



**Regular City Council Meeting  
June 11, 2013  
MEETING MINUTES**

**CALL TO ORDER** Mayor Pete Edison called to order the Regular Meeting of the Banks City Council at 7:06 PM. Present were: Mayor Pete Edison, Rob Fowler, Christy Greagor, Mark Gregg and Dan Keller. Brian Biehl and Craig Stewart were absent.

Staff present: Interim City Manager Jolynn Becker, Interim City Recorder Angie Lanter, City Attorney Dan Kerns

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**APPEARANCE OF INTERESTED CITIZENS**

Jacob Rossman, Portland, OR, representing Lyon Films stated the company had an upcoming film shoot at Sunset Speedway on July 8 and 9. Council had received a memorandum regarding the premise of the shoot. He clarified that the film was a generic, national presence piece for Intel, so the town of Banks would not be formally recognized. He described the schedule for the two-day shoot, stating they were requesting a noise variance given that filming would finish at midnight on the 8<sup>th</sup>, and closer to 6 am on the 10<sup>th</sup>. Only one monster truck would be running intermittently throughout the evening with bursts of noise for one to two minutes, and then it would be quiet for 30 to 45 minutes before the next burst of noise. A crew of about 40 people total was expected.

David Duyck, Forest Grove, OR, Intel spoke in favor of the variance being requested for the Intel commercial. The film crew would use 6 to 8 cars from Cops Towing to run over and likely have Matt Pihl haul in the dirt and do clean up on Wednesday during the day. Compared to racetrack cars, monster trucks motors run shorter, so there would not be noise continuously. The film crew would be renting space within the track where shooting will be done. He added that Sunset Park did not know what was happening with the Garlic Festival, which may or may not be held in Banks. They would find out later in the month whether the festival would be held in Banks.

**CEREMONIAL PRESENTATIONS & PROCLAMATIONS – None**

**BRIEFINGS AND PROGRAMS**

1. Police Monthly Briefing – Deputy Hanlon presented the police report for May 2013 and addressed follow up questions regarding a couple incidences.
2. Planning Commission Liaison – Planning Commissioner Gene Stout reported on the Planning Commission's actions at its May meeting. The number of Commissioners and whether they should live inside or outside the City was discussed, but no resolution was made. After considerable discussion, the Commission approved a new 5-year extension of the waiver to install restrooms to West Oregon Wood Products, which included an annual review. The school district received approval on an amendment to clarify a prior approval for tree removal and Doug Herb received approval for construction on a new house. A few people addressed the Commission about annexation issues and new property zoning resulting from the urban growth boundary (UGB) expansion that prevented the property owner from building a new home. The property owners said they had not received any of the multiple notices sent regarding the UGB expansion and zoning change. The work program was also discussed.

Jolynn Becker explained that with the UGB process completed, the zoning changed for property owners within the UGB. For example, property zoned farm land was now earmarked for the City as Industrial, which limited what could be done with the property even before their land is annexed. The Planning Commission would consider whether modifications could be made through the County. She clarified that their property taxes would not change, only the zoning changed. Dan Kearns added those lands destined for urban development were placed in a holding zone until further action was taken. The action did not hurt

property owners, but prevented them from building a stick home unless approved by the City as a conditional use. The Planning Commission would look at such issues when considering the zoning changes that could assist those property owners in limbo at this time.

## **CITY REPORTS**

3. City Manager Report – Interim City Manager Jolynn Becker presented the City Manager Report via PowerPoint and addressed clarifying questions from the Commission. She added the County wanted the City to spend the \$46,000 in left over MSTIP funds from the Banks Trailhead within the next year. The funds could be used for signage, sidewalks, curbs or roads. The Banks Lumber Mill water meter issue would be addressed the first part of July; the cost for the project was expected to be significantly lower than originally expected. Handbooks for volunteers and committees would be developed over the next couple months. She reviewed some topics for discussion at the Joint City Council/Planning Commission meeting on June 25<sup>th</sup>. Following discussion, the Councilors agreed to use both dates suggested by Staff to tour the City water facilities.

## **CONSENT CALENDAR:**

4. City Council Meeting Minutes – May 14, 2013
5. Shall the City Council approve a 2013-2014 Log Cabin Lease with the Banks Historical Society? (CL 2013-24)
6. Shall the City Council reappoint Marion Steinbach for another term on the Library Board? (CL 2013-25)
7. Shall the City Council approve the Landscape Management Service Agreement with Trugreen Landcare LLC for Greenville City Park? (CL 2013-26)
8. Shall the City Council adopt Resolution 2013-05 adopting a Fiscal Year 2013-2014 Operating Budget and Capital Improvement Plan? (CL 2013-27)
9. Shall the City Council adopt Resolution 2013-06 for Fiscal Year 2013-2014 declaring the City's Election to receive State Revenue? (CL 2013-28)
10. Shall the City Council adopt Resolution 2013-07 for Fiscal Year 2013-2014 declaring the City's Election to receive State-shared Revenue? (CL 2013-29)
11. Shall the City Council adopt Resolution 2013-08 providing for Fiscal Year 2013-2014 Interfund borrowing for the Fund? (CL 2013-30)
12. Shall the City Council adopt Resolution 2013-09 transferring Appropriations for Library Fund #03? (CL 2013-31)
13. Shall the City Council adopt Resolution 2013-10 providing for Volunteer Workers Compensation Insurance Coverage? (CL 2013-32)
14. Shall the City Council approve the request for the noise variance for Lyon Films LLC?
15. Shall the City Council approve the Mayor to sign a letter of support for TGM Grant – Banks Bicycle and Pedestrian Plan?

