



**Regular City Council Meeting
Tuesday, January 14, 2020
MEETING MINUTES**

CALL TO ORDER Mayor Edison called to order the Regular Meeting of the Banks City Council at 7:04 pm.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present were: Mayor Pete Edison, Marsha Kirk, Stephanie Jones, Michael Nelson, Michael Lyda, Erica Harold-Heine, Mark Gregg

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

1. 2019 Holiday Lighting Contest Winners – Ray Deeth, Chamber of Commerce, announced a three-way tie for the Lighting Contest and congratulated the O'Connor Family on Park St, the Hammett Family, on Maplecrest Wy, and the Breazile Family, Ashton Wy and awarded each family \$125.

Mr. Deeth announced that Carl (Bud) Banks, who was 94 years old, was donating a 200-year-old musket that his great-great grandfather, John Banks, had carried across the country from Pennsylvania to Banks. He reported the weather would likely keep Carl from attending the 100 Year Celebration event on Thursday, but Ray is hopeful that Carl Banks and his family will be able to attend the 4th of July Parade this summer.

2. 100th Year of Incorporation Proclamation
 - a. Washington County Proclamation – County Commissioner Jerry Willey congratulated the City and read the Proclamation declaring January 16, 2020 as the 100th Birthday of the City of Banks and 2020 as the Year of Celebration.

- b. City of Banks Proclamation - Mayor Edison read the proclamation declaring January 16, 2020 as the 100th anniversary of the incorporation of the City of Banks and 2020 as the Year of Celebration.

CITY REPORTS, BRIEFINGS, AND PROGRAMS

3. Police Monthly Briefing – Washington County Sheriff’s Office – Deputy Melissa Canning presented the briefing for December 2019 and answered clarifying questions from Council.
4. Library Director Report – Library Director Holmes noted her report was in the packet and invited everyone to attend the Friends of the Library Annual Meeting on January 25th. The cost of membership in the Friends would be \$25 for individuals and \$35 for families. She presented December’s local circulation statistics, which she received late and were not in the packet, noting circulation was up 4.43 % from the same time last year, and audio and e-book circulation was steady. The Library’s calendar year circulation count for 2019 was 70,842, which was an increase from 2018. She announced she had received a scholarship to attend the Research Institute for Public Libraries Conference in July in Chicago. She briefly described the topics to be covered at the conference, noting it would focus on data collection and usage. She believed the information would be useful for the Library and also for the City’s operations. The Library was considering what to put in the time capsule and she would discuss that with Council at a later date.
5. 100 Year Celebration Update – Mr. Deeth stated he was advised today that Jennifer Newton from the Historical Society was writing a history of Banks, and the book was almost ready to be published. He recommended a copy be placed in the time capsule.
City Recorder Lanter stated her report on the 100 Year Celebration was in the packet. She updated on the menu for the Kick-off Party, noting attendance was anticipated to be 75 to 100 people. Upon hearing from the Mayor that no one at the School Board meeting last night knew anything about the Celebration, she responded that every School Board member and principal received invitations from the superintendent. She confirmed she would be getting a photo of the City Council for the time capsule later in the year when the lighting was better outside. All Boards and Commissions would have their photos included. She would also keep track chronologically of the happenings at the 100 Year Celebration and throughout the year and have two hard-bound books made of photos and other information. One would be kept in City Hall [here] for viewing and the other for the time capsule. She was working with the owner of the large draft horses that pulled the steamer in the Forest Grove Light Parade to pull the Mayors’ Float in the 4th of July Parade since using the Budweiser Clydesdales was not likely.
6. Economic Development Commission Update – City Manager Becker noted the EDC had already been discussed tonight Urban Renewal Agency Meeting. Mayor Edison added the EDC was working hard on the façade program and he was pleased with its status. City Manager Becker announced that ODOT had approved the lighted entry sign to the city after its dimensions had been slightly reduced. She was in the process of getting a light source for the sign; solar power had been discussed at the EDC meeting, but she was working with PGE currently. Councilor Jones liked the idea of having sustainable solar power.
7. Planning Commission Update – No Planning Commission meeting was held in December. City Manager Becker stated she was waiting on the State for the second level of funding for the Code assistance.
8. City Manager Report – City Manager Becker noted her report was in the packet. She also updated on water loss and plans for finding leaks within the entire water distribution system. She clarified an inspection had shown no water leaks inside the tank. The EDC would spend \$3,000 to \$3,500 of the \$10,000 budget for a pilot Façade Program for the Banks Hardware Store. An amendment was required for the Park St project for a permit for stormwater modeling at a cost of \$2,500 due

to a request from Clean Water Services. The Parks St project was going out to bid at the end of January. The Wilkes St project required an updated census survey and then the City would have to reapply for a Community Development Block Grant (CDBG) this summer. The transmission line project was waiting for the final County and State permits and would then go out to bid.

