with the goal of having the new Park and Tree Board become effective July 1, 2013. With Council's consent, Ms. Becker would present the addendum to the Homeowners' Association.

13. City Council discussion regarding the nomination & selection process for the Jim Hough Banks Citizenship Award. Mayor Kinsky asked Council to consider criteria for the citizen award so Council would have a definite plan for the nomination & selection process in place by the retreat. Criteria categories were briefly

discussed. Angie Lanter agreed to research criteria used for Forest Grove's Hometown Hero program and suggested ideas for advertising for nominations for the Citizenship Award.

14. City Council discussion regarding expanding the requirements for qualifying to be on the Planning Commission. Following discussion, Council decided against the proposed change to the Commission requirements, noting that residency is part of representation. Council then had a lengthy discussion about whether to adjust the rules for quorum percentage or number of members on the Commission. The discussion was continued for a later date.
15. City Council discussion regarding the procedures for filling a vacancy on the City Council. Jolynn Becker distributed copies of the City of Banks Charter. Mayor Kinsky read his letter of resignation dated March 12, 2013 into the record. According to the Charter, the Council President becomes the Mayor Pro Tem immediately and City Council has several options for choosing a Mayor for the remainder of Mayor Kinsky's term. Council consented to discuss the next steps next month when Mayor Pro Tem Edison is present.

The following item was added to the agenda and addressed prior to Regular Business Agenda Item 8.

16. Shall the City Council appoint Gene Stout to Position BC2 of the Banks Budget Committee? Councilor Stewart moved to appoint Gene Stout to Position BC2 of the Banks Budget Committee. Councilor Biehl seconded the motion. MOTION CARRIED 5-0. Ayes: Fowler, Biehl, Gregg, Greagor and Stewart; Nays: None.

COUNCIL ROUND TABLE DISCUSSION

The Councilors congratulated Mayor Kinsky and wished him well.

ADJOURN The meeting adjourned at 8:25 p.m.

Submitted by:

Angie Lanter – Interim City Recorder