Councilor Fowler moved to approve the Consent Calendar. Councilor Greagor seconded the motion. MOTION CARRIED 4-0. Ayes: Fowler, Gregg, Greagor, and Keller; Nays: None.

## **BUSINESS AGENDA**

Public Hearing – None

### Regular Business

16. Shall the City Council adopt Resolution 2013-11 to amend the updates to the Employee Handbook? (CL 2013-33) Ms. Becker noted minor changes and corrections had been made. Following a brief discussion, Council suggested changing the last paragraph on Page 35 to state, "...three (3) or more days in ~~one~~ ~~calendar year~~ any 12-month period..." Staff requested that this item be deferred to July with an effective date of July 1<sup>st</sup> so that the resolution could be prepared.
17. Shall the City Council adopt Resolution 2013-12 to revise Comprehensive Fee Schedule? (CL 2013-34) Ms. Becker reviewed the proposed fee changes and new fees added. Councilor Greagor moved to adopt Resolution 2013-12 to revise the Comprehensive Fee Schedule as drafted. Councilor Keller seconded the motion. MOTION CARRIED 4-0. Ayes: Fowler, Gregg, Greagor, and Keller; Nays: None.
18. Shall the City Council adopt Ordinance 2013-06-01 that amended the Banks Municipal Code revising the Zoning Codes for new residential zoning districts and design standards? (Second reading & consideration for adoption) (CL 2013-35) Councilor Gregg moved to conduct the Second Reading, by title only, of the

proposed Ordinance Amending the Banks Municipal Code, Chapter 151: Zoning to establish New Residential Zoning District and Development Standards and adopt the Ordinance as presented. Councilor Greagor seconded the motion. MOTION CARRIED 4-0. Ayes: Fowler, Gregg, Greagor and Keller; Nays: None.

19. Shall the City Council adopt Ordinance 2013-06-02 that repeals in its entirety Chapter 151 (Zoning Code), Section 151.179 (Planning Commission) of the Banks Code of Ordinances, and adopting a new Section 32.30 (Planning Commission) in Chapter 32 (City Organizations), of the Banks Code of Ordinances, and amending the qualifications for Planning Commissioners (Second reading & consideration for adoption)? (CL 2013-36) Ms. Becker and Mr. Kearns addressed questions from Council involving the residency requirements. Councilor Gregg moved to conduct Second Reading, by title only, of Ordinance 2013-06-02 that repeals in its entirety Chapter 151 (Zoning Code), Section 151.179 (Planning Commission) of the Banks Code of Ordinances, and adopting a new Section 32.30 (Planning Commission) in Chapter 32 (City Organizations), of the Banks Code of Ordinances, and amending the qualifications for Planning Commissioners and adopt the Ordinance as presented. Councilor Greagor seconded the motion. MOTION CARRIED 4-0. Ayes: Fowler, Gregg, Greagor and Keller; Nays: None.
20. Shall the City Council revise the current committee assignments? (CL 2013-37) Following discussion and clarifications from Ms. Becker, Council revised the committee assignments as follows: WCCCA and MACC: Councilor Keller as Alternate; Chamber: City Manager with Councilor Greagor as Alternate; Washington County Land Use Forums: City Manager, no Alternate named; Sunset Park Association Liaison: Councilor Fowler with Councilor Stewart as Alternate; Banks Fire District #13 Board Liaison: Councilor Keller with Councilor Greagor as Alternate; Banks Planning Commission: Scot Siegel with Dan Kearns as Alternate; Banks Internal Audit Sub-Committee: Councilors Gregg, Stewart and Keller; City Manager Performance Review Sub-Committee: Mayor Edison, Councilors Greagor and Biehl. When formed, the City Manager would be assigned to the new Park Committee. Ms. Becker agreed to attend Col-PAC meetings should Mayor Edison have a scheduling conflict. Councilor Gregg moved to adopt the Council committee assignments as discussed. Councilor Keller seconded the motion. MOTION CARRIED 4-0. Ayes: Fowler, Gregg, Greagor, and Keller; Nays: None.

### **COUNCIL ROUND TABLE DISCUSSION**

Councilor Greagor announced the Hops baseball team would hold a grand opening on Thursday with games on Friday in Keizer and a home game on Monday night, which would include a fireworks show.

Councilor Keller said the train seemed louder than normal and asked if it was time to write another letter. Ms. Becker explained the train was more frequent due to more activity at the lumber mill.

Councilor Edison welcomed Councilor Keller back and briefly updated on the junior high construction project. He noted that if the oak trees being cut down were in good enough shape, they would be milled into benches for the school.

**ADJOURN** The meeting adjourned at 8:15 p.m.

Submitted by:

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Angie Lanter – Interim City Recorder