



**Regular City Council Meeting
Tuesday, May 12, 2020
MEETING MINUTES**

CALL TO ORDER Mayor Edison called to order the Regular Meeting of the Banks City Council at 7:26 pm. This meeting was conducted and recorded via Zoom.

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 Michael Lyda

Excused: Mark Gregg

Staff present: City Manager Jolynn Becker, City Recorder Angie Lanter, Library Director Denise Holmes, City Attorney Dan Kearns, and Deputy Ryan Pope (logged out after his report ~7:40 pm)

CEREMONIAL PRESENTATIONS & PROCLAMATIONS

1. National Bike Month Proclamation – Mayor Edison proclaimed May 2020 as Banks Bike Month, declaring the week of September 21st – 27th, 2020 as Bike to Work Week, and September 22, 2020 as Bike to Work Day in the City of Banks.
2. Emergency Medical Services Week Proclamation – Mayor Edison proclaimed the week of May 17th – 23rd, 2020 as Emergency Medical Services Week.

Councilor Kirk noted next week was Public Works Week.

CITY REPORTS, BRIEFINGS, AND PROGRAMS

3. Police Monthly Briefing – Washington County Sheriff's Office – Deputy Ryan Pope presented the briefing for April 2020, noting that so far, community members seem to be participating in good social distancing. He also noted that most parking issues in April were dealt with on a personal basis to correct issues without citation. He addressed several clarifying questions from City Council about the statute of limitations

regarding the 2018 sexual assault, stop signs being ran in Arbor Village and on Banks Rd, Sunset Park being a police hangout, and then he logged out of the meeting.

4. Library Director Report – Library Director Holmes’ report was included in the packet. She highlighted the huge spike in electronic use of library services, and explained that OverDrive and Libby were applications used for ebooks and digital audio books. The Library received a Covid-19 Assistance Grant from Oregon State Library’s LSTA program, which would be used to enhance distribution of a packet of summer reading items, books, and other incentives, like take-home games, in lieu of the regular Summer Reading Program. She noted the WCCLS focus groups were based on different library users’ activities and library directors were using this information to create a framework libraries could use to plan for reopening. Subject to State and County rules, the library directors were working on ways to incrementally begin to offer services and still keep staff and patrons safe.
5. 100 Year Celebration Update – City Recorder Lanter noted the Celebration’s Music in the Park Event was cancelled due to social gathering restrictions, as well as of the 4th of July Parade as ODOT was not currently issuing permits for events that close roads. The City was still doing the Giveaways if people wanted to knock on the door they could pick up April (sticky notes) and May (flower kits) giveaway items. As far as shifting the celebrations to next year, she noted Music in the Park would certainly happen next year as the Park Committee wanted to host it moving forward; this year’s event was to be the kick-off for an annual event. She did not know about the Fourth of July Parade being moved to next year as it was supposed to be special for this year. Councilor Kirk suggested the 100 Year Committee get back together again, and City Recorder Lanter confirmed that perhaps the Committee could meet in October to see what 100 Year Celebration events might be salvaged. Staff hoped that gathering restrictions will be relaxed or lifted prior to the Christmas tree lighting, possibly making it a bigger event this year. Including fireworks at the tree lighting was suggested.
6. Economic Development Commission Update – City Manager Becker reported the Economic Development Commission (EDC) met last Wednesday. The EDC did not receive funding from Washington County Visitors Association, so the EDC was reviewing its budget for next year. She noted the possibility of the work materials being donated and that information would be available next month. The Façade Program was looking to start on June 1st. Businesses that had already started façade improvements would be able to apply for grant funding for the work they had already completed. Councilor Kirk explained the WCBA had pulled its grants because it was not getting any money in.
7. Planning Commission Update – Jolynn Becker, City Manager reported no meeting was held in April.
8. City Manager Report – City Manager Becker reported that water loss had improved from last month because a leak that was discovered on Sellers Rd had been fixed. She expected the water loss percentage would improve again this month after the leaks identified on Cedar Canyon Rd, Park St, and Wilkes St were fixed.
 - She confirmed the portion where the leaks are located on Cedar Canyon Rd were not part of the original replacement project, and she had talked to the engineer about including the rest of the Cedar Canyon line in the Transmission Line Project. The Park St leak would be taken care of with the new line going in there, but the leak was so big, it was flooding somebody’s flower bed, so it had to be fixed. Wilkes St was not part of any current project, but Staff was looking at replacing those water lines as a future project.
 - The City had been working with iWorks to update the inventory of assets and was almost finished with all the water assets. They were now looking to get reports every six months to a year that identified what type of maintenance or replacement needed to be done of different water lines, meters, hydrants, etc.
 - Because of the situation with the COVID-19, Ride to Connection was freezing the addition of the two to three new routes planned earlier to see what funding would look like, but was keeping its normal schedule.

