



**Regular City Council Meeting  
October 11, 2016  
MEETING MINUTES**

**CALL TO ORDER** Mayor Pete Edison called to order the Regular Meeting of the Banks City Council at 7:01 PM.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**ROLL CALL**

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

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

**APPEARANCE OF INTERESTED CITIZENS** – There were none.

**CEREMONIAL PRESENTATIONS & PROCLAMATIONS** – None

**BRIEFINGS AND PROGRAMS**

1. Police Monthly Briefing – Deputy Todd Hanlon presented the police report for September 2016.
2. Planning Commission Liaison – City Manager Becker reported that a sign permit was approved last month for the business next door.
3. Economic Development Commission Liaison – Councilor Nelson stated the EDC did meet, but instead held the open house.

**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 questions from Council about the recent power surge that damaged the pump motor and control panel. She clarified that given further clarifications needed from ODOT, the striping on Main Street might need to be delayed until spring; however, the two to three day project could be done sooner depending on the weather. She confirmed the list of Key Projects on Slide 10 had all been completed, noting that “None” should be deleted.

Mayor Edison reminded Council to inform Staff about any issues they would like to discuss at the retreat.

**CONSENT CALENDAR:**

5. City Council Meeting Minutes – September 13, 2016.
6. Shall the City Council award a contract to Five Star Builders, Inc., for striping, signage, and ADA ramps in the Arbor Village Sub-Division, in an amount not to exceed \$19,376.00? (CL 2016-61)
7. Shall the City Council support the Banks Chamber of Commerce 2016 Holiday Lighting Contest? (CL 2016-62)

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

**PUBLIC HEARING** – None

**BUSINESS AGENDA**

8. Shall the City Council choose to award a Banks Public Library - Jane Moore Community Room design-build contract to P&C Construction Company, based on one of the two options presented from BKL/A

Architecture? Brett Laurila, Architect, outlined his report concerning the bid proposal from P&C Construction and his two recommended options for moving forward with the library project. The City Attorney would need to clarify how the City would initiate negotiations with P&C. Had he known the original budget was \$637,000, upon which the plans and fundraising were based, he would have changed his recommendation to Option 1, negotiating a contract with a guaranteed maximum price closer to the \$600,000 range. After the bid process, he provided P&C a copy of the \$530,000 cost estimate, so they could create line item estimates for the project in preparation for negotiations. City Manager Becker added the City had negotiated with the contractors on the Public Works Building and Phase 1 of the Library to arrive at an acceptable figure.

Library Director Denise Holmes explained potential additional funding options for the project, noting not all funding possibilities had been exhausted. The early design meeting with Energy Trust had been a requirement for the RFP, while the incentives or paybacks it would yield were unknown, it would probably involve lighting, HVAC, and solar panels. It was also possible to delay some items to apply for specific grants, such as a grant from Meyer Memorial's Healthy Environments Program for the solar panels, which the library would have to wait until next fall to apply. Other potential grantors were available, but the Library Steering Committee had waited to see the need to better determine how to position those requests. A \$10,000 grant was currently pending. The Library was currently working through Oregon foundations, but other foundations that might serve western states, for example, had yet to be researched.

Mayor Edison noted fundraising had been ongoing since 2011-12 and Council might need to consider having the City fund any shortfall to finish the project. Director Holmes clarified receiving any grant money for capital improvements after construction had begun would depend on the particular grantor; however, it was not typical. The library could continue soliciting private funding from the community during construction. The Ford Foundation would give the funds pledged if the City would guarantee a certain amount. She confirmed that money was currently already available for core construction, but not for add-ons like solar panels or the green roof or green wall, which might be required because of the bioswale's limited capacity. Mr. Laurila agreed to confirm that the existing roof design could support solar panels without additional improvements.

Mayor Edison noted P&C Construction had been negotiable and value engineered the middle school project, which was a good project. Mr. Laurila believed negotiating with both the contractor and subcontractor on the mechanical/electrical system and timeline would result in significant savings. Director Holmes confirmed adjusting the timeline would not impact any grant funding.

Mayor Edison hoped the project could be started soon, as the naming donor was in his 90s, which was a big factor to consider.

Councilor Walsh said he would support the City financially backing the library project, which was important.

Director Holmes added the time was optimal for applying for the 2017-18 Jumpstart Funding because there was currently only one other applicant. Cornelius and Cedar Mill would have expansions in 2018-19. Staff had discussed using the funding to add staff, increase operating hours, and significantly enhancing programming for adults and children. The City's leverage was that the library needs this room to be a modern library because programming is half of what libraries do now. Staff expected to receive about 10% to 20% or more of what they had right now, around \$15,000 to \$20,000. This percentage would then become part of the library's Pool One distribution moving forward, and as long as the levy cycles continued to pass, the proposed operations would be sustained. Changes in technology would result in significant decreases in that budget item as well. A \$25,000 contingency also existed from the WCCLS transfer that was budgeted for furnishings and equipment. Since the budget included all furniture and equipment, the gap might only be about \$70,000.

Mr. Laurila agreed the volume of building construction in the county and aggressive schedule resulted in the higher bid. He described several options that would result in significant savings, including reviewing permit costs, changing materials, and extending the construction schedule. P&C's project manager was willing to work with budgeting and negotiate on various line items. Allowing businesses to donate work toward the project would be part of the negotiations.

City Manager Becker stated she would consult City Attorney Kearns about negotiations, obtain more accurate figures from the contractor, talk with the grant writer to determine if other funding options were available, and discuss further private donations with the Steering Committee to present at the next Council meeting.

9. Shall the City Council adopt Ordinance No. 2016-09-01, an Ordinance Deleting Title XIII (General Offenses), Chapter 130 (General Offenses), Section 130.23 (Gambling and Social Games) of the Banks Code of Ordinances and adding by amendment Title XI (Business Regulations) Section 118 (Gambling and Social Games) Providing for a Regulatory Program for Gambling and Social Games within the City of Banks? (Second Reading and Final Adoption) (CL 2016-63) City Manager Becker reminded no changes were being made to the ordinance, the Gambling and Social Gaming section was simply being moved to Business Regulations.

Councilor Gregg moved to conduct Second Reading, and final adoption of Ordinance No. 2016-09-01, an Ordinance Deleting Title XIII (General Offenses), Chapter 130 (General Offenses), Section 130.23 (Gambling and Social Games) of the Banks Code of Ordinances and adding by amendment Title XI (Business Regulations) Section 118 (Gambling and Social Games) Providing for a Regulatory Program for Gambling and Social Games within the City of Banks. Councilor Nelson seconded the motion. MOTION CARRIED 6-0. Ayes: Branstitre, Gregg, Biehl, Keller, Walsh, Nelson. Nays: None.

City Recorder Lanter conducted the Second Reading.

10. Shall the City Council adopt Ordinance No. 2016-09-02, an Ordinance Deleting Title III (Administration), Chapter 30 (General Provisions), Section 30.20 (Misuse of Emergency Services Due to False Alarms) of the Banks Code of Ordinances and adding by amendment Title XI (Business Regulations) Section 114 (Alarm Permits and Systems) Allowing the Applicability and Enforcement of Washington County's Alarm Systems Program within the City of Banks? (Second Reading and Final Adoption). (CL 2016-64) City Manager Becker reviewed the purpose of the ordinance.

Councilor Nelson moved to conduct a Second Reading, and final adoption of Ordinance No. 2016-09-02, an Ordinance Deleting Title m (Administration), Chapter 30 (General Provisions), Section 30.20 (Misuse of Emergency Services Due to False Alarms) of the Banks Code of Ordinances and adding by amendment Title XI (Business Regulations) Section 114 (Alarm Permits and Systems) Allowing the Applicability and Enforcement of Washington County's Alarm Systems Program within the City of Banks. Councilor Keller seconded the motion. MOTION CARRIED 6-0. Ayes: Branstitre, Gregg, Biehl, Keller, Walsh, Nelson. Nays: None.

City Recorder Lanter conducted the Second Reading.

### **COUNCIL ROUND TABLE DISCUSSION**

Councilor Keller requested a consistent naming convention for the PDFs being sent out so they would be listed more aesthetically in the meeting folder. City Recorder Lanter described how to resolve the issues, adding there would be an iPad PDF training at the retreat.

Councilor Branstitre confirmed the retreat had been scheduled on the shared calendar. City Recorder Lanter explained Staff was working to ensure the shared calendar worked more efficiently.

Councilor Gregg said he was going to Haiti next week for post-hurricane medical relief, but expected to be back for the retreat.

Councilor Nelson reported that the League of Oregon Cities (LOC) annual session held in September was very informative. The LOC four priorities for the next legislative session were property taxes, recreational immunity, transportation package, and PERS reform. He also toured urban renewal districts in Salem and briefly described sessions he attended on the legislative agenda, budgeting, strategic planning, and economic development, adding he would be inviting one of the speakers to an EDC meeting.

Mayor Edison stated he liked using the new iPad.

City Manager Becker reported the City submitted an application to CDBG for Commerce Street Project. Presentations would be made in January and the outcome would be known in February. The City still had \$50,000 from ODOT regarding special road projects, in addition to money put aside for the project on Commerce Street. She would present the Water Rate Study at the next Council meeting. She announced a Public Works staff position was open because a current employee was taking a job with Tualatin Valley Water District. City Recorder Angie Lanter would be the backup for Tom Tuski.

Library Director Holmes reported on the Ford Family Community Ambassadors' Summit, where she learned about economic development and programs where people could invest money into a pool from which citizens could borrow for entrepreneurial projects, providing a way to keep and grow economic wealth in the community. More information was available on the Ford Family Foundation's website, including access to free books on economic development.

**ADJOURN** The meeting adjourned at 8:16 PM

Submitted by:

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Angie Lanter – City Recorder