



**Regular City Council Meeting
Tuesday, September 11, 2018
MEETING MINUTES**

CALL TO ORDER Mayor Edison called to order the Regular Meeting of the Banks City Council at 7:10 pm.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited

ROLL CALL

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

Excused: Michael Nelson

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

APPEARANCE OF INTERESTED CITIZENS

Marsha Kirk, 13674 NW Main St, Banks, noted that in spring, Council discussed commercial vehicles traveling on NW Market St and she was grateful that the signs about commercial truck traffic had been installed in summer. However, a problem still existed with commercial vehicles going westbound from Commerce St to Market St because no signs were posted. Not all of the commercial vehicles were full-sized; a lot were smaller commercial vehicles, such as for a local company that usually had a trailer attached and would travel down the middle of the street to their local lot. She asked if more signs could be added or possibly contact made with the individuals driving the commercial vehicles. She confirmed she had seen more than one company driving commercial trucks westbound, but one company was habitual.

City Manager Becker stated signs were available for the end of both Market St and Depot St, but their installation would occur upon completion of a project on Market St, Commerce St, Depot St, and Sunset Ave scheduled to start in January or February 2019 to avoid having to remove and reinstall the signs.

Ms. Kirk said she knew the Economic Development Committee (EDC) had a parking assessment done and a parking expert was available. She parked on Market St, even though her address was on Main St; it was getting harder to find parking. She knew through the EDC that the parking project was not progressing quickly due to different issues. She asked if the City could consider having three or four spots in the library/church shared parking during the week for employees to free up parking on Market St for residents.

City Manager Becker responded that was an option Staff was considering and she could check with the church.

Scott Nagler, 41866 NW Oak Wy, Banks, stated one ongoing issue existed at Greenville Park with double parking. Some parked cars take up more space than necessary, and because it was a City park, he would like to see the same parking markers used on Main St added around the park to assist drivers in knowing how to park. And, when they do not park correctly, the Deputy would have something to work with as violations, like taking up more than once space, could not currently be enforced. He clarified parked cars were taking up way more space than they needed. For example, three cars were parking in a space that six or seven could fit in. It was difficult to find parking during events. Recently, complaints had been made about youths being in Greenville Park late at night. If the curfew for youths was 10 pm, the park should have a sign indicating that it closed at 10 pm. Information online, such as via Google, stated the park was open 24 hours and that should be corrected.

City Manager Becker stated she would verify the park hours information and whether signs were posted.

Mr. Nagler noted the ongoing parking issues within Arbor Village. More yellow paint had been added to curbs in the neighborhood, but it was not consistent throughout. He would like an audit done, and any area deemed not for parking should be marked yellow. Some side curbs did not have sufficient length for parking if the driveway apron was considered. It was hard to get deputies to enforce the apron policy, and some areas should definitely be marked yellow if the apron was included and, even if it was not included, it was not safe to park there and block residents' driveways on a regular basis.

- He would also like consideration given to moving parking to the non-mailbox side of some of the roads to add three or four parking spaces on streets, such as on Buckshire St and one or two others.
- The stop sign on the corner of Devonmoor Ave and Buckshire St was bent and leaning into a tree, so it was not visible when exiting the neighborhood on Devonmoor Ave. He would have bent it back into place but believed the City should do so.
- People running stop signs was a continual issue in the neighborhood. He had been told that videotaping these problems for deputies would not be useful. He and his children had been hit by young drivers using their cell phones, and he was concerned about the issue as the weather grew wetter and icier. He would like to see more deputy presence in the neighborhood to catch drivers running stop signs; perhaps even a nightly patrol through the neighborhood, which might be enough to minimize some of the problems being seen.
 - He clarified drivers continually ran the stop signs at the four-way intersection of Groveshire Ave and Oak Wy, especially drivers from Groveshire Ave turning right onto Oak Wy to exit the neighborhood. Also, the trees were getting larger and creating more blind spots. Perhaps just the occasional presence of a deputy would remind people to stop being complacent.

City Manager Becker stated City Planner Stacey Goldstein was doing some review based on a conversation from a couple of months ago. One of the findings was looking at adding markers throughout the residential zones to help with parking.

- During the sidewalk project, two of the mailboxes on Buckshire St and possibly, Groveshire Ave would be moved to the other side of the street to allow for more parking.
- Regarding yellow paint on the curbs, she was waiting for the results of Ms. Goldstein's study to try to identify more parking.

Mr. Nagler said he had received positive feedback from drivers about the improved visibility in turning right from Maple Crest Wy onto Groveshire Ave because the yellow paint on the curb prevented a car from parking there.

City Manager Becker said some curbs were not painted because initially, it seemed unnecessary due to how cars were parking, but it sounded like all the curbs needed to be painted.

Mr. Nagler added it would be nice if the curb painting was consistent.

