



**Regular City Council Meeting
August 13, 2013
MEETING MINUTES**

CALL TO ORDER Mayor Pete Edison called to order the Regular Meeting of the Banks City Council at 7:00 PM.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Mayor Edison read the letter of resignation submitted by Councilor Craig Stewart for the record.

Present were: Mayor Pete Edison, Brian Biehl, Rob Fowler, Mark Gregg, and Christy Greagor. Dan Keller was excused.

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

APPEARANCE OF INTERESTED CITIZENS – None

CEREMONIAL PRESENTATIONS & PROCLAMATIONS

1. Certificate of Appreciation – Craig Stewart, City Council. Mayor Edison read the certificate recognizing Mr. Stewart for his seven years of service on the City Council.

BRIEFINGS AND PROGRAMS

2. Police Monthly Briefing – Deputy Hanlon presented the police report for July 2013. The new parking violation fees take effect September 1st. Following a brief discussion, Council directed Ms. Becker and Deputy Hanlon to return with a recommendation to Council about extending parking hours on side streets to accommodate campers and other vehicles.
3. Planning Commission Liaison – Planning Commission Chair Ray Deeth first introduced new Chamber Director Ron Litteral. He highlighted the items discussed and acted upon at the July Planning Commission meeting. He commended the new City Planner for training the Commission in preparation for upcoming Code amendment items, which he discussed briefly. A work session is scheduled in October to address Municipal Code Chapters 150 and 151.

CITY REPORTS

4. City Manager Report – Interim City Manager Jolynn Becker presented the City Manager Report, which was included in the meeting packet. She noted she was researching easement issues with regard to possibly enlarging the hole around the vault to install monitoring equipment on the water meter for the fire hydrant at the lumber mill. No testing had been done yet.

CONSENT CALENDAR:

5. City Council Meeting Minutes – July 9, 2013
6. City Council Special Meeting Minutes – July 29, 2013
7. Shall the City Council approve the Mayor signing the Urban Planning Area Agreement (Ordinance No. 764) between the City of Banks and Washington County? (CL 2013-42)
8. Shall the City Council authorize application for a “Ready to Read” Grant from the Oregon State Library in the amount of \$1,000.00 (CL 2013-43)
9. Shall the City Council appoint Mr. Sam VanDyke to the Banks Planning Commission Position PC2? (CL 2013-44)

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

BUSINESS AGENDA

Public Hearing – None

Regular Business

10. Shall the City Council interview and appoint an individual to City Council Position #CC2? (CL 2013-45)
Mayor Edison noted the credentials and experience that Michael Nelson, the applicant, had on various City boards, adding that he had broken his leg and was unable to attend. Councilor Greagor moved to appoint Michael Nelson to the Banks City Council Position #CC2 with a term to expire on December 31, 2015. Councilor Gregg seconded the motion. MOTION CARRIED 4-0. Ayes: Fowler, Biehl, Gregg, and Greagor; Nays: None.
11. Shall the City Council make a motion to approve the Mayor signing Addendum 2 to the Parks Management Agreement? (CL 2013-46) Mayor Edison noted an additional correction under Recitals, the last line of Item 3 should read, “members, ~~two~~ **four** of which are appointed by the AVHA Board of Directors.” Because Council adopted the amendment last time, Mr. Kearns advised replacing the previous agreement dated July 9, 2013 with that presented to and corrected by Council. Councilor Biehl moved to rescind the July 9, 2013 Addendum 2 and adopt the Version 3 as corrected by Mayor Edison. Councilor Greagor seconded the motion. MOTION CARRIED 4-0. Ayes: Fowler, Biehl, Gregg, and Greagor; Nays: None.
12. Shall the City Council adopt Ordinance #2013-08-01 creating a Parks, Recreation and Tree Board under Chapter 32.35 of the Banks Code of Ordinances, and Repealing Chapter 94.05 and Amending Chapter 92.01? (Second Reading and consideration for adoption). (CL 2013-47) Mr. Kearns noted a correction made to Addendum 2 of the Parks Management Agreement must be reflected in Exhibit A of the proposed ordinance as follows: under (B) Members, “~~two (2)~~ **one (1)** of whom shall be current members of the AFHA Board of Directors.” The change regarding the four members appointed by the AVHA Board was already included. Councilor Gregg moved to conduct second reading, by title only, an Ordinance #2013-08-01 Creating a Parks, Recreation and Tree Board under Chapter 32.35 of the Banks Code of Ordinances, and Repealing Chapter 94.05 and Amending Chapter 92.01, and adopt the Ordinance as modified. Councilor Greagor seconded the motion. MOTION CARRIED 4-0. Ayes: Fowler, Biehl, Gregg, and Greagor; Nays: None.
13. Shall the City Council adopt Ordinance #2013-08-02 Repealing in its Entirety Title III (Administration), Chapter 36 (Procurement) of the Banks Code of Ordinances and Adopting a new Title III (Administration), Chapter 36 (Procurement)? (Second Reading and consideration for adoption). (CL 2013-48) Mr. Kearns reminded that the Ordinance revised the City’s public bidding requirements and procedures. He reviewed the Council’s requests. Councilor Greagor moved to conduct second reading, by title only, an Ordinance #2013-08-02 Repealing in its Entirety Title III (Administration), Chapter 36 (Procurement) of the Banks Code of Ordinances and Adopting a new Title III (Administration), Chapter 36 (Procurement), and adopt the Ordinance as presented. Councilor Gregg seconded the motion. MOTION CARRIED 4-0. Ayes: Fowler, Biehl, Gregg, and Greagor; Nays: None.
14. Shall the City Council adopt Ordinance #2013-xx-xx amending the definition of “Board” in Title IX (General Regulations), Chapter 94 (Banks Urban Forest), Section 94.063 (Definitions) of the Banks Code of Ordinances (BCO) to reflect the City Council’s recent creation of the Parks, Recreation and Tree Board in BCO Chapter 32.35? (First Reading) (CL 2013-49) Mr. Kearns explained the Ordinance was a housekeeping item resulting from the consolidation of the Forestry Board with the Parks, Recreation and Tree Board. Councilor Gregg moved to conduct first reading, by title only, an Ordinance #2013-xx-xx amending the definition of “Board” in Title IX (General Regulations), Chapter 94 (Banks Urban Forest), Section 94.063 (Definitions) of the Banks Code of Ordinances (BCO) to reflect the City Council’s recent creation of the Parks, Recreation and Tree Board in BCO Chapter 32.35. Councilor Biehl seconded the motion. MOTION CARRIED 4-0. Ayes: Fowler, Biehl, Gregg, and Greagor; Nays: None.
15. Shall the City Council adopt Resolution #2013-13 in support of a Balanced Management Strategy for the Tillamook State Forest? (CL 2013-50) Councilor Greagor moved to adopt Resolution #2013-13 in support of a Balanced Management Strategy for the Tillamook State Forest. Councilor Biehl seconded the motion. MOTION CARRIED 4-0. Ayes: Fowler, Biehl, Gregg, and Greagor; Nays: None.
16. Shall the City Council pre-approve the refurbishing of Devonmoor Avenue up to \$50,000.00? (CL 2013-51) Ms. Becker reviewed the Staff report, noting the time constraints to get the work done in late September and addressing questions from Council regarding potential surplus funds and the streets that would be affected. Councilor Greagor moved that Staff has the authorization to make the decision on contractor and cost of the project up to \$50,000 for the “City of Banks Devonmoor Ave Refurbishment and Street Overlay

