



**Regular City Council Meeting
January 12, 2016
MEETING MINUTES**

CALL TO ORDER Mayor Pete Edison called to order the Regular Meeting of the Banks City Council at 7:56 PM.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present were: Mayor Pete Edison, Mark Gregg, Brian Biehl, Michael Nelson, Mark Walsh, and Dan Keller. Teri Branstitre was excused.

Staff present: City Manager Jolynn Becker, City Recorder Angie Lanter, City Attorney Dan Kearns, and City Engineer Rob Peacock.

APPEARANCE OF INTERESTED CITIZENS – None

CEREMONIAL PRESENTATIONS & PROCLAMATIONS

1. Holiday Lighting Contest Winners – Chamber of Commerce President Ray Deeth noted not many entries were submitted this year, so the Chamber was considering other ideas to carry on with the Holiday Lighting Contest. He announced the 2015 Contest Winners, presenting Jim's Thriftway Gift Certificates to Third Place Winner: Jean Forrest, and First Place Winner: Arlene Forcier. Tim O'Connor, who was not present, was the Second Place Winner.

BRIEFINGS AND PROGRAMS

2. Police Monthly Briefing – Deputy Hanlon presented the police report for December 2015. He addressed clarifying questions from City Council.
3. Planning Commission Liaison – No Planning Commission meeting had been held since the last liaison report.

CITY REPORTS

4. City Manager Report – City Manager Becker presented the City Manager Report via PowerPoint, which was included in the meeting packet, and addressed clarifying questions from Council. She noted there was only \$30,000 left to raise for the library, noting the Library Campaign received a check following the Mayor's State of the City Address.

CONSENT CALENDAR:

5. City Council Meeting Minutes – December 8th, 2015.
6. Shall the City Council recommend approval of 2016 OLCC License Renewals to the OLCC Board? (CL 2016-01)
7. Shall the City Council receive the Fiscal Year 2014-2015 Audit?
8. Shall the City Council authorize the Mayor and the City Manager to sign the 2016 Special City Allotment Agreement with the Oregon Department of Transportation for the Commerce Street project? (CL 2016-02)

City Recorder Lanter clarified Item 6, noting the OLCC license renewals list was compiled before the Banks Café closed. City Manager Becker confirmed the water line would be installed prior to the Commerce Street project (Item 8). If the City received the CDBG grant, that money would be used for the project, otherwise, Staff would keep seeking other funding sources since the City had two years to use the allotment money.

Councilor Nelson moved to approve the Consent Calendar as presented. Councilor Biehl seconded the motion. MOTION CARRIED 5-0. Ayes: Gregg, Biehl, Nelson, Keller, and Walsh; Nays: None.

PUBLIC HEARING – None

BUSINESS AGENDA

9. Shall the City Council accept the recommendation from FCS Group that the City of Banks adopt the Transportation SDC identified and described in the Transportation SDC Methodology Report as Scenario B? Anthony Martin, FSC Group, briefly described SDCs and reviewed the Transportation SDC Methodology Report and proposed SDC methodology in Scenario B. He addressed questions from Council about the cost differences between the scenarios, SDC eligible percentages, and how the proposed SDC rates compared with other cities in the area. He confirmed the City could add, remove, or adjust projects, as needed, but if changing the maximum defensible SDC, the same reporting requirements must be done. Only new development would pay Transportation SDCs. City Manager Becker described how the Transportation SDC was noticed and explained that once Council adopted a scenario, a report would be created and published for an open house, and the ordinance would be presented for public hearing. The City must have the final report available by February 1st.

Councilor Nelson moved to accept the recommendation from FCS Group that the City of Banks adopt the Transportation SDC identified and described in the Transportation SDC Methodology Report as Scenario B.

Councilor Walsh seconded the motion. MOTION CARRIED 5-0. Ayes: Gregg, Biehl, Nelson, Keller, and Walsh; Nays: None.

10. Shall the City Council adopt Resolution #2016-01 amending the City of Banks Water Conservation Plan? (CL 2016-04) City Manager Becker reviewed the Staff report, noting the changes proposed in the Curtailment Plan, which would be included in the Water Management and Conservation Plan adopted in October 2010.

Councilor Gregg moved to adopt Resolution #2016-01 amending the City of Banks Water Curtailment Plan.

Councilor Nelson seconded the motion. MOTION CARRIED 5-0. Ayes: Gregg, Biehl, Nelson, Keller, and Walsh; Nays: None.