CONSENT CALENDAR

- 9. City Council Meeting Minutes – April 14, 2020
- 10. Shall the City Council adopt Resolution No. 2020-11, a Resolution Creating Special Reserve Fund 15 for the City’s Transient Lodging Tax, Limited to the Purposes Specified in ORS 320.350 (6) for Tourism Promotion and Tourism-Related Facilities? (CL 2020-09)
- 11. Shall the City Council adopt Resolution No. 2020-12, a Resolution to rescind the prior schedule of city fees and adopting a new Comprehensive Fee Schedule to govern fees for all city services, permits and applications? (CL 2020-10)

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

PUBLIC HEARING – None.

BUSINESS AGENDA

- 12. Shall the City Council adopt the revised Email & Social Media Policy? (CL 2020-11)
City Manager Becker confirmed the policy applied to everyone, not just employees.

Councilor Jones moved to adopt the revised Email & Social Media Policy. Councilor Harold-Heine seconded the motion. MOTION CARRIED 5-0. Ayes: Harold-Heine, Jones, Kirk, Lyda, and Nelson; Nays: None.

- 13. Shall the City Council adopt the 2020-2021 City Council Work Plan?

Councilor Jones noted she found several typos in the Work Plan, and agreed to provide them to Staff after the meeting.

Councilor Harold-Heine moved to approve the Banks Council Work Plan for 2020-2021 with stated adjustments to be identified after the meeting. Councilor Kirk seconded the motion. MOTION CARRIED 5-0. Ayes: Harold-Heine, Jones, Kirk, Lyda, and Nelson; Nays: None.

- 14. Shall the City Council authorize the Mayor to sign the Council Creek Regional Corridor Working Group Charter? (CL 2020-12)

Mayor Edison explained this would get the City a seat at the table for the Council Creek Trail about which the Cities of Hillsboro, Forest Grove, and Cornelius had been meeting informally for quite some time. The group was currently focused on the trail section from Hillsboro to Forest Grove, but he believed they saw the need for the trail section to Banks.

City Manager Becker added funding from Metro was helping with the Hillsboro to Forest Grove section, and then the trail would proceed to Banks and the Banks-Vernonia Trailhead. She clarified that Banks had a seat on the earlier Steering Committee which had been revitalized into this group called the Working Group Charter with Metro’s help.

Councilor Nelson moved to authorize the Mayor to sign the Council Creek Regional Working Group Charter. Councilor Jones seconded the motion. MOTION CARRIED 5-0. Ayes: Harold-Heine, Jones, Kirk, Lyda, and Nelson; Nays: None.

Councilor Kirk offered to assist Staff with the Council Creek Trail project.

15. Shall the City Council adopt Resolution No. 2020-13, a Resolution Transferring Appropriations in Water Fund #02? (CL 2020-13)

City Manager Becker described the need for reallocating appropriations within the Water Fund to Personal Services, which would have a deficit by June 30th, a result from allocating too low for Public Work Staff. Such appropriations were normal and done in the budget periodically throughout the year. She confirmed that "Library" should state "Water" on a couple of the pages and would be changed.

Councilor Nelson moved to adopt Resolution No. 2020-13, transferring appropriations in Water Fund #02 with the noted changes. Councilor Kirk seconded the motion. MOTION CARRIED 5-0. Ayes: Harold-Heine, Jones, Kirk, Lyda, and Nelson; Nays: None.

16. Shall the City Council adopt Resolution No. 2020-14, a Resolution Extending the City's Declaration of Emergency Expressed in Resolution 2020-10 until June 9, 2020 Due to the Novel Coronavirus Pandemic?

City Manager Becker reported on the meetings the City was involved in regarding the COVID-19 emergency, noting it involved the same agencies from the list provided to Council last month. She noted the City's Emergency Plan/Response Book was on her to-do list, she was waiting to see if the project would receive funding this summer, but dealing with the COVID-19 emergency was the priority. With school out, the school district was also waiting to get through the current situation with the virus, as was the fire department. She had talked to US Bank about a program for business to get funding and she would talk with City Attorney Kerns to come up with a contract for any businesses in town that need their services.

Councilor Kirk said the list/report City Manager Becker provided was helpful for Council to know the steps Staff was going through and what the city might need to prepare for. Being under the emergency declaration, the reports could provide a record of what the City had done during the pandemic. She inquired about the ham radio that was in the public works building.

City Manager Becker stated she had to move the ham radio upstairs to make room to separate Staff members who shared the same office. As part of the emergency planning effort, she was working with the fire department to get ham radios at the fire station, and at the new Manning fire station as a backup. The ham radio had to be downstairs at public works in order to be plugged in to operate it, but it was available. Moving the radio was necessary as the Staff members were essential, but had to work within social distancing guidelines. Currently, no one on Staff knew how to operate it and there was no plan to train anyone on City staff to use the radio at this time. Staff was checking to see if the fire department had someone on staff to operate the radio. She reminded Council that in a big event, if the City lost communications, the City would go under the umbrella of the Emergency Operations Center at the fire department.

Councilor Kirk noted a volunteer organization in Washington County provided ham radio emergency services and usually staffed ham radios. Ray Deeth had been the operator for a number of years, but he had retired. Volunteers had come out once or twice, but had not returned so the City's ham radio had not been tested for a while. It was difficult to get volunteers.

City Manager Becker stated the City was basically starting over and the ham radio's operation would be part of the emergency planning done with the fire department.

Mayor Edison explained the biggest driving force in initially declaring the emergency was that all the other cities in the county were doing it, as was the County, and the idea that there might possibly be some money to gain down the road.

Councilor Lyda noted the Emergency Declaration stated, "You'll have a significant social and financial impact on the community"; it was ironic that it was causing exactly that. He believed the emergency part was over, it was becoming something else.

Mayor Edison responded that was highly debatable, adding COVID was not gone. It was still increasing in a wide variety of places in the country, and while they were moving toward that next level, he personally did not think it was time to remove the emergency status because he believed they were still in an emergency.

Councilor Kirk said she sided with Councilor Lyda. There were a lot of unknowns at first, and the City is at least in line with FEMA. At this point, she honestly did not feel the City still needed to extend the declaration of emergency. If it flared up again later in the year, Council could always re-declare the emergency. Extending the date of the emergency declaration now, was just doing paperwork.

Mayor Edison said he had a friend who had to close his company in Astoria because of 20 plus COVID cases in the last nine days, so the virus was flaring up all around them, and there was no vaccine. COVID-19 was not gone. He reiterated he did not want to send a message that there was no emergency to anybody, because there was.

Councilor Harold-Heine agreed with Mayor Edison that this was an active emergency, a global emergency. Whether they saw it directly in their town or not, they definitely saw it in neighboring towns, and they should never send the signal that this was not an emergency situation. She believed the City needed to retain this emergency declaration.

