



**Regular City Council Meeting  
Tuesday, October 8, 2019  
MEETING MINUTES**

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**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, Stephanie Jones, Marsha Kirk, Michael Nelson, Erica Harold-Heine, and Mark Gregg

Excused: Michael Lyda

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

**APPEARANCE OF INTERESTED CITIZENS** – None

**CEREMONIAL PRESENTATIONS & PROCLAMATIONS** – None

**CITY REPORTS, BRIEFINGS, AND PROGRAMS**

1. Police Monthly Briefing – Washington County Sheriff's Office – Corporal King presented the Police Monthly Briefing for September 2019. He noted this would be his last Council meeting and he introduced Lieutenant Wheaton, who will now be overseeing the contract cities.
2. Library Director Report – Library Director Holmes noted her report was in the meeting packet. She highlighted the library statistical survey required by the State, noting that program attendance and the number of programs had increased, as had computer and Wi-Fi use. The Library Supervisor and Program Coordinator have been providing community support and outreach. She described several library activities. The Oregon Library Organization would be supporting the census gathering and library staff would be attending training to assist.

3. 100 Year Celebration Update – City Recorder Lanter noted the report was in the packet. The kickoff party for January was almost finalized and attention would turn to July 4<sup>th</sup>. She clarified that the vote to incorporate the City of Banks was held on January 16, 1921.
4. Economic Development Commission Update – City Manager Becker reported the EDC discussed the façade program and a project for the entryway signs at the south and north ends of town. Councilor Kirk expressed concern that the EDC had only four members and she proposed placing a hold on the Main Street, façade, and signage projects until three more members were found. Mayor Edison recommended adding her concern to the agenda for discussion at the next Council meeting.
5. Planning Commission Update – No Planning Commission meeting was held in September.
6. City Manager Report – City Manager Becker shared highlights from her report which was included in the packet. The Council discussed the cost and potential fundraising sources for a basketball court. A survey was being conducted to make sure the community was still interested in a basketball court. Those interested in receiving their water bill by email starting in October would need to contact the City with their email address as the ability to sign-up online was not yet available.

#### **CONSENT CALENDAR**

7. City Council Meeting Minutes – September 10, 2019
8. Shall the City Council support the Banks Chamber of Commerce 2019 Holiday Lighting Contest? (CL 2019-38)
9. Shall the City Council authorize the City Manager to sign the proposal for Water System Improvement to create the Clearwell Bypass? (CL 2019-39)[0:33:30]  
 Mayor Edison explained Clearwell was the tank at the sand filter where contact time with chlorine took place. It was possible for water to bypass the tank and cause cross-contamination due to insufficient contact time and the Clearwell Bypass would prevent that. City Manager Becker clarified the City was notified of the problem in summer and that was followed by research and work with contractors on the design. The City needed to show the issue was taken care of and the system would have to pass inspection. The problem would be fixed by fall or winter.

Councilor Jones motioned to approve the Consent Calendar as presented. Councilor Harold-Heine seconded the motion. MOTION CARRIED 5-0. Ayes: Jones, Kirk, Nelson, Harold-Heine, and Gregg; Nays: None.

#### **PUBLIC HEARING**

10. Park User Fee Discussion
  - a. Ordinance No. 2019-xx-xx, An Ordinance Adopting Title III (Administration), Chapter 40 (Park Service Fee) and Establishing a Park Services Fee to Support and Fund City Parks and Park Operations.

City Attorney Kearns described the importance of having an alternative source to partially fund park operations, maintenance, and capital improvements. A source of funding was also needed to replace the homeowners association (HOA) payments that would no longer be collected. He explained different options available as funding mechanisms. He clarified that charging a user fee to customers within the city limits as well as those outside the city limits was uncommon, but piggybacking on the billing system for a city utility to collect fees was very common.

Mayor Edison called for public testimony.

Gene Stout, 41774 NW Buckshire St, Banks, Member, HOA Board of Directors noted the HOA was still on a declining payment system to the City until \$10,000 was reached. He appreciated hearing about this meeting from the City Manager. His main concern on behalf of the HOA was that they not pay multiple times for parks through taxes, but they had no problem paying for the parks through a utility fee. Reducing the HOA payments would help keep the HOA solvent for a longer time. He clarified all monies received from the HOA go to the General Fund to be allocated as necessary for reserves. The agreement the HOA signed with the City referred to a \$13,000 reserve fund, but the origin of that figure was unknown and the company that managed the HOA's books said the number was closer to half that amount.

Mayor Edison believed the \$13,000 figure was from a reserves study. It was possible some reserve funds were expended that did not show up in the report, but everyone had dealt in good faith.

Charity Nagler, 41866 NW Oak Wy, Banks, asked if people outside of the city limits could be allowed to vote on the fee issue. She knew the people outside the city limits complained a lot about not being represented but had to pay, and they would like to be able to vote.

Mayor Edison responded that if they annexed into the city, they could vote.