11. Shall the City Council adopt Ordinance #2016-01-01, adopting an Ordinance amending the Banks Code of Ordinances by amending Title V (Public Works), Chapter 50 (Water) Section 50.23 (Water Use Curtailment Plan) by authorizing the City Manager to declare water emergencies and to implement the City's Water Use Curtailment Plan when circumstances warrant? (First Reading) (CL 2016-05) Staff explained the proposed ordinance and changes made to reflect the authority given to the City Manager and to ensure compliance with the established Conservation Plan.

Councilor Gregg moved to conduct First Reading for Ordinance #2016-01-01, which adopts an Ordinance amending the Banks Code of Ordinances by amending Title V (Public Works), Chapter 50 (Water) Section 50.23 (Water Use Curtailment Plan) by authorizing the City Manager to declare water emergencies and to implement the City's Water Use Curtailment Plan when circumstances warrant. Councilor Biehl seconded the motion. MOTION CARRIED 5-0. Ayes: Gregg, Biehl, Nelson, Keller, and Walsh; Nays: None.

12. Shall the City Council adopt Ordinance #2016-01-02, adopting an Ordinance amending the Banks Code of Ordinances by amending Title IX (General Regulations), Chapter 94 (Banks Urban Forest) to clarify the requirements for street tree maintenance, and to provide an administrative path for obtaining a tree removal permit? (First Reading) (2016-06) City Attorney Kearns distributed a new Exhibit A to replace the Exhibit A attached to the Ordinance. He described the purpose of the ordinance and addressed clarifying questions from Council. City Manager Becker noted Page 2 of red line version not include Sections C and D, which added Standards for Approving a Tree Removal Permit and Rights of Appeal, respectively.

Councilor Gregg moved to conduct First Reading for Ordinance #2016-01-02, which adopts an Ordinance amending the Banks Code of Ordinances by amending Title IX (General Regulations), Chapter 94 (Banks Urban Forest) to clarify the requirements for street tree maintenance, and to provide an administrative path for obtaining a tree removal permit. Councilor Biehl seconded the motion. MOTION CARRIED 5-0. Ayes: Gregg, Biehl, Nelson, Keller, and Walsh; Nays: None.

13. Shall the City Council adopt Resolution No. 2016-02 amending the City of Banks Public Works Design Standards to Govern the Design and Construction of Public Improvements in the City of Banks? (CL 2016-07) City Manager Becker presented the Staff report. City Attorney Kearns explained the resolution amended the design standards previously approved by Council and noted the standards should be reviewed each year to consider any needed amendments.

Councilor Keller moved to adopt Resolution No. 2016-02 amending the City of Banks Public Works Design Standards to Govern the Design and Construction of Public Improvements in the City of Banks. Councilor Nelson seconded the motion. MOTION CARRIED 5-0. Ayes: Gregg, Biehl, Nelson, Keller, and Walsh; Nays: None.

14. Shall the City Council elect a new Council President?

Councilor Keller moved to retain Councilor Mark Gregg as Council President for 2016. Councilor Biehl seconded the motion. MOTION CARRIED 5-0. Ayes: Gregg, Biehl, Nelson, Keller, and Walsh; Nays: None.

15. Shall the City Council approve appointments to the Board, Commission and Committee positions a-p listed below, based on recommendations from the Mayor? (CL 2016-08) Mayor Edison noted Phillip Darrah was to be added as the appointee for Item f, and that Item q must be added to appoint Marsha Kirk to the Economic Development Commission.
- a. Denise Holmes – Park, Recreation and Tree Board Position PRT5 (New Term will expire December 31, 2017).
 - b. Mitty Brady – Park, Recreation and Tree Board Position PRT6 (New Term will expire December 31, 2017).
 - c. Marion Steinbach – Park, Recreation and Tree Board Position PRT7 (New Term will expire December 31, 2017).
 - d. Levi Eckhardt – Budget Committee Position BC4 (New Term will expire December 31, 2018).
 - e. Rachel Nelson – Planning Commission Position PC6 (New Term will expire December 31, 2018).
 - f. Phillip Darrah – Planning Commission Position PC7 (New Term will expire December 31, 2018).
 - g. Gene Stout - Planning Commission Position PC3 (Position is currently vacant – partial term will expire on December 31, 2017).
 - h. Mark Walsh – Economic Development Commission Position ED1 (New Position – term will expire on December 31, 2018).
 - i. Rachel Nelson – Economic Development Commission Position ED2 (New Position – term will expire on December 31, 2018).
 - j. Doug Hixson – Economic Development Commission Position ED3 (New Position – term will expire on December 31, 2018).
 - k. Michael Nelson – Economic Development Commission Position ED7 (New Position – term will expire on December 31, 2019).
 - l. Rodney Jacobs – Economic Development Commission Position ED8 (New Position – term will expire on December 31, 2019).
 - m. Michael Samson – Economic Development Commission Position ED9 (New Position – term will expire on December 31, 2019).
 - n. Rich Weitzel – Economic Development Commission Position ED13 (New Position – term will expire on December 31, 2020).
 - o. Jeff Leo – Economic Development Commission Position ED14 (New Position – term will expire on December 31, 2020).
 - p. Mark Ward – Economic Development Commission Position ED15 (New Position – term will expire on December 31, 2020).
 - q. Marsha Kirk – Economic Development Commission Position ED4 (New Position – term will expire on December 31, 2018).