CONSENT CALENDAR

9. City Council Meeting Minutes – December 10, 2019
10. Shall the City Council recommend approval of 2020 OLCC License Renewals to the OLCC Board? (CL 2020-01)

Councilor Jones moved to approve the Consent Calendar. Councilor Kirk seconded the motion. MOTION CARRIED 6-0. Ayes: Kirk, Jones, Nelson, Lyda, Harold-Heine, and Gregg; Nays: None.

PUBLIC HEARING

11. Shall the City Council adopt Ordinance No. 2019-11-01, 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? (First reading)

Mayor Edison noted Council had discussed the Park Services Fee multiple times. City Attorney Kearns noted that Council still needed to determine when the City would start charging the fee and reviewed the details of the ordinance. City Manager Becker said a \$5 Park Services Fee would raise \$30,000 to \$40,000, less than half of what was needed for parks maintenance. She noted the Arbor Village Homeowners Association (HOA) president assumed the Park Services Fee would take care of the HOA's obligation, and their payments could stop this year.

Mayor Edison assured that in the spirit of the discussions, it was never intended for the HOA to pay twice. As negotiated, the HOA's responsibility for maintaining Greenville Park would stop when an alternative funding source was established for parks, but that was not how the agreement ended up being written and signed. Based on the agreement's payment schedule, the HOA had to make payments until 2023, even with a levy or alternative funding mechanism.

Council and Staff had a lengthy discussion about how best to address issue. Council decided to pass the ordinance adopting the Park Services Fee. The Parks Fee would take effect July 1, 2020 to coincide with the City's fiscal year and allow time for the agreement to be amended according to the intent of the negotiations with the HOA.

Mayor Edison noted the Park Services Fee would generate more revenue than the HOA payment and was more fair as a broader, community-based funding source that encompassed the entire community parks system overall.

City Manager Becker responded to budget concerns, stating that the budget was difficult to juggle because several departments pulled from the General Fund and, the addition of more features in the parks would increase park costs. The reduction of the yearly amounts the HOA paid would also have an impact. The Park Services Fee would help stabilize the General Fund.

Mayor Edison opened the public hearing on Ordinance No. 2019-11-01 at 8:10 pm and called for public testimony. Seeing none, he closed the hearing at 8:11 pm.

City Attorney Kearns clarified "Section 1" of the ordinance was not missing; it was a formatting problem. The ordinance would result in a new Code chapter that established the fee. The amount

of the fee and annual automatic adjustment formula would be set by City Council by resolution, which would come before Council next month.

Councilor Lyda moved to conduct the first reading, by title only, of Ordinance No. 2019-11-01, 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, adding July 1, 2020 to the appropriate line item on Page 5. Councilor Harold-Heine seconded the motion. MOTION CARRIED 6-0. Ayes: Kirk, Jones, Nelson, Lyda, Harold-Heine, and Gregg; Nays: None

City Recorder Lanter read the title into the record.

BUSINESS AGENDA

12. Shall the City Council adopt Resolution No. 2020-01, a Resolution of the City of Banks Authorizing a Loan from the Safe Drinking Water Revolving Loan Fund? (CL 2020-02)

City Manager Becker noted the original loan amount was \$3.83 million. The transmission line project would increase the amount needed to almost \$5 million, so an additional \$1 million was requested for the loan. The term of the loan would increase from 20 years to 30 years, and \$.5 million was still forgivable. She confirmed the money would be drawn as needed and, based on project estimates, all of the loan money would be needed. Any extra funds available in the Water Fund could be applied to the loan, as could the water system development charges (SDCs).

Councilor Jones moved to adopt Resolution No. 2020-01, a Resolution of the City of Banks Authorizing a Loan from the Safe Drinking Water Revolving Loan Fund. Councilor Kirk seconded the motion. MOTION CARRIED 6-0. Ayes: Kirk, Jones, Nelson, Lyda, Harold-Heine, and Gregg; Nays: None

13. Shall the City Council elect a Council President?

Councilor Jones nominated Mark Gregg for City Council President. Councilor Kirk seconded the motion. MOTION CARRIED 6-0. Ayes: Kirk, Jones, Nelson, Lyda, Harold-Heine, and Gregg; Nays: None

14. Shall the City Council adopt Ordinance No. 2019-12-01, An Ordinance Repealing and Replacing in its Entirety Title III (Administration), Chapter 33 (System Development Charge) of the Banks Code of Ordinances to Create a Comprehensive Program Applicable to All Eligible Public Facility Systems?

City Attorney Kearns noted repealing and replacing Chapter 33 was recommended to streamline and clean up the SDC provisions and to provide consistency with State law.

Councilor Gregg moved to conduct the second reading and adopt, by title only, Ordinance No. 2019-12-01, An Ordinance Repealing and Replacing in its Entirety Title III (Administration), Chapter 33 (System Development Charge) of the Banks Code of Ordinances to Create a Comprehensive Program Applicable to All Eligible Public Facility Systems. Councilor Kirk seconded the motion. MOTION CARRIED 6-0. Ayes: Kirk, Jones, Nelson, Lyda, Harold-Heine, and Gregg; Nays: None

City Recorder Lanter read the title into the record.

15. Shall the City Council adopt Resolution No. 2020-02, a Resolution Repealing Resolution No. 2016-07 and Adopting New System Development Charge Methodologies and Rates for the City's Water System, Park System, and Transportation System?

City Attorney Kearns noted the SDCs were detailed in the FCS Group memo included in the packet, and their effective date would be February 13th, the same the effective date of the ordinance just passed. Council would follow a similar process with next month's resolution for the Park Service Fee.

Councilor Jones moved to adopt, by title only, Resolution No. 2020-02, a Resolution Repealing Resolution No. 2016-07 and Adopting New System Development Charge Methodologies and Rates for the City's Water System, Park System, and Transportation System. Councilor Lyda seconded the motion. MOTION CARRIED 6-0. Ayes: Kirk, Jones, Nelson, Lyda, Harold-Heine, and Gregg; Nays: None

City Recorder Lanter read the title into the record.

Mayor Edison added Item 16 to the Business Agenda.

16. Shall the City Council direct the City Attorney to draft an amendment to the agreement with the Arbor Village Homeowners Association (HOA)?

City Attorney Kearns recommended amending the payment schedule to show that payments were received for 2018 and 2019, and indicate a bill had been sent for \$16,000 for 2020. The years 2021 through 2023 totaling \$36,000 would be zeroed out, and the table would be removed. He would provide the schedule to Council, and Mayor Edison would present it to the HOA's president. If the HOA's signature could be obtained in time, the agreement could become effective in February; otherwise, it might be delayed.

City Manager Becker stated she would bring estimates based on a \$4, \$5, and \$6 Park Service Fee on the residential water bills to Council next month.

The Council decided to address adjustments to the Park Service Fee annually, instead based on a table method, with the option to assess the method if circumstances change. It was recommended to consider the adjustments in January or February for implementation at the start of the fiscal year to avoid having to do so during the Budget Committee process.

COUNCIL ROUND TABLE DISCUSSION

Councilor Nelson commended City Recorder Lanter for all her work on the 100 Year Celebration. He noted many positive comments were made on Facebook.

Mayor Edison reported that it appeared Quail Valley Golf Course had a prospective buyer who had plans to eliminate the golf course and build houses there. City Attorney Kearns noted it might be an opportunity for the City to obtain a big park on the east side through a quid pro quo with the developer. He confirmed elimination of the golf course would require a vote by Council, which would then have to be acknowledged by the Department of Land Conservation and Development (DLCD).

Mayor Edison believed the City needed to look into purchasing the old fruit cannery building, where the dance studio is located, at the Banks-Vernonia Trailhead to allow for future expansion of the parking area. The Council discussed that status of the railroad line and the potential of the ODOT lot. City Manager Becker said she would bring a parking concept plan for the trailhead to the next meeting. Mayor Edison announced City Recorder Lanter was appointed 2nd Vice President of the Oregon Association of Municipal Recordors (OAMR).

Councilor Lyda noted that Metro would be spending a bunch of money in the Gaston area to build a trailhead on Dixon Mill Rd for the Yamhill Trail.

City Manager Becker clarified that Metro would have a bond or levy for open space in November and more in the coming years.

Councilor Gregg stated he would be out of town on April 11th when the Budget Committee meeting was scheduled. City Manager Becker stated a single meeting could be held on April 25th, with meetings added on May 2nd & 9th, if needed.

City Attorney Kearns reported the water moratorium was up for renewal on next month's agenda. Developers had expressed interest in being added to a waiting list for when the moratorium was lifted. He had sent a draft resolution with a provision for a waiting list to the Mayor and provided some details on the process for the waiting list, noting it needed a lot of thought.

ADJOURN The meeting adjourned at 9:03 pm.

Submitted by:



Angie Lanter – City Recorder