The Council discussed the number and type of water customers to determine who should be charged the parks user fee. Proposed amounts of the fee ranged from \$4 to \$6 per month with a \$10 cap. The majority of the Council agreed that the fee should be assessed on all water customers within the city limits. Those living in multi-family dwellings would be charged individually at the same rate as those in single-family homes, and it was proposed to charge commercial customers a flat rate. In the case of partial water bill payments, the user fee amount would be paid first, with the remainder going towards the water bill.

In response to a request by Council, City Manager Becker said she would provide a report for the next meeting showing the numbers of water customers inside and outside the city limits, data on water meters and the appropriate fee to charge multi- and single-family dwellings, projections to include the new Lennar homes as they were added to the water system, and the anticipated fee totals based on 50 cent increments between \$4 and \$6.

City Attorney Kearns stated he would provide a revised ordinance and the HOA agreement for review at the next Council meeting.

#### **BUSINESS AGENDA**

11. Shall the City Council adopt Ordinance No. 2019-10-01, an Ordinance Amending Title XIII General Offenses), Chapter 130 (General Offenses), Section 130.04 (Excessive Noise) of the Banks Code of Ordinances to Establish Quiet Hours in the City between 10:00 pm and 7:00 am? (First Reading and Consideration for Adoption) (CL 2019-40)

City Attorney Kearns noted the revision to the City's noise ordinance was based on the experience of granting an exception in a residential zone this past summer. The quiet hours were changed from 10 pm to 7 am.

Councilor Jones noted the second WHEREAS in the ordinance should read, "...to be consistent with Washington **County**..."

Councilor Gregg moved to conduct the first reading by title only of Ordinance No. 2019-10-01. Councilor Kirk seconded the motion. MOTION CARRIED 5-0. Ayes: Jones, Kirk, Nelson, Harold-Heine, and Gregg; Nays: None.

City Recorder Lanter read the title into the record.

## 12. Census Partnership

Councilor Harold-Heine moved to partner with the U.S. Census Bureau. Councilor Gregg seconded the motion. MOTION CARRIED 5-0. Ayes: Jones, Kirk, Nelson, Harold-Heine, Gregg; Nays: None.

## **COUNCIL ROUND TABLE DISCUSSION**

Councilor Kirk reported that the Columbia-Pacific Economic Development District (Col-Pac) and the Northwest Oregon Area Commission on Transportation (NWACT) meetings held in Banks in September went well. She attended the Sunset Park meeting where finances were determined to be normal despite lower attendance. The Historical Society was working on the Centennial. She was coordinating the holiday festivities and updated on dates, times, and locations of the December events, noting vendors were being sought for the Union Point Cemetery Dinner and Bazaar on December 7<sup>th</sup> and for Santa's Breakfast on December 14<sup>th</sup>. She would put more information about the activities on Facebook and create a flier listing them.

Councilor Jones reported on the Public Advisory Board (PAB) meeting where the Consolidated Annual Performance and Evaluation Report (CAPER) was presented. The School Board would meet next week. The Friends of the Library made \$900 from the book sale and \$200 from the Bites Restaurant fundraiser. City Manager Becker stated she would relay Councilor Jones' thanks to the Public Works employees who carried all of the boxes downstairs for the Book Sale.

Councilor Nelson reported that the Library Board did not meet in September but would meet next week. He was unable to attend the Banks Fire District meeting. October was National Cybersecurity Awareness Month and on October 22<sup>nd</sup> at 6:30 pm in the Jane Moore Community Room he will give a presentation open to the public about cybersecurity awareness.

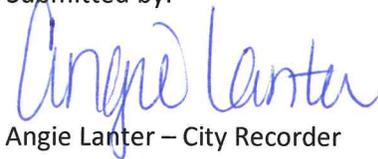
Mayor Edison reported on the League of Oregon Cities (LOC) Conference in Bend. Earthquake and tsunami preparation was discussed in the Mayors Meeting, noting he learned the forecasted future earthquake in the region would cause sustained shaking that would create a lot of damage. Greenville Park looked good. User fees would help with the park. He stated Don Moore, who donated \$50,000 for the Jane Moore Community Room, passed away yesterday at 98.

Councilor Harold-Heine attended the LOC Conference where the emphasis was on disaster preparedness. LOC was working at the state and federal levels to make sure small communities were represented as well. Pine Mountain Observatory would roll out a shake alert notification system and was soliciting volunteers to test the system. She would send information to the City Manager for possible coordination with the City's earthquake scenario. LOC reviewed bills that had gone through the State Legislature and she had a copy of the bill summary for the Council.

Library Director Holmes reported Sunset Park was considering adding bathrooms directly onto Schlegel Hall possibly in the next year or so. She would be attending the Ford Family Foundation's Community Builders Summit this weekend in Bend.

**ADJOURN** The meeting adjourned at 9:12 pm.

Submitted by:

A handwritten signature in blue ink that reads "Angie Lanter". The signature is written in a cursive, flowing style.

Angie Lanter – City Recorder