



**Regular City Council Meeting
August 9, 2016
MEETING MINUTES**

CALL TO ORDER Mayor Pete Edison called to order the Regular Meeting of the Banks City Council at 7:28 PM.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

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

Staff present: City Manager Jolynn Becker, City Recorder Angie Lanter, City Planner Stacey Goldstein, and City Attorney Dan Kearns.

APPEARANCE OF INTERESTED CITIZENS – There were none.

CEREMONIAL PRESENTATIONS & PROCLAMATIONS – None.

BRIEFINGS AND PROGRAMS

1. Tualatin Soil & Water Conservation District Presentation – Mick Harris Jennifer Nelson, Tualatin Soil & Water Conservation District Outreach Program Manager, overviewed the history and current work of the Conservation District and discussed the recent feedback received from stakeholders and a residential survey of Washington County about their resource concerns and the work the District should focus on. She described the service gaps the District identified and addressed in its 5-Year Business Plan. She distributed a folder, which included information about the Business Plan and the levy measure that would be on the November ballot asking voters to approve a permanent rate limit of \$.09 per \$1,000 of assessed property value. She reviewed the Special Message to Washington County Residents page included in the folder, describing how the District's current budget is allocated and how the proposed levy of \$0.09 per \$1,000 would be used to fund the District's programs over time. Based on the current average assessed value of \$260,000, the proposed levy would cost about \$30 per household, which is similar to that received by all the Conservation Districts in the surrounding counties. She clarified that the Food Supply category in the pie chart would include programs that support local food supplies, such as working collaboratively with farmers markets and encouraging backyard farming and gardening. She reminded that as a public employee, she could not advocate for a vote one way or the other, but noted she was sent on behalf of the Conservation District's Board to request that the Council consider endorsing the measure.

Ms. Nelson addressed questions from the Council, describing how the District provides education and technical support to teachers, those with water quality violations, and people naturally interested in conservation. Because no cost-share funding exists for urban projects or forestry practices, the District could leverage its tax-based funding through grants. The Conservation District receives funding from the Oregon Department of Agriculture and National Resource Conservation Service as well as many small grants and programs. She confirmed that 92 percent of the budget is funded by Clean Water Services (CWS) for the Streamside Restoration Program, which she described, adding that while future funding from CWS was difficult to predict, it was not secure at this point in time. She confirmed the levy is needed to sustain the District, adding that the surrounding districts that are succeeding and thriving are set up the same way and are able to bring in more money, jobs, and opportunities into their counties. Depending 100 percent on outside grants and partnerships for long term funding was not wise if the District wants to provide sustained programs over time. She stated that the Cornelius City Council had endorsed the bond measure and the City of Forest Grove was still considering it. The District was asking organizations for a yes or no response by the end of the month in order to deal with the paperwork in time for the September 8th filing deadline.

The Council briefly discussed the timing for a decision, given Council's regular meeting schedule and the filing deadline. Councilor Keller

Councilor Branstitre moved to endorse the \$.09 per \$1,000 assessed value tax levy for the Tualatin Soil & Water Conservation District's on the November ballot. Councilor Walsh seconded the motion. MOTION CARRIED 3-1. Ayes: Branstitre, Nelson, and Walsh; Nays: Dan Keller.

2. Police Monthly Briefing – City Deputy Todd Hanlon presented the police report for July 2016. He responded to questions about graffiti and the number of theft incidences, which he attributed to the summer season.
3. Planning Commission Liaison – Gene Stout reported on the July 26, 2016 Planning Commission meeting where the Commission discussed many ideas pertaining to the revitalization of Main Street.
4. Economic Development Commission Liaison – Councilor Nelson reported the Economic Development Commission (EDC) held an emergency meeting last night to finalize the Task List that Council would address later this evening.

Rachel Nelson, Economic Development Commission (EDC) Chair, noted the proposed Economic Development Action Plan for the City of Banks, distributed for the Council's consideration, was the culmination of the EDC's work thus far. She noted Mayor Edison and Councilors Walsh and Nelson participated in the process to develop the Action Plan, which she briefly summarized. She addressed questions from Council with these key comments:

- The Action Plan was being presented to Council for approval to help the City seek grant funding from the Ford Family Foundation to develop the Economic Road Map. Additionally, Council's approval would facilitate the EDC's plan to hold an open house to gather public feedback and create some energy and excitement about the EDC's vision for the future. The Task List/Action Plan would be coupled with a presentation on the branding effort to gather public input.
- No funding amount was proposed for the Economic Road Map at this time because the Ford Family Foundation did not have an official program; the approach was to have a more general conversation about what the City wants to do, noting that funding sources had been outlined for all other aspects of the Action Plan, and then requesting feedback and direction from the Foundation.
- The railroad was not specifically addressed in the proposed Action Plan, so adjustments might be needed. She noted a dinner train had been mentioned in prior City documents; however the feasibility of a dinner train was uncertain moving forward, especially in light of the Salmonberry Trail.
- She confirmed that as a living document, the Task List would be readjusted as other various City planning projects, such as the City's visioning and branding efforts, are finalized over the next several months. The Task List would be continually updated to reflect the new plans and visions that emerge.
- She clarified that the restriping on Main Street was part of the Banks Vision 2036 Master Plan while the Action Plan was meant to bring forward all of the studies and ideas the community was involved in creating along with the expertise of consultants to bring all to bear on what to focus on at this time to move forward.

CITY REPORTS

5. City Manager Report – City Manager Becker presented the City Manager Report, noting that the Water Leak Report would be moved from Council's Short-Term Goals to the Monthly Report. She also reviewed the Water Leaks Report, which was also distributed to Council. She addressed questions from the Council, noting no City Council retreat date had been set yet and confirming Council could hold the retreat at a different location with proper notice. She explained that some of the Mapping Project might have to wait until funding is received for the water transmission line replacement since the location of the water line was uncertain in some areas of the woods.

CONSENT CALENDAR:

6. City Council Meeting Minutes – July 12, 2016.
7. Shall the City Council adopt Resolution #2016-19 A Resolution extending Worker's Compensation Coverage to certain Volunteer Workers of the City of Banks? (CL 2016-245)
8. Shall the City Council approve the expenditure of \$1,742.00 to Pioneer Waterproofing Company, Inc. for sealing the north side of the City Council Chambers? (CL 2016-46)
9. Shall the City Council authorize the City Manager to sign a professional service contract with Psalm I Landscaping for landscaping services at Greenville City Park? (CL 2016-47)
10. Shall the City Council authorize the City Manager to sign Water Conservation, Reuse & Storage Grant Agreement #GB-0107-17 with the Oregon Water Resources Department? (CL 2016-48)
11. Shall the City Council adopt Resolution #2016-20, a Resolution Authorizing the Finance Director to Write Off Bad Debt/Accounts Receivables? (CL 2016-49)

Councilor Keller inquired about the language on Page 3 of the Water Conservation, Reuse & Storage Grant Agreement implying that the grant could potentially be taken away. He wanted to ensure the money would not be spent before the grant is received. City Attorney Keller explained that grant agreements were always subject to budget availability because as a public agency, the granting agency was always subject to budget law. He assured the money would not be spent before the grant funding was received. He noted the Agreement was

strictly a basic loan agreement; nothing in it suggested the City would somehow compromise its legal position in dealing with this statewide resource agency.

Councilor Nelson moved to adopt the Consent Calendar. Councilor Keller seconded the motion. MOTION CARRIED 4-0. Ayes: Branstitre, Walsh, Nelson, and Keller; Nays: None.

PUBLIC HEARING – None

BUSINESS AGENDA

12. Shall the City Council adopt Ordinance No. 2016-07-01, Ordinance of the City Council of Banks, Oregon, Vacating a portion of Rose Avenue? (Second Reading and Final Adoption) City Attorney Kearns confirmed no further changes were recommended.

Councilor Branstitre moved to conduct Second Reading, by title only, and adopt Ordinance No. 2016-07-01 as presented. Councilor Nelson seconded the motion. MOTION CARRIED 4-0. Ayes: Branstitre, Walsh, Nelson, and Keller; Nays: None.

City Recorder Lanter conducted Second Reading of Ordinance No. 2016-07-01.

13. Shall the City Council adopt Ordinance No. 2016-07-02, Ordinance Repealing in its entirety Title XI (Business Regulations), Chapter 110 (General Business Licensing) of the Banks Code of Ordinances, and adopting a Chapter 110 (General Business Licensing)? (Second Reading and final Adoption) (CL 2016-50)
City Recorder Lanter conducted the Second Reading of Ordinance No. 2016-07-02. City Manager Becker noted a copy of the new application form had been added, but it was not part of the ordinance.

Councilor Nelson moved to conduct Second Reading, by title only, and adopt Ordinance No. 2016-07-02 as presented. Councilor Keller seconded the motion. MOTION CARRIED 4-0. Ayes: Branstitre, Keller, Walsh, and Nelson; Nays: None.

City Recorder Lanter conducted Second Reading of Ordinance No. 2016-07-02.

14. Shall the City Council approve Resolution #2016-21 amending the Banks Public Works Design Standards Manual to Provide Minimum Standards and Dimensional Requirements for Infrastructure and Installations Constructed in the Public Right-of-Way? (CL 2016-51)
15. Shall the City adopt Ordinance No. 2016-08-01, an Ordinance adopting a new Chapter 96 (Regulation of the Public Rights-of-Way) in Title IX (General Regulations) of the Banks Code of Ordinances? (First Reading) (CL 2016-52) City Attorney Kearns confirmed Resolution #2016-21 and Ordinance No. 2016-08-01 were related and addressed how the City regulated its public rights-of-way. He reviewed the changes proposed in both the Resolution and Ordinance, which included regulations regarding utility construction and events, such as marathons or bicycle events, within the public right of way, and amended the Public Works Street Standards to limit the size of items allowed within the public right-of-way, including monopoles. He explained the amendments were prompted after many cities throughout the state, including Banks, had received inquiries from a company to erect substantial structures within the public right-of-way, including 125 ft tall monopoles.

Councilor Branstitre moved to adopt Resolution #2016-21 amending the Banks Public Works Design Standards Manual to Provide Minimum Standards and Dimensional Requirements for Infrastructure and Installations Constructed in the Public Right-of-Way. Councilor Keller seconded the motion. MOTION CARRIED 4-0. Ayes: Branstitre, Keller, Walsh, and Nelson; Nays: None.

City Attorney Kearns clarified that the Ordinance formalized the permitting process and established the policy objectives of the permitting process to protect the City's rights-of-way for certain municipal purposes, giving the City the regulatory authority to require permits for activities occurring within the right-of-way. He provided examples of activities that would require the permits.

Councilor Keller moved to conduct First Reading, by title only, and adopt Ordinance No. 2016-08-01, an Ordinance adopting a new Chapter 96 (Regulation of the Public Rights-of-Way) in Title IX (General Regulations) of the Banks Code of Ordinances. Councilor Branstitre seconded the motion. MOTION CARRIED 4-0. Ayes: Branstitre, Keller, Walsh, and Nelson; Nays: None.

City Recorder Lanter conducted First Reading of Ordinance No. 2016-08-01.

16. Shall the City Council adopt Ordinance No. 2016-08-02, an Ordinance amending Title XV (Land Usage), Chapter 151 (Zoning) of the Banks Code of Ordinances by adopting a new Section 151.086 (Flood Damage Prevention) and adopting the Federal Emergency Management Administration's Flood Insurance Rate Maps for designating flood hazard areas within the City of Banks? (First Reading) City Planner Goldstein presented the Staff report, reviewing the need for the proposed amendment, new Code section, and the adoption of the new FEMA Map, which would enable homeowners within the flood area to acquire flood insurance from the National Flood Insurance Program at a lower rate than via private insurance. Staff confirmed the cross-hatched area on the map did straddle the UGB, which was a new change. FEMA had gathered all new data and did a complete overhaul of the map, which took a couple years. The City has to adopt the new ordinance by the November deadline; otherwise homeowners might not be eligible for flood insurance.

Councilor Nelson moved to conduct First Reading, by title only, and adopt Ordinance No. 2016-08-02. Councilor Keller seconded the motion. MOTION CARRIED 4-0. Ayes: Branstitre, Keller, Walsh, and Nelson; Nays: None.

City Recorder Lanter conducted First Reading of Ordinance No. 2016-08-02.

17. Shall the City Council approve the Economic Development Commission Task List, so that it can be used for funding? Councilor Branstitre commented it would have been nice to have time to read through the Task List, which was provided to Council this evening.

Councilor Keller moved to adopt Economic Development Commission Task List as written. Councilor Walsh seconded the motion. MOTION CARRIED 4-0. Ayes: Branstitre, Keller, Walsh, and Nelson; Nays: None.

COUNCIL ROUND TABLE DISCUSSION

The Council and Staff briefly discussed the reason for reading ordinances by title only.

Councilor Keller asked that the projector be focused.

Mayor Edison stated that progress on the branding effort has been good and he was honored to participate. He was also happy with the economic development efforts, which were going in the right direction.

City Recorder Lanter noted iPads would be provided to Mayor Edison and Councilors Biehl and Keller at the end of August or in early September. She added the League of Oregon Cities (LOC) Conference would be held in September. She confirmed which Councilors would be able to attend in order to finalize the hotel room reservations.

City Manager Becker said she had talked with Nikki Gamell at the Sunset Speedway and suggested that Sunset Park, Sunset Speedway and the City hold a meeting in October, after the races are done, to discuss ideas for a 4th of July celebration next year, not just fireworks. Sunset Speedway was open to operating the 4th of July festivities without the races going on, but further discussion was needed about the organization, sponsorships and funding. She confirmed which Councilors wanted to be part of that discussion. Given the city's growth, she also suggested that the Planning Commission work to create a street name ordinance that would be reviewed and adopted by the City Council. She had found some information from 2012, when a group was considering street names, and some ideas involved using the last names of families in Banks in 1911, 1922. The ordinance would establish a street naming theme that developers would have to follow.

Councilor Keller suggested the theme follow along with the City's branding efforts.

Gene Stout updated that the lumber mill had been purchased by Hamptons and would shut down for a period of time. New equipment would be brought in and the mill would be reopened.

Rachel Nelson noted the EDC would be looking for leads for the last five initiatives of the Action Plan, which would be central to the EDC's efforts. She invited the Councilors to serve as leads, or suggest members of the community who would be interested in getting involved or take the lead in one of those five areas.

ADJOURN The meeting adjourned at 9:12 PM

Submitted by:

Angie Lanter – City Recorder