



**Regular City Council Meeting
Tuesday, June 9, 2020
MEETING MINUTES**

CALL TO ORDER Mayor Edison called to order the Regular Meeting of the Banks City Council at 6:31 pm.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

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

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

CEREMONIAL PRESENTATIONS & PROCLAMATIONS

1. 2020 National Drinking Water Week Coloring Contest Winners – Mayor Edison recognized the following Coloring Contest Winners and presented each with gift certificates:
 - Ages 2 to 4: 1st place, Alejandro Flores-Hall; 2nd place, Ruby Shroyer; 3rd place, Lauren Hollis
 - Ages 5 to 6: 1st place, Raygan Shroyer; 2nd place, Bryce Rossing; 3rd place, Maddