



**Regular City Council Meeting
Tuesday, June 12, 2018
MEETING MINUTES**

CALL TO ORDER Mayor Edison called to order the Regular Meeting of the Banks City Council at 7:33 pm.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited

ROLL CALL

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

Staff present: City Manager Jolynn Becker, City Recorder Angie Lanter, Library Director Denise Holmes, and City Attorney Dan Kearns, Michael Walker, Economic Development Coordinator

APPEARANCE OF INTERESTED CITIZENS – None

CEREMONIAL PRESENTATIONS & PROCLAMATIONS – None

BRIEFINGS AND PROGRAMS

1. Police Monthly Briefing – Deputy Todd Hanlon presented the police report for May 2018. He clarified the dollar value on the stolen tools was about \$900.
2. Planning Commission Update – No May Planning Commission meeting was held.
3. Economic Development Commission Update – Councilor Nelson and Michael Walker, Economic Development Coordinator reported on the June 6th EDC meeting, which included updates on the Farmers Market and Economic Outreach Initiatives, as well as the rack card being developed by Mr. Walker. The Committee also discussed an item on the Tourism Initiative. Mr. Walker also overviewed the community and business outreach activities and reported on the Rural Tourism Studio held May 15th and 16th. Projects and related action plans from the Rural Tourism Studio were still being developed by Travel Oregon based on workshop feedback. More information would come from Travel Oregon on June 25th at 12 pm at a Steering Committee meeting in the Jane Moore Community Room. The main project, from his perspective, would be focused on wayfinding, marketing, and the Banks-Vernonia Trail maintenance. City Staff would be assigned an action team and related deliverables moving forward. He would keep the Council updated, and confirmed it was mostly related to bicyclists. He addressed questions about the business and community outreach emails that had been sent and explained the business email list included those business licenses in Banks, while the community outreach list was derived from Secretary of State business license list, which encompassed the entire school district. In the fall, outreach surveys and in-person interviews would be conducted to understand businesses' hurdles and to collect more data.

CITY REPORTS

4. City Manager Report – City Manager Becker noted the City Manager Report was included in the meeting packet and presented the water report after reporting on items not included in the City Manager Report, which were as follows:
 - The second sand filter had been updated and was much better. It went online much faster than the first time, due to a more thorough removal of sand.
 - The agreement with the Arbor Village Homeowners Association (HOA) was signed and recorded with the County. This week, the City received the balance of the funds due for this year.
 - Some curbs in Arbor Village were painted yellow to keep drivers from parking up to the intersection corners, so that drivers stopped at the intersection could see oncoming traffic. She worked with Deputy Hanlon and the Public Works Supervisor to identify the curbs to paint and more corners might be painted to improve sight vision. They would determine if the curbs needed to be painted in areas with parking [or the parking is] on one side.
 - Two Public Works employees started at the end of May. An opening was available for the utility billing/court clerk, who would be hired this week or early next week.
 - The fireworks show was still on; the City raised about \$5,600 and the Speedway would contribute about an additional \$5,000. The show should be same amount. The City would round the amount up to \$6,000 because the t-shirts sales were ongoing.
 - She confirmed she would update the City Manager's Report with the 2018 Council goals.

CONSENT CALENDAR:

5. City Council Meeting Minutes – May 8th, 2018
6. Shall the City Council recommend the approval of 2018 OLCC License Renewals to the OLCC Board? (CL 2018-24)
7. Shall the City Council adopt Resolution No. 2018-08, a Resolution for Fiscal Year 2018-2019 declaring the City's Election to receive State Revenue? (CL 2018-25)
8. Shall the City Council adopt Resolution No. 2018-09, a Resolution for Fiscal Year 2018-2019 declaring the City's Election to receive State Shared Revenue? (CL 2018-26)
9. Shall the City Council adopt Resolution No. 2018-10, a Resolution providing for Fiscal Year 2018-2019 Inter-fund borrowing for the fund? (CL 2018-27)
10. Shall the City Council authorize the Mayor or City Manager to sign the contract amendment with the Washington County Sheriff's Office for law enforcement services for FY 2018-2019? (CL 2018-28)

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

PUBLIC HEARING

11. Shall the City Council adopt Resolution No. 2018-11, a Resolution adopting Fiscal Year 2018-2019 Operating Budget and Capital Improvement Plan? (CL 2018-29)

Mayor Edison opened the public hearing at 7:56 pm and called for public comment. Seeing none he closed the public hearing at 7:56 pm.

Councilor Nelson moved to adopt Resolution No. 2018-11, a Resolution adopting Fiscal Year 2018-2019 Operating Budget and Capital Improvement Plan. Councilor Gregg seconded the motion. MOTION CARRIED 6-0. Ayes: Branstitre, Keller, Jones, Nelson, Walsh and Gregg; Nays: None.

BUSINESS AGENDA

12. Shall the City Council adopt Ordinance No. 2018-05-01, an Ordinance Granting and Approving a Nonexclusive Franchise to Northwest Natural Gas Company to Use the City's Rights-of-Way for its Gas Distribution Facilities and Infrastructure? (Second reading and final adoption) (CL 2018-30)

Councilor Jones moved to conduct the Second Reading and Final Adoption of Ordinance No. 2018-05-01 by title only. Councilor Gregg seconded the motion. MOTION CARRIED 6-0. Ayes: Branstitre, Keller, Jones, Nelson, Walsh and Gregg; Nays: None.

City Recorder Lanter read the title into the record.

13. Shall the City Council adopt Resolution No. 2018-13, a Resolution amending the Public Works Design Standards of the City of Banks? (CL 2018-31)

City Manager Becker reviewed the changes to the Public Works Design Standards noting that trees could not be planted in a parking strip less than 18-inches wide.

Councilor Gregg moved to adopt Resolution No. 2018-13. Councilor Jones seconded the motion. MOTION CARRIED 6-0. Ayes: Branstitre, Keller, Jones, Nelson, Walsh and Gregg; Nays: None.

14. Shall the City Council authorize the City Manager to sign a Personal Service Contract for Owner Representative with Lyda Consulting, Inc. for Contract Project Liaison Services? (CL 2018-32)

City Manager Becker stated several capital projects and development projects were coming up and if Public Works Staff was not available or follow-up work needed done, instead of having the expense of a City Engineer on site all the time, a Contract Project Liaison would be on call to work on the projects at a lower cost. The liaison would follow up with the City Engineer to make sure the project specifications and design standards were followed. She addressed clarifying questions from the Council and confirmed that the Liaison would not be able to monitor the construction plans or bid for jobs.

City Attorney Kearns stated the draft form of the contract included a conflict of interest provision, which he read as follows: "The Contractor and any company with which Contractor is associated shall not bid or perform work on City projects as a Primary Contractor or a Subcontractor during the term of this agreement. The Contractor would not be allowed to perform any services under the agreement on any work that was performed by any company with which the Contractor is associated. In the event that, in the course of providing services under the agreement, the contractor is called upon to perform Project Management Services on work performed by any company with which Contractor is associated, Contractor shall immediately notify the City Manager of the conflict."

City Manager Becker confirmed the rate for the Liaison would be \$100 an hour; other bid proposals were \$120 to \$150 an hour. She confirmed the Engineer's rate was \$180 to \$250 an hour.

Councilor Nelson moved to authorize the City Manager to sign a Personal Service Contract for Owner Representative with Lyda Consulting, Inc. for Contract Project Liaison Services. Councilor Gregg seconded the motion. MOTION CARRIED 6-0. Ayes: Branstitre, Keller, Jones, Nelson, Walsh and Gregg; Nays: None.

15. Shall the City Council authorize the City Manager to finalize the City of Banks portion for the Jane Moore Community Room Project? (CL 2018-33)

City Manager Becker stated that in the last budget year, the Jane Moore Community Room Project was short about \$100,000 and the Council had agreed to put money in the budget for the project if insufficient funds were raised. Last winter, a memorandum of understanding (MOU) was signed with the Friends of the Library stating that the City would loan them money until fundraising money was received from the Foundation or from individuals, all of which had now been received. The Library provided an accounting of how much money had been received in public grants, from individuals, and from special events, as well as the expenses. The approximately \$5,600 in the Friends of the Library's checking account would go to the City. The packet indicated the City's amount was \$17,000, but she had still needed to research the final numbers. At this point, the City was responsible for and had expended \$15,851.99, which would include the last plaque to be installed.

Councilor Walsh moved to authorize the City Manager to finalize the City of Banks portion for the Jane Moore Community Room Project. Councilor Gregg seconded the motion. MOTION CARRIED 5-0-1. Ayes: Branstitre, Keller, Nelson, Walsh and Gregg; Nays: None; Abstentions: Jones.

COUNCIL ROUND TABLE DISCUSSION

Councilor Keller stated the MACC meeting would be held Friday

Councilor Jones reported on the the Public Advisory Board (PAB) and School Board meetings. PAB approved a contingency request for the City of Hillsboro Walnut Street Park project. More funding came in from the federal government than expected so PAB added additional funding to the last projects on each list, though they were still not fully funded. The School Board approved the budget and was in contract negotiations with both classified and teaching staffs. The high school finished an accreditation this year and had pretty high ratings and were told to

improve in a couple areas. A wellness center would be located at the elementary school next year, though no details were provided. The Raise-a-Glass event would be held July 7, 2018. Tickets would be \$50 or \$375 for a table of eight. She listed the items donated for the raffle. At the Arbor Village HOA meeting, discussion involved Phase 9 creating its own HOA.

Councilor Nelson reported the Library Board did not meet in May. On May 20th, he did a ride-along with a Washington County Deputy and witnessed many types of calls. If other Councilors were interested in a ride-along, he would contact the appropriate office for them.

Mayor Edison reported he attended a County Transit Committee Meeting last week. Transportation bill HB 2017 would provide approximately \$250,000 a year for the next three years to enhance rural mass transit in western Washington County outside of the TriMet district and included Gaston, Banks, and North Plains. In addition to the rural money, \$3 million was available that was intended to enhance connective services inside TriMet's boundaries. Washington County would have to compete with Clackamas and Multnomah for the \$3 million. Banks would not receive any money, just service, and would be battling with North Plains and Gaston for funding. The next meeting would be on June 29th and City Council needed to be prepared to say what the Banks community wanted and have a plan. He knew the lumber mill had said they needed better bus service between Forest Grove and Banks. City Recorder Lanter agreed to create a Survey Monkey for Facebook and asked the Councilors to send her questions to include in the survey.

- One point raised at the meeting was that some of the money could be used for marketing because lots of folks probably did not have any idea what services were available. A Ride Connection between Forest Grove, Banks, North Plains, and North Hillsboro, and then back to Forest Grove had 1,900 riders last year, which was not many, so a lot of potential existed for the service that could be tapped. He confirmed other communities did not have bus service to Tillamook. Ride Connection and the Tillamook bus would work to coordinate together for better service.
- Mayor Edison stated high speed internet was an important issue for Banks and needed to be moved up the list. Councilor Keller confirmed it was controlled by MACC and he had fought for it, but they did not work with him or the Gaston representative. The only viable option was for Comcast to include Banks in its fiber optic network, similar to FIOS. The point of MACC was for small communities to be included, but Banks was left out. It was time for MACC to reevaluate and for Banks to be included. Comcast was presenting to MACC on Friday, and he would bring up the matter.
- He suggested Councilor Keller work with Staff on a letter to direct what the City Council needed. He noted there was fiber in the railroad lines and confirmed the library had fiber optic from WCCLS. He questioned how the Banks community could get fiber optic.

Councilor Jones confirmed the Community Development Block Grant (CDBG) application process would begin around September with projects starting in July. Banks had to fit within the right niche. The county was looking for bigger projects to fund over a longer term to maximize reach and not overwork their staff. City Manager Becker would give them a call. The application process meeting for interested cities would be on Thursday and Councilor Jones and Councilor Branstitre are unable to attend. She noted Banks had already met criteria with the surveys done in the first project.

Councilor Branstitre said she wanted to publicly thank the Boy Scout Troop who put the flags out on Memorial Day. She and her husband had put out flags on holidays for years, and then gave the flags to the City but nothing further happened until Mitty Brady on the Park and Tree Board coordinated with the Boy Scouts.

City Manager Becker reported she met with Lennar Homes and reviewed the sidewalk project. Lennar would start in Arbor Village to remove trees in spaces that were less than 18 inches wide. Forty trees would need to be replanted, but if no new locations were found for them, Lennar would give the City funds to put into a reserve account for future trees. Grass, rock, or bark dust would be installed in the fall during rainy season. An open house would be held for Arbor Village homeowners to present the schedule and map showing which roads would be worked on what days so as not to interfere with parking.

City Attorney Kearns presented a Litigation Report highlighting a Code enforcement case for Robert Duncan's auto repair shop, which he had moved just outside of the city limits on unincorporated Washington County land which was an agricultural zone. The county brought a code enforcement action and the hearing officer confirmed Mr.

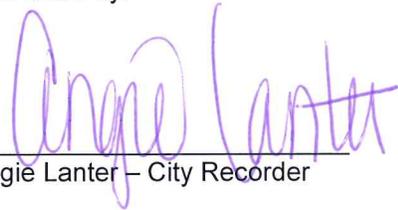
Duncan was cited because of the zoning issue and also because there appeared to be illegal fill in the flood plain. Mr. Duncan was fined \$2,500 per citation, and if he removed the business within 60 days, then the fine would be dismissed. If he did a floodplain mapping exercise to show he was not in flood plain, no citations would be issued for that reason. City Attorney Kearns confirmed the business could no longer operate there. It was in the urban growth boundary but the land was in a holding zone that could not be changed until the availability of public facilities could be proven. Because the land did not have a Comprehensive Plan designation that would allow an auto repair shop, Mr. Duncan could not annex the land.

City Recorder Lanter reported she would be out of town next week.

Library Director Holmes encouraged the Councilors to buy tickets to Raise-A-Glass to be held July 7th. The event would be used to bridge the funding gap since the Friends would not have the plant and book sale in the spring

ADJOURN The meeting adjourned at 8:42 pm.

Submitted by:



Angie Lanter – City Recorder