



**Regular City Council Meeting  
March 8, 2016  
MEETING MINUTES**

**CALL TO ORDER** Council President Mark Gregg 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**

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

Staff present: City Manager Jolynn Becker, City Recorder Angie Lanter, City Attorney Dan Kearns, and Library Director Denise Holmes

**APPEARANCE OF INTERESTED CITIZENS** – None

**CEREMONIAL PRESENTATIONS & PROCLAMATIONS**

1. Fix-a-Leak Week Proclamation – Councilor Gregg read the proclamation, declaring March 14<sup>th</sup> to March 20<sup>th</sup> as Banks Fix-a-Leak Week.
2. National Community Development Week Proclamation – Councilor Gregg read the proclamation, designating March 28<sup>th</sup> to April 2<sup>nd</sup> as National Community Development Week.
3. Banks Citizenship Award Presentation – Mark Ward. Councilor Gregg described the many ways Mark Ward contributed to the Banks community and presented him with the Banks Citizenship Award.

Councilor Gregg called for a brief recess for refreshments in honor of Mark Ward and reconvened the meeting at 7:20 pm.

**BRIEFINGS AND PROGRAMS**

4. W.C.C.C.A. Levy – Commander Moss (Washington County Sheriff's Office), Chief Linz (Banks Fire District #13), and Ron Polluconi (WCCCA). Commander Moss presented an update on Bond Measure 34-243, which would be on the May ballot, noting neither he nor Chief Linz were speaking in support of the bond. The communication bond measure affected all public safety in Washington County as 19 agencies currently used the Washington County Consolidated Communication Agency (WCCCA) Dispatch Center. The countywide systems bond would be used to improve the Dispatch Center, which was built in 1991, and address digital bandwidth improvements mandated by the federal government. He reviewed the informational flyer that was distributed and addressed questions from City Council with Chief Linz. Measure 34-243 was a new replacement bond. Emergency rooms are privately funded and would need to buy their own compatible radios. Hospitals voluntarily tie in to the WCCCA system. The bond included hardware and software, but did not cover replacing Tiburon, the Computer-Aided Dispatch (CAD) system, which was being pursued separately as a capital replacement project. The bond also did not include 911, which was funded through the State. Everything else concerning outbound communications, interagency communications, or peer-to-peer communications would be funded through this bond. Multnomah County was about two years into their replacement project and would be building almost exactly the same system technologically. Last year, Clark County made the decision to move forward with the same technology and would be tying into the Portland system for better interoperability, as would Washington County, to make one large regional system. Clackamas County was going out for bond simultaneously with Washington County for the same replacement. To date, Washington County has been close partners with Clackamas County and would continue to do so. There were advantages to this synergy and some cost savings

associated with staying in sync with Clackamas County. WCCCA sought the City Council's support by having Council adopt Resolution #2016-06 in support of Measure 34-243.

Councilor Gregg added that in attending the WCCCA Board over the last few years, he believed WCCCA was doing all it could to get the most out of its existing hardware and software, but had reached a point where something had to change.

5. Family Justice Center of Washington County – Patrick Lemmon, Project Manager and Hillsboro Police Chief Lee Dobrowolski, who was also President of the Family Justice Center Board. Chief Dobrowolski stated he represented law enforcement for the entire county on this issue. Mr. Lemmon showed a brief video and reviewed a PowerPoint about the efforts and progress made to build a Family Justice Center in Washington County and bring the County into a national and international movement to create Family Justice Centers, which provide a path to safety, healing, and hope for survivors of domestic and other forms of family violence. Mr. Lemmon and Chief Dobrowolski addressed questions from Council, describing how Family Justice Centers decreased lethality rates by 50 percent by providing all the support a survivor needed to leave, which also helped the justice system keep survivors accountable for better follow through and more successful prosecutions. The Family Justice Center had already received a grant from the Meyer Memorial Trust. The Family Justice Centers in Multnomah and Clackamas Counties could be used as models for the new center and perhaps, even improved upon. Washington County promised to be involved long term with the process, including in terms of funding, though they were not ready to announce a dollar amount. Many other cities throughout the county were enthusiastic about the program and plenty of support was anticipated. Additionally, as lethality dropped, costs would drop as well, so increased savings were expected long term in terms of how domestic violence services were delivered in Washington County and those savings would pay for a substantial part of the program. Chief Dobrowolski noted every police department in the county, including the Sheriff, supported having a Family Justice Center, as well as the district attorney and a number of cities, adding they also hoped to get support from the City of Banks. He had done this job for 25 years and small children either become the next generation of abusers or the next generation of victims. He hoped that one benefit would be to end the domestic violence cycle for small children 15 to 20 years in the future.
6. Police Monthly Briefing – Deputy Hanlon presented the police report for February 2016, as well as the 2015 Annual Police Report. Councilor Gregg stated he was pleased with the value the City received from the Sheriff's police services, which was beyond what Banks could provide on its own.
7. Planning Commission Liaison – No Planning Commission meeting was held in February.
8. Economic Development Commission Liaison – Councilor Nelson reported on the March 2, 2016 Economic Development Commission's (EDC's) meeting, noting Marsha Kirk volunteered to attend the Col-Pac and NWACT meetings. Following a brief discussion about the Committee Liaison assignments, City Manager Becker said reports on Col-Pac and NWAC could be provided with the EDC liaison report. The EDC discussed branding and had a short presentation on branding by the mayor and reviewed the Economic Vision Aspirations and Goals documents, the City's Strategic Plan and the EDC's Initial Strategy for Pursuing Economic Development. The copy of the document prepared by the EDC Chair that consolidated the information gathering and initiatives that occurred over the past 15 years had been given to Ms. Branstitre, and would be emailed to City Council. The hope was that in the next one or two meetings the document would be finalized as a strategic plan and that actionable items with associated timelines would be added. The next meeting EDC meeting will be on April 6, 2016.

## **CITY REPORTS**

9. City Manager Report – City Manager Becker presented the City Manager Report via PowerPoint, which was included in the meeting packet and answered clarifying questions from Council. City Attorney Kearns confirmed that the application for Phase 9 of Arbor Village had come in late last week and was still under review. City Manager Becker expected the application to be reviewed by the Planning Commission in May and come before City Council in June. Tom Tuski, Public Works Supervisor, described the pipe replacement project on Sellers Rd that occurred on February 22<sup>nd</sup> and the resulting improvements. He addressed questions from Council and commended the City of Cornelius for its help with the repair.

## **CONSENT CALENDAR:**

10. City Council Meeting Minutes – February 9, 2016.
11. Shall the City Council approve the purchase of iPads for City Council and the Planning Commission? (CL 2016-15)

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

## **PUBLIC HEARING**

12. ZC16-01 - To remedy an inconsistency between the City of Banks Public Works Design Standards v. 2015 and the Banks Municipal Code Chapter 152.052 pertaining to cul-de-sac standards.

- Shall the City Council adopt Ordinance #2016-02-01, an Ordinance relating to the City of Banks Bicycle and Pedestrian Plan (BPP), by amending the City of Banks Development Code, Sections 152.052 (I) pertaining to cul-de-sacs of the Banks Code of Ordinances? (First Reading)

City Attorney Kearns noted that City Council was briefed on the proposed amendment at the last meeting. City Manager Becker explained the change was being made in accordance with small city model codes. Most jurisdictions had cul-de-sac lengths at 400 ft or less, which was what the Planning Commission and City Council had reviewed and approved for the City's Design Standards. The issue arose because the change was not reviewed against the ordinance, which resulting in the discrepancy. City Attorney Kearns noted the issue of cul-de-sac length was a big deal among planners. The shorter the cul-de-sac length, the more walkable the neighborhood was and less vehicle-oriented. There was also a public health and safety factor in that large emergency vehicles that were difficult to maneuver have a hard time getting in to and then back out of a longer cul-de-sac. The trend in modern urban planning was to keep cul-de-sacs no more than 400 ft long. Councilor Gregg opened the public hearing at 8:30 pm and called for public comment. Seeing none, he closed the public hearing at 8:31 pm.

Councilor Keller moved to conduct First Reading and adopt by title only Ordinance #2016-02-01. Councilor Biehl seconded the motion. MOTION CARRIED 5-0. Ayes: Branstitre, Biehl, Keller, Walsh, and Nelson; Nays: None.

City Recorder Lanter conducted the First Reading. City Attorney Kearns noted that Arbor Village Phase 9 would meet the cul-de-sac standard as revised.

## **BUSINESS AGENDA**

13. Shall the City Council approve or amend the request by Banks Fire District #13 to waive the water fees for the water meter located in the vault in the parking lot of Banks Fire Station? (CL 2016-16).

Chief Rodney Linz said the Fire District and Council had discussed the matter several times and he knew there were concerns about setting precedents, which he did not understand since there was only one fire department in town. He believed the water service in the Fire District's truck bay saved water because they were not using the hydrant to fill 200 gallons of water. When hooking up to the hydrant, the water between the pump and hydrant was lost when the hose is disconnected, and filling from the hose in the station eliminated that waste. He did not believe the issue was about money because \$40 either way was not going to break the Fire Department or the City. He acknowledged there was personal use of the water for washing personal vehicles in addition to fire apparatus and bay floor, and he hoped City Council took that into consideration. Last time, he had suggested splitting the fee. He did not want to see the agreement made many years ago to use the water for fire-fighting operations changed. Councilor Biehl clarified the precedent-setting comment concerned comparing Fire District #13 to other metered paying customers, not other fire districts. Chief Linz responded no other businesses in town provided services to the community like the Fire District. He could understand setting precedent if the issue regarded a for profit business, but the Fire District was not for profit. He believed the small amount of water was part of a give back and forth with the community. Councilor Keller replied the issue did not involve just businesses, but where the City should draw the line as far as supplying free water to government agencies. Should free water be given to the schools because the kids consume it or even to the library? That was where precedent was involved and was why he would say no.

Councilor Keller moved to approve staff to begin charging the Banks Fire District #13 for the usage of the water meter located in the vault in the Banks Fire Station parking lot effective July 1, 2016. Councilor Biehl seconded the motion. MOTION CARRIED 4-1. Ayes: Biehl, Keller, Walsh, and Nelson; Nays: Branstitre

14. Shall the City Council approve Resolution #2016-03 authorizing the application for a local government grant from the Oregon Parks and Recreation Department for improvements at Greenville City Park and delegating authority to the City Manager to sign the application? (CL 2016-17). City Manager Becker presented the Staff report, noting the City was reapplying for a grant for the improvements to Greenville City Park that the City did not receive last year. She confirmed there had been a good response to the survey regarding people's desired improvements.

Councilor Nelson moved to adopt Resolution #2016-03, authorizing the application for a local government grant from the Oregon Parks and Recreation Department for improvements at Greenville City Park and delegating authority to the City Manager to sign the application. Councilor Branstitre seconded the motion. MOTION CARRIED 5-0. Ayes: Branstitre, Biehl, Keller, Walsh, and Nelson; Nays: None.

15. Shall the City Council adopt Resolution #2016-05 allocating a donation of one week's intake of library fines to the Oregon Food Bank? (CL 2016-18). City Manager Becker stated the resolution was the same as the one approved last year when one week's fines was donated to the Banks' Food Pantry. Library Director Holmes noted cash donations were received as well for a total of \$175 donated last year.

Councilor Walsh moved to adopt Resolution #2016-05 allocating a donation of one week's intake of Library Fines to the Oregon Food Bank. (CL 2016-18). Councilor Nelson seconded the motion. MOTION CARRIED 5-0. Ayes: Branstitre, Biehl, Keller, Walsh, and Nelson; Nays: None.

16. Shall the City Council adopt Resolution #2016-06 supporting Washington County's Issuance of General Obligation Bonds to pay for \$77 Million in Capital Costs for Emergency and 911 Equipment and Facilities? Councilor Gregg explained City Council's support for the resolution meant that the voters' pamphlet would say the Banks City Council supported the bond; no funds would come from the City. He reiterated that new equipment had to be purchased at some point. If not through a bond, it would be done through user fees, but none of the agencies could afford the increase in user fees it would take to pay for the needed costs and major revisions of their budgets would be required. He noted there have been times when WCCCA has purchased spare parts off eBay for critical infrastructure items that were not made anymore. The County had done a lot of work on it and was pushing the measure, even though it was for WCCCA. Scott Adams, Public Information Officer, Banks Fire District, stated he had been with the District 16 years and worked on the technology, radios, etc. for the District. As part of the marketing campaign, WCCCA and the Fire Department wanted to present a unanimous front to the community, the entire county, and anyone who might vote on the measure that all the public entities supported the bond. As far as he had heard, no organized group opposed the measure. The value of the bond was huge considering the dollar amounts that Washington County residents would be paying. The vote was originally supposed to be in November, but was moved up to May because WCCCA believed there was enough support for it. Councilor Gregg added that strategically, May was considered to be a bit more positive for the measure to pass than November. Chief Linz noted user fees would be critical for the Fire Department which would not have equipment or apparatus upgrades. Mr. Adams explained why the FCC was changing the frequency guidelines, but he was unsure about the federal government's timeline for the changes or whether any federal funding was considered for the changes. If the bond measure failed to pass, current services would not be provided.

City Manager Becker noted polling showed that the measure would pass by a large margin.

Councilor Keller moved to adopt Resolution #2016-06 supporting Washington County's Issuance of General Obligation Bonds to pay for \$77 Million in Capital Costs for Emergency and 911 Equipment and Facilities. Councilor Biehl seconded the motion. MOTION CARRIED 5-0. Ayes: Branstitre, Biehl, Keller, Walsh, and Nelson; Nays: None.

17. Shall the City Council authorize the Mayor and the City Manager to sign the grant contract with the Ford Family Foundation for the Library Expansion? (CL 2016-19).

Councilor Nelson moved that the City Council authorize the Mayor and City Manager to sign the grant contract with the Ford Family Foundation for the Library Expansion. Councilor Keller seconded the motion. MOTION CARRIED 6-0. Ayes: Branstitre, Gregg, Biehl, Keller, Walsh, and Nelson; Nays: None.

Councilor Gregg stated the following item was added to the agenda, noting a one-page memorandum had been added to the meeting packet.

18. Shall the City Council authorize the Mayor to send a letter to request that the Governor veto Senate Bill 1573?

City Attorney Kearns stated the bill had passed both houses and was waiting for the Governor's signature. The bill, which the League of Oregon Cities (LOC) opposed, would nullify local charter provisions that require voter approval prior to annexation. The City of Banks had such a provision in its charter which also preserved the City Council's ability to decide not to annex land when it did not fit their view of the City's future. The Senate Bill meant that annexations in the future, as long as they were 100% property-owner supported, would not go to the voters. If the Governor did not veto the bill, annexations would be decided solely by City Council and would not go to the voters. City Council and City Attorney Kearns discussed potential reasons for the bill and possible challenges to it.

Councilor Walsh moved that the City Council authorize the Mayor to send a letter to request the Governor veto Senate Bill 1573. Councilor Biehl seconded the motion. MOTION CARRIED 5-0. Ayes: Branstitre, Biehl, Keller, Walsh, and Nelson; Nays: None.

### **COUNCIL ROUND TABLE DISCUSSION**

Councilor Keller said he would not be at the April City Council meeting because he would be out of country.

City Recorder Lanter distributed a copy of the notice of a ballot title that would be in the newspaper, and the forms for filing the measure that she would be taking into the election office.

City Manager Becker asked for Council volunteers to test use of the iPads in the next couple of months.

City Attorney Kearns highlighted three bills on amending the marijuana program that passed this session, and addressed questions from Council regarding banking laws related to marijuana sales. The likelihood of marijuana sales in Banks was zero, but if it were considered, it would need to be presented on a general election, and the first one would be in November. City Manager Becker added that next month, Council would discuss whether they want to plan for some marijuana sales tax for the future, since a retail facility was allowed in a small area of town if the land were annexed. City Attorney Kearns noted that currently, no location in the city met the setbacks adopted by the Council for marijuana sales.

Councilor Gregg noted Mayor Edison had met with Washington County Commissioner Bob Terry regarding the Banks' bicycle trail going to the coast and the general need for Banks to brand itself with a slogan, saying, or something similar. The mayor asked him to loosely poll the Council to see if there was any interest in pursuing some form of rebranding. There used to be a slogan, "Darn Good Little Town," but its usage faded, so new ideas were being sought. He encouraged the Councilors to think of ideas and talk to citizens. Mayor Edison suggested using "gateway" or "crossroads", given the three different local highways.

Councilor Walsh added that the mayor also polled the Planning Commission and EDC and he recalled both bodies were unanimously in favor of some type of rebranding. Commissioner Terry had stressed that it was imperative that the City of Banks promote itself and part of that promotional effort should be rebranding.

City Manager Becker said Commissioner Terry thought that since Banks had the Banks-Vernonia Trail, perhaps being a trailhead city should be considered, but the mayor thought that was too narrow and limited. He was concerned about the citizens so he went to the Commission and EDC to get input. Some people wanted something more generic or a bit more global.

The Council discussed different ideas for the slogan and rebranding, and the process that should be used, including hiring a consultant to provide specific direction about the process, obtaining public input, and helping determine how to best move forward.

**ADJOURN** The meeting adjourned at 9:10 PM

Submitted by:

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Angie Lanter – City Recorder