Councilor Harold-Heine moved to adopt Resolution No. 2020-14, a Resolution Extending the City's Declaration of Emergency Expressed in Resolution 2020-10 until June 9, 2020. Councilor Jones seconded the motion. MOTION CARRIED 3-2. Ayes: Jones, Nelson, Harold-Heine; Nays: Lyda, Kirk.

17. Shall the City Council approve funding of the 4th of July Fireworks Display with the conditions as discussed at the May 12, 2020 City Council Work Session?

City Manager Becker explained the options were to cancel, wait to see what Forest Grove and North Plains were doing, or proceed with the planning and then make a decision about whether to cancel in mid-June based on what was happening. The deposit with the fireworks company, which would be about \$1,000, had to be made by May 15th, but it could be used for next year. If the decision to cancel was made after June 15th, the deposit would be lost. The City started advertising for sponsors in January and had received about \$3500 from sponsors; another \$7,000 would be needed for a nice fireworks show. The City was collecting the sponsorship money, and Speedway was contacting some of its sponsors to get some money on their side, but at this point they had zero.

Councilor Lyda said it did not matter what Forest Grove or North Plains did; it should be a Banks' decision.

Councilor Kirk suggested talking with County Commissioner Katherine Harrington or County Commissioner Jerry Willey, and perhaps the Sheriff's Office to get their input.

Council discussion noted the only decision needed right now was whether to spend \$1,000 on Thursday for the deposit, and then Council could decide whether to cancel at the next Council meeting on June 9th. The City's partnership with the Speedway on the Fireworks Display was reviewed.

Councilor Lyda moved to approve a \$1,000 deposit for the 4th of July Fireworks Show for 2020. Councilor Nelson seconded the motion. MOTION CARRIED 5-0. Ayes: Harold-Heine, Jones, Kirk, Lyda, and Nelson; Nays: None.

City Manager Becker noted the City would communicate to the public that the City was still trying to make the Fireworks Display work, but it might have to be cancelled given roadblocks that might arise.

Councilor Jones stated sponsors and potential sponsors needed to know their donations would be used for the following year if the 2020 Fireworks Display had to be cancelled.

18. Shall the City Council adopt Resolution No. 2020-15, a Resolutions Transferring Appropriations in Park & Trees Fund #10? (CL 2020-14)

City Manager Becker noted this was another housekeeping item and described the need for reallocating appropriations to cover additional expenses for Materials and Services because some trees had to be replaced at Greenville City Park.

City Recorder Lanter noted corrections had been made to the grid to replace the words, "Library" and "Water Fund #2".

Councilor Lyda moved to adopt Resolution No. 2020-15, transferring appropriations in Park & Trees Fund #10 with corrections as noted. Councilor Kirk seconded the motion. MOTION CARRIED 5-0. Ayes: Harold-Heine, Jones, Kirk, Lyda, and Nelson; Nays: None.

19. Shall the City Council initiate discussion/negotiations with property owner(s) for new well sites?

Mayor Edison noted Bob Long gave a nice presentation about the City's options and a direction to take. Sites H and F were the top choices, so next steps would involve exploring the cost for each option. Site F was a great site, but it was right in the middle of the golf course on the Par 3 by the road. He confirmed the pipes getting back to Well heads 1 and 2 would run along the road, and a relatively easy project.

City Manager Becker confirmed Site H was private property and the City had been in contact with the owner.

Doug Hixson, Quail Valley Golf Course, stated Bob Long had placed the stake to the left of the cart path, in between the cart path and the road, and it would not affect the play on that hole, nor would the tee have to be removed. The building would be to the left of the hole. A bad shot might hit the building, so the City might want to design it for golf balls bouncing off it. He concluded that Quail Valley was very interested in talking to the City about it.

Councilor Kirk moved that City Council begin discussion with the property owner(s) regarding the new wells. Councilor Harold-Heine seconded the motion. MOTION CARRIED 5-0. Ayes: Harold-Heine, Jones, Kirk, Lyda, and Nelson; Nays: None.