CEREMONIAL PRESENTATIONS & PROCLAMATIONS – None

BRIEFINGS AND PROGRAMS

1. Police Monthly Briefing – Deputy Ward presented the police report for August 2018. Councilor Jones expressed concern about street addresses being included in the police report. Deputy Ward replied the addresses were for businesses and generic. He clarified it was difficult to say how many times he caught

drivers running stop signs. He noted he tried to be present in locations where he felt his presence was most needed, such as during school or business hours, and then he drove through the neighborhood when possible. City Manager Becker noted the City also had extra deputy hours scheduled sporadically in the evenings throughout the week.

2. Planning Commission Update – No August Planning Commission meeting was held. City Manager Becker said the Planning Commission Training Session was scheduled but only two Commissioners attended, with a third arriving about 30 minutes late, so a discussion took place instead. She noted there would be four openings on the Planning Commission by the end of 2018, with one position open currently. She asked the Councilors to let her know if they knew of anyone who was interested in the volunteer position.
3. Economic Development Commission Update – No September EDC meeting was held. City Manager Becker said the EDC would be meeting with Business Oregon on Thursday to see if they could provide any assistance with completing the task list, including directing the EDC to funding sources.

CITY REPORTS

4. City Manager Report – City Manager Becker presented the City Manager Report, which was included in the meeting packet.

CONSENT CALENDAR

5. City Council Meeting Minutes – August 14, 2018

Councilor Gregg moved to approve the Consent Calendar. Councilor Walsh seconded the motion. MOTION CARRIED 5-0. Ayes: Branstittre, Gregg, Jones, Keller, Walsh; Nays: None.

PUBLIC HEARING – None

BUSINESS AGENDA

6. Shall the City Council award the contract for the Commerce Street Water System Improvements Project to Earth Work Excavations for \$627,190.50? (CL 2018-44)

City Manager Becker noted the memo from Kennedy/Jenks that discussed the outcome of the bidding process and recommended Earth Works Excavations. City Engineer Rob Peacock had talked to the City Attorney regarding the process to make sure the City had met all of the criteria, so no one could protest. City Attorney Kearns said the City followed the proper bid process and Earth Works was the low bid. City Manager Becker said \$600,000 had been budgeted and the bid was about \$27,000 higher. She had given the information to the Community Development Block Grant (CDBG) who said they might have some contingency funds. The City had to send a letter to CDBG by October 3, 2018 and would make a presentation to them on October 11th requesting an additional \$50,000 or \$60,000, which would also help with engineering costs that were also a bit more than was budgeted.

Councilor Jones noted Item 1 on the spreadsheet was shocking because Earth Works was \$50,000 less than the next closest bid. City Manager Becker confirmed Earth Works had said they could do it for that price, and noted many companies use a bulk permitting process.

Councilor Jones moved to award the contract for the Commerce Street Water System Improvements Project to Earth Works Excavations for \$627,190.50. Councilor Gregg seconded the motion. MOTION CARRIED 5-0. Ayes: Branstittre, Gregg, Jones, Keller, Walsh; Nays: None.

Agenda Items 7 and 8 were added as part of the amended agenda.

7. Shall the City Council authorize the City Manager to sign the proposed amendment to the existing Scope of Work and Fee under the Banks Water Transmission Line Replacement for Design and Construction Services with Kennedy Jenks Consulting?

City Manager Becker explained the amendment was to include the houses on Banks Rd past Aerts Rd that had been omitted for replacement of the water line, a couple of connections on Cedar Canyon after the bridge, and one missing section on Sellers Rd. The original budget for engineering costs was \$930,000. The first proposal for the Scope of Work included a budget of \$701,000 and the additional work brought the total to approximately \$860,000, which was below the original budget amount.

Councilor Gregg moved to authorize the City Manager to sign the proposed amendment to the existing Scope of Work and Fee under the Banks Water Transmission Line Replacement for Design and Construction Services with Kennedy Jenks Consulting. Councilor Jones seconded the motion. MOTION CARRIED 5-0. Ayes: Branstitre, Gregg, Jones, Keller, Walsh; Nays: None.

8. Shall the City Council adopt Resolution #2018-17 to support and authorize the City's Application with Washington County for the Community Development Block Grant (CDBG) for the 2019-2020 Funding Period?

City Manager Becker stated this was the second phase of projects the City could apply to CDBG for funding. The grant would cover looping the water lines on Park Ln, Woodland Ave, Parmley Ave, and part of Wilkes Rd, installing sidewalks on one side of Woodman, as well as some roadwork in those areas. The amount requested from CDBG would be \$400,000 with a match from the City of about \$100,000. She confirmed the amount was sufficient for the whole project.

Councilor Keller moved to adopt Resolution #2018-17 to support and authorize the City's Application with Washington County for the Community Development Block Grant (CDBG) for the 2019-2020 Funding Period. Councilor Jones seconded the motion. MOTION CARRIED 5-0. Ayes: Branstitre, Gregg, Jones, Keller, Walsh; Nays: None.

COUNCIL ROUND TABLE DISCUSSION

Councilor Jones reported that at the Sunset Park meeting, she was asked if the quantity of water being used by construction trucks filling up at the hydrants was being recorded and why it was allowed during the water restriction. She did not have an answer at the time and wanted to research the issue. City Manager Becker confirmed the amount of water taken from the hydrants was recorded and added that construction companies were required by Clean Water Services to use the water for dust control. The construction companies had been notified that the water might be shut off because of the water situation.

Councilor Jones added an attendee at the meeting wanted to make sure everyone understood that the water for dust control at the park came from Sunset Park's own well water. She reported that a two-week window had been opened for the application process for the School Board vacancy, which would be followed by interviews and then a selection would be made at the next School Board meeting. Also, an online application was available for a position on the Long Range Facility Planning Committee, which meets only in October and November on the same night as Council. The School Board also decided that the superintendent's approval was sufficient for overnight trips and that the Board no longer needed to be involved in the approvals. Before the meeting, a presentation had taken place in a work session during which the School Board met with an architect.

Mayor Edison noted he had a letter in support from a couple of private citizens from Tillamook County to add three passing lanes, each approximately .4 mi in length, to eastbound Hwy 6 at mileposts 16, 22, and 35.5. The letter requested that the Banks City Council send a letter in support of the improvements, but he was not at all comfortable supporting the improvements based on the letter.

Marcia Kirk stated the citizens had given a presentation at the July Northwest Oregon Area Commission on Transportation (NWACT) meeting about their suggestion. It was information only intended to get the wheel primed with ODOT. For the last year, Tillamook Cheese Factory had been trying to push ODOT by coming to a lot of NWACT meetings regarding working on Hwy 6. She confirmed she knew enough to suggest the Council support the request, but she believed only one passing lane would come close to Banks, but she was not sure. She believed the majority of the improvements would be from Gales Creek west. Mayor Edison confirmed the Council would receive the letter and discuss the matter at a later date.

Councilor Walsh announced the next Fire Department meeting would take place tomorrow, September 12th.

City Manager Becker reported that next month, Council would discuss the Transportation Systems Plan (TSP) Amendments on the east side and be asked to give feedback about what a collector street should look like based on images that would be provided. She noted the Council had looked at the cost of creating a right-in and right-out

at Aerts Rd and Hwy 6, and ODOT requested that the City consider a roundabout there. The Council would receive the information next month.

City Attorney Kearns reported that he heard Portland & Western Railroad was interested in reactivating the spur line out of the rail banking program, but he believed they could only do that if the Port of Tillamook, which owned the rail line, agreed to it. This would mess up the City's plans for that area. He also noted the ACLU letter that was sent out to every jurisdiction in the state that had an anti-panhandling ordinance. The ordinance was used as a weapon in a lot of jurisdictions. His cities were never a target for litigation, generally, but it was a useful exercise to look at such ordinances which were currently very relevant. The Ninth Circuit case had come from the City of Boise within the past two weeks. A lot of cities had adopted strategies to deal with the homeless problem, some more lawful than others, but many cities had to do something because homelessness was such a big problem.

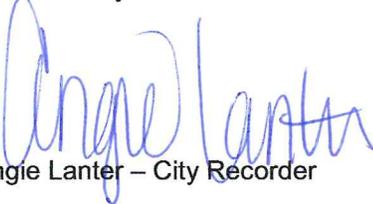
City Recorder Lanter stated she had emailed the Council last week to save the date for the annual Six City Legislative Dinner to be held November 15th at 5:30 pm in the Hillsboro Main Library. Attendees would include Council members, City Recorders, City Managers, and Mayors from Banks, Cornelius, Forest Grove, Gaston, Hillsboro, and North Plains. More information would be sent out later.

Ms. Kirk noted her topic was not a round table topic but this Thursday, Banks would be hosting the annual COL-PAC/NWACT meeting, which would include a barbecue, at Stub Stewart in the Cabin Village Meeting Hall. The COL-Pac meeting would be from 10 am to noon, followed by the barbecue, then the NWACT meeting would take place from 1 pm to approximately 3 pm. Parking would be limited, but a shuttle service would be available from the Hilltop Day Use area to the Cabin Village area. Everyone was invited.

Library Director Holmes reported that on October 2nd, Bites Restaurant would have a Friends-and-Family Night. Bites would give the Friends of the Library money for each participant having a meal that showed the ticket from the water bill. Tickets would also be available at the Library and City Hall. The fall book sale would take place October 4th through 8th in the Community Room. A lot of donations had been received. The first Tuesday in November would also be a Friends-and-Family Night at McMenamins, where the Friends made \$1,800 last time. Councilor Jones clarified no ticket was required for McMenamins. Library Director Holmes confirmed it did not matter who showed up at the Iron Work Grill, the Friends would get 50 percent of the sales. The Banks Community Foundation continued to work on the Farmers Market; no dates had been set for this year, but work was being done for next year. Several locations were being considered, but the most likely was possibly Sunset Park in the oak tree area. She would attend the Sunset Park meeting next week to talk with the board about it, answer questions, and share that some favorable responses about the Sunset Park location had been received.

ADJOURN The meeting adjourned at 7:55 pm.

Submitted by:



Angie Lanter – City Recorder