Project.” Councilor Biehl seconded the motion. MOTION CARRIED 4-0. Ayes: Fowler, Biehl, Gregg, and Greagor; Nays: None.

17. City Council discussion regarding a recommendation to the WCCC regarding the potential for a countywide Motor Vehicle Registration Fee. Ms. Becker noted the material included in the packet for the Council’s review. Councilor Biehl reported that WCCC wanted input from the cities but would approve the \$23 annual per vehicle fee without voter approval. A \$46 fee would be put to a public vote. Council discussed the purpose of the fee and the split in revenue between the County and cities. Councilor Gregg moved that the Banks City Council recommend to WCCC that any proposed countywide vehicle registration fee be put to the voters. Councilor Greagor seconded the motion. MOTION CARRIED 3-1. Ayes: Biehl, Gregg, and Greagor; Nays: Fowler.
18. Shall the City Council have further discussion in open session regarding tonight’s executive session, and take further action? Mayor Edison noted one key item of discussion during executive session was the evaluation of the Interim City Manager. Given that review, it was time to discuss the permanent City Manager position and either promote Ms. Becker or begin to search for a new City Manager. Mr. Kearns addressed questions from the Council, confirming no requirements exist about timeframes or how to find candidates. Councilor Gregg moved to have the City Attorney conduct negotiations with Jolynn Becker to fill the permanent City Manager position. Councilor Greagor seconded the motion. MOTION CARRIED 4-0. Ayes: Fowler, Biehl, Gregg, and Greagor; Nays: None. Mr. Kearns responded that he would return with a contract for Council to consider for approval after receiving input from Mayor Edison and background information from Staff.

COUNCIL ROUND TABLE DISCUSSION

Councilor Gregg asked if any more delays were expected from Washington County with regard to the school’s construction project. Ms. Becker replied she did not know, but the City has replied to all the memorandums needed for the school to get the permits; otherwise she has not heard any other feedback. He noted that the athletic outdoor bathroom was still awaiting Clean Water Services, which was submitted in May. The school district has expressed how unhappy it has been with the County’s permitting process. The high school is expected to be done on time, but the plaza area and bathroom by the football stadium would not be done in time for the football season. He commended Councilor Greagor for a very successful National Night Out.

Ms. Becker noted that ODOT had approved closing the sidewalks along the elementary property on August 26th and 27th so the building walls could be raised. Foot traffic would be redirected across Hwy 47 and along Sunset Park.

Councilor Fowler stated he is constantly getting grief about the address change. Ms. Becker responded that the City seldom gets complaints, except for issues with some citizens’ mortgage companies and DMV records. She and Ms. Lanter described the steps Staff is taking to resolve the issues, noting that anyone with complaints should contact the City.

Councilor Greagor thanked everyone who helped with this year’s National Night Out. New activities were added, including volleyball and the dog show, and all the ice cream was donated. She was excited to have extra help; it was a successful event and everyone had fun.

Mayor Edison encouraged the Councilors to consider three Council goals for discussion at the upcoming annual retreat. He also urged those Councilors with committee assignments to attend. He hoped to get more Committee reports in the future, adding it was important that Banks Councilors be seen participating.

Ms. Becker thanked the City Council for their confidence in her.

ADJOURN The meeting adjourned at 8:33 PM

Submitted by:

Angie Lanter – Interim City Recorder