Councilor Keller moved to City Council approve appointments to the Board, Commission and Committee positions a-q listed below, based on recommendations from the Mayor. Councilor Nelson seconded the motion. MOTION CARRIED 5-0. Ayes: Gregg, Biehl, Nelson, Keller, and Walsh; Nays: None.

COUNCIL ROUND TABLE DISCUSSION

Councilor Gregg expressed his appreciation for being reelected Council President and commended Mayor Edison for his State of the City Address, which was attended by many.

Councilor Keller noted the urban growth boundary expansion enabling the lumber mill to expand would result in an increase in train traffic as well as traffic noise and train horns, which would lower property values. As discussed previously, he questioned why anyone would want to buy the potentially large homes proposed by the golf course when a train would be blasting by. He believed something needed to be done about the issue. The mill could be relocated since it was not a great opportunity for the City, but it would be a very expensive option.

Councilor Nelson asked if the State of the City Address could be held in the evenings so more people could attend.

Ray Deeth, Chamber of Commerce President, explained in the years the Chamber has been hosting the State of the City Address, it was held in the evening twice and had very low attendance each time. This year's Address had the best attendance so far and was taped by Comcast cable. Mayor Edison noted Chairman Andy Duyck was in attendance this year and confirmed the State of the City Address would be put on YouTube. Councilor Nelson asked Staff to research the feasibility of lighting the street trees in the median strip on Trellis Way.

Mayor Edison noted Council needed to address and get active on some important upcoming items, including the rail study and the Salmonberry Trail. Mayor Edison noted the City Holiday Party would be held this Friday at Primetime at 6:30 pm.

City Recorder Lanter noted she emailed the Council the schedule showing when the State of the City Address would play on the Tualatin Valley cable TV channel. The cable company was working to prepare the YouTube video, which would be available on the City's website and Facebook page. After researching prior minutes, she noted the City discussed the Dark Skies Ordinance for several months in 2008-2009, but no action had been taken. With regard to concerns about drones mentioned at a prior meeting, she learned through other city recorders that other cities were not touching issue. City Manager Becker added the FAA had passed some new drone regulations in late December. City Attorney Kearns noted no one was addressing drone issues in Oregon, noting it had not been as big of an issue in Oregon. Drones are regulated by the federal government, which requires the drones to be registered and to maintain a 500-ft distance. Mayor Edison suggested the Council continue monitoring drone issues.

City Manager Becker said she received an email from Nikki Garnell at Sunset Speedway stating the raceway would not hold a big race on July 4th, which fell on a Monday, unless it received financial support for the \$8,000 cost for the fireworks. A smaller race would be held and a smaller entry fee charged at that July 4th race. If the raceway did not receive any support for the fireworks display, Sunset would do its own display on July 9th along with its normal race.

Council Keller reiterated his earlier suggestion about having entities submit applications for Council to review and then grant funding for such requests. Councilor Walsh stated he would give \$8,000 Friends of the Banks Library fundraising efforts rather than for fireworks. Mayor Edison said the fireworks display was a community event and suggested the City partner with someone to fund the event. City Manager Becker suggested discussing the issue at the Economic Development Commission. Funding of the fireworks display would continue as a discussion item in the future.

Following discussion by City Council, City Manager Becker confirmed Council wanted her to prepare the necessary documentation for the Washington County police services levy in May and that Council would finalize the details and make a decision in February about putting it on the November 2016 ballot.

City Manager Becker presented a short video showing the repairs that were made to the water tank at Carstens Reservoir.

ADJOURN The meeting adjourned at 9:20 PM

Submitted by:

Angie Lanter – City Recorder