COUNCIL ROUND TABLE DISCUSSION

Councilor Kirk reported the Banks-Vernonia Trail opened on Monday and she had started discussion with Oregon State Parks about having an 11" x 17" poster or a brochure rack at the State Park's kiosk to highlight local businesses that need the tourism for at least 60 days. Usually no advertising was allowed in Oregon State Parks. She hoped to have the advertising approved next week. She also contacted Michelle at the Port of Tillamook who said she would do an agreement for the City to use part of the railroad's right-of-way across Banks Rd from the trailhead near the electrical box for wayfinding or advertising signs for businesses that could be seen from both parking lots. She had talked to businesses and was in the process of negotiating with the Chamber of Commerce and Champion Signs to get an inexpensive wayfinding sign made until the intersection was redone and the EDC could do more formal wayfinding signage. She hoped to get the signage done as quickly and inexpensively as possible given the visitors coming to Banks for the trail, and traveling through the city going camping and to the coast. She would bring a cost to the next City Council meeting, noting she hoped to get this item on Council's June agenda for Council to consider contributing \$500 to \$1,000 on the project. The city had thriving tourism. The City said it wanted to help businesses and the signage was an easy way to do that. If Council could contribute money toward the farmers market, it should contribute toward the signage. She had not talked to the School District about promoting local community businesses on its reader board.

Discussion included the project being more appropriately overseen by the Chamber of Commerce, but it was uncertain whether the Chamber would do anything yet. Any signage would have to go before the Planning Commission. The EDC should review the idea and determine whether to request funding from City Council.

Councilor Kirk agreed to take the matter before the EDC and have a proposal prepared in time for June's Council meeting.

Councilor Jones stated she was supposed to be in Anaheim for the International Science Fair this week, but she was attending at-home meetings instead. She would report on the School Board next month, and the Public Advisory Board's public hearing this month would address how to distribute the extra money received from the CARES Act.

Councilor Harold-Heine reported on the Habitat for Humanity meeting that was held today, noting the next meeting would not be until September. Key topics of discussion included the new Farmers' Market that would start in Cornelius in July, the Forest Grove/Cornelius Chamber's work to help active businesses with regard to the COVID-19 response, and that the Habitat Board was actively evaluating applications to place a family in one of the homes they had built. Also discussed were the volunteer and financial impacts to Habitat's 2020 repair season due to COVID-19 impacts. The downtime would be used to remodel the Forest Grove/Cornelius ReStore storefront with a grand reopening planned once the work was complete and restrictions were lifted.

Mayor Edison reported on his experience of working from home since March 16th, noting business dropped 80 percent on that one day. About 90 percent of his business came from restaurants. This past week, business was back to 45 percent of regular sales. He remarked he had worked harder the last six to eight weeks than he had in a long time, adding it had been gratifying to get out there, scratch around and really have to go for it.

City Attorney Dan Kearns reported on the situation in downtown Portland, noting it was a ghost town. Other lawyers had said their firms might not staff their offices until September. He was doing video-type meetings from home, and reported on a “live” Planning Commission meeting in Tangent two weeks ago that was held under a tent to give people space. The metal fabricating business was going strong because construction had not slowed much in Oregon; whereas Washington State Governor Inslee had stopped all construction with his first executive order.

City Manager Becker reminded Councilors that the Budget meeting would be held at 9:00 am on Saturday, May 16th via Zoom. A shorter version of the booklet would be provided in lieu of the big binders. She confirmed the Greenville Park fountain was being replaced as it had a lot of plastic parts that kept breaking. She noted the City was adding four, one-hour parking spots from 9 am to 5 pm at the north end of town, which should help with any parking overflow from the trailhead being reopened.

ADJOURN The meeting adjourned at 9:03 pm.

Submitted by:



Angie Lanter – City Recorder