



**Regular City Council Meeting
November 11, 2014
MEETING MINUTES**

CALL TO ORDER Mayor Pete Edison called to order the Regular Meeting of the Banks City Council at 7:13 PM.

Mayor Edison acknowledged the veterans in the audience by having them stand. They were met with a round of applause.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present were: Mayor Pete Edison, Mark Gregg, Brian Biehl, Michael Nelson, Rob Fowler, Dan Keller, and Teri Branstitre.

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

APPEARANCE OF INTERESTED CITIZENS

Mitty Brady, 42076 NW Barton Ct, Banks, OR, said she was speaking on behalf of many citizens and neighbors and thanked Deputy Hanlon and others in the Washington County Sheriff's Department for the increased police coverage, specifically in the subdivision. The police have actively addressed the problem areas in the subdivision and a neighborhood watch was starting in the subdivision.

CEREMONIAL PRESENTATIONS & PROCLAMATIONS

1. Human Rights Proclamation – Mayor Edison read the Proclamation and presented the signed Proclamation to Peg Pfab from the Human Rights Council. Ms. Pfab noted the appropriateness of having the Proclamation on Veterans Day because veterans have helped ensure rights for many people over the years and through many difficult. She described the work of the Human Rights Council in Washington County, and cited two articles promoting human rights.
2. Jim Hough Banks Citizenship Award Presentation – Mayor Edison described the professional background of and years of service to both the City and Banks community provided by the 2014 Jim Hough Banks Citizenship Award winner, Raymond Deeth. Mr. Deeth described his military career, which included two years in the Presidential Honor Guard Washington, D.C, and subsequent 33-year career with the FBI, which ultimately lead him to Banks. He loves the Banks community and would continue doing his best to make it a spot on the map forever. He appreciated receiving the award very much.

BREAK Mayor Edison recessed the City Council meeting for the reception in honor of Mr. Deeth, and reconvened the City Council meeting at 7:42 pm.

BRIEFINGS AND PROGRAMS

3. Police Monthly Briefing – Deputy Hanlon presented the police report for October 2014. He addressed clarifying questions and updated Council on about a half dozen car break-ins committed by the same person on November 2nd. Sargent Steve Schuster sought feedback from Council about a sign he displayed that the Washington County Sheriff's established for their enhanced patrol districts and wanted to post at the entrances of its contract cities. He proposed posting six signs for the City of Banks at Banks Rd, Sellers Rd, Cedar Canyon Rd, at both ends of town on Hwy 47 and at the Hwy 6 off ramp. Council consented to post the signs as proposed.
4. Planning Commission Liaison – Planning Commission Chair Gene Stout reported that while no regular meeting was held in October, a work session was held with only three Commissioners present on the upcoming agenda items for November. City Attorney Kearns confirmed that City Councilors could attend the November Planning Commission meeting, but he advised that they not express opinions, engage in

conversations with people, or tarry at the door where conversations could occur. Councilors must remain objective and not talk amongst themselves or prejudge the items before they came before Council.

5. City Council Goals Updates – Mayor Edison removed Item 6, Flag for City Hall, from the list and added Asset Management Plan. Councilor assignments for the goals were reviewed and finalized as follows: Water Sources, Councilor Gregg; Downtown/Main Street Master Plan, Councilor Keller; Library Phase II, Councilor Nelson; Economic Development, Mayor Edison; Sidewalk Repair/Maintenance, Councilor Branstitre; At-Grade Rail Crossing, Councilor Biehl; Asset Management Plan, Councilor Fowler.

CITY REPORTS

6. City Manager Report – City Manager Becker presented the City Manager Report via PowerPoint, which was included in the meeting packet. She addressed clarifying questions regarding the new water billing procedures and the possible continuation of the November Planning Commission meeting. City Attorney Kearns added the continuance could be to the Commission’s regularly scheduled meeting or to a special meeting date given the Christmas schedule.

CONSENT CALENDAR:

7. City Council Meeting Minutes – October 14th, 2014.
8. Shall the City Council receive the Fiscal Year 2013-2014 Audit? (CL 2014-61)
9. Shall the City Council appoint Michael Davis to fill vacant Park, Recreation and Tree Board Position PRT3 (Term would expire on December 31, 2014)? (CL 2014-62)
10. Shall the City Council authorize the City Manager to sign the contract with Richardson Landscape Architecture, LLC, for the Greenville City Park project? (CL 2014-63)
11. Shall the City Council authorize the City Manager to sign the Intergovernmental Agreement (IGA) for the City of Banks Bike and Pedestrian Plan with Transportation and Growth Management (TGM) on behalf of the City of Banks? (CL 2014-64)

Councilor Fowler moved to approve the Consent Calendar as presented. Councilor Biehl seconded the motion. MOTION CARRIED 6-0. Ayes: Gregg, Biehl, Nelson, Fowler, Keller, and Branstitre; Nays: None.

BUSINESS AGENDA

Public Hearing

Regular Business

12. Shall the City Council adopt Ordinance #2014-10-01 An Ordinance adopting Title IX (General Regulations), Chapter 95 (Distressed Residential Property Registration) of the Banks Code of Ordinances; and Deleting in its entirety Section 130.04 (Unnecessary Noise) of the Banks Code of Ordinances, and replacing it with a new Chapter 96 (Noise Regulation); and Amending Title IX (General Regulations), Chapter 90 (Nuisances) of the Banks Code of Ordinances to limit use of a recreational vehicle as a dwelling? (Second Reading and Consideration for Adoption). (CL 2014-65) City Manager Jolynn noted no changes had been made to the Ordinance since the last meeting.

Councilor Keller moved to conduct a Second Reading and Consideration for Adoption of Ordinance #2014-10-01. Councilor Gregg seconded the motion. MOTION CARRIED 6-0. Ayes: Gregg, Biehl, Nelson, Fowler, Keller, and Branstitre; Nays: None.

City Recorder Lanter conducted the Second Reading of Ordinance #2014-10-01.

13. Shall the City Council adopt Ordinance #2014-10-03 an Ordinance Amending Ordinance No. 2012-11-01 and Title X (Franchises), Chapter 104 (SWATCO Solid Waste Franchise) to revise the Rate Schedule (Appendix B) for Solid Waste and Recycling Services within the City of Banks, Oregon? (Second Reading and Consideration for Adoption) (CL 2014-66) City Manager Jolynn noted no comments had been received and no changes had been made to the Ordinance since the last meeting.

Councilor Gregg moved to hold a Second Reading and Consideration for adoption of Ordinance #2014-10-03. Councilor Biehl seconded the motion. MOTION CARRIED 6-0. Ayes: Gregg, Biehl, Nelson, Fowler, Keller, and Branstitre; Nays: None.

City Recorder Lanter conducted the Second Reading of Ordinance #2014-10-01.

14. Shall the City Council adopt Resolution #2014-19 extending the term of the Cable Television Services Agreement with Comcast Of Oregon, Inc. to enable the Metropolitan Area Communications Commission to complete the formal renewal process? (CL 2014-67) Fred Crist, Metropolitan Area Communications Commission (MACC), said this was noncontroversial issue. A maximum of six months were needed to

finish the franchise agreement. City Attorney Kearns explained that a resolution was used rather than an ordinance because no amendments were being made to the ordinance or franchise.

Councilor Keller moved to adopt Resolution #2014-19 Extending the term of the Cable Television Services Agreement with Comcast Of Oregon, Inc. to enable the Metropolitan Area Communications Commission to complete the Formal Renewal Process as modified/presented. Councilor Fowler seconded the motion.

MOTION CARRIED 6-0. Ayes: Gregg, Biehl, Nelson, Fowler, Keller, and Branstitre; Nays: None.

15. Shall the City Council adopt Resolution #2014-20 supporting and authorizing the City of Banks to apply for the Oregon Department of Land Conservation and Development Transportation and Growth Management Project for the Parking Management for 2014-15 Period? (CL 2014-68) City Manager Becker presented the Staff report and provided examples of how Parking Management could benefit the City.

Councilor Nelson moved to adopt Resolution #2014-20 that supports and authorizes the City of Banks to apply for the Oregon Department of Land Conservation and Development Transportation and Growth Management Project for the Parking Management for 2014-15 Period. Councilor Biehl seconded the motion. MOTION CARRIED 6-0. Ayes: Gregg, Biehl, Nelson, Fowler, Keller, and Branstitre; Nays: None.

COUNCIL ROUND TABLE DISCUSSION

Councilor Keller asked for an update on the water meter at the lumber mill and if the City's Facebook page had announced the meeting. City Manager Becker stated the lumber mill was submitting plans to the city engineer and had until March 15th to install the water meter due to the work involved, which included acquiring permits and easements. City Recorder Lanter said she would get the neighborhood watch meeting information from the contact person and put it on the City's website and Facebook page.

Council Biehl noted the presentation given by the City of Tigard at the Washington County Coordinating Committee meeting requesting MSTIP money to fix sidewalks and provide training programs to get more students to walk to school. The traffic congestion in many cities is caused by parents driving their kids to school. He suggested that this might be something for the City to consider as well.

Mayor Edison believed the water projects should take priority given the water issues in the city and asked about the ongoing project of the water meters being changed out. City Recorder Lanter explained water meters have a 15 to 20 year lifespan and most meters in town had never been replaced. When Jim Hough was city manager, she opened 600+ work orders to have the water meters in town replaced and Public Works was slowly changing them out. The new meters were being tracked to ensure replacement occurred in the proper timeframe in the future.

Mayor Edison commended the Planning Commission for its work and wished the Commission the best during its upcoming work. He asked Staff's opinion on using Facebook. City Recorder Lanter replied that maintaining the page did not take much work as the posts were of information already published elsewhere, which she described. Facebook was also used to promote good things that were happening, such as photos of the Arbor Day event and Mr. Deeth receiving the Citizenship Award. The Library was also using the Facebook page to announce its events and programs. City Manager Becker noted that items not created by the City and not in the best interest of the City were not posted on Facebook. City Attorney Kearns cited the example of not posting the link to the editorial advocating the passage of the annexation, which could be viewed as using City resources to advocate the passage of a ballot measure.

Council and Staff discussed the process of distributing notices, agendas, and packets and possibly using electronic versus paper copies of the Council's packet material. Councilor Nelson requested receiving only electronic versions of the packet.

City Recorder Lanter stated City Hall was again a drop off location for the Washington County Sheriff's Department's One Warm Coat Program until December 1st. New and gently used coats are collected to distribute at shelters and to low income families. Gloves, hats, and scarves could also be donated. City Manager Becker believed the increased donations received this year were due to announcements on Facebook.

City Manager Becker announced that the Holiday Party was scheduled for January 9, 2015 at Primetime. Invitations would also be mailed to all City volunteers. She confirmed that Council wanted a discussion scheduled for the next Council work session about smoking in public parks. The election results would be certified on November 24th, so the next step for the annexation would be a first and second reading in December.

City Attorney Kearns confirmed both readings could be conducted in a single meeting to expedite the annexation with a majority of the quorum present. The property would officially come into the city limits effective 30 days from that final action for the annexation. He described the anticipated timeline and process for implementing recreational marijuana and encouraged Council to be thinking about the regulations they would want in Banks, noting that zoning was the first place to begin. He could offer no concrete advice at this point because legalizing recreational marijuana was still very new so the key issues were yet unknown. Most area cities had prohibited dispensaries, except the City of Vancouver. He would keep Council posted about any hot topics he might learn from other city attorneys. The possession and use provision would be effective in June or July. City Manager Becker stated Council would begin discussing the provision at the January work session, noting the moratorium would expire in May.

Councilor Fowler congratulated Mayor Edison and the Councilors for their victories in the recent election.

ADJOURN The meeting adjourned at 8:55 PM

Submitted by:

Angie Lanter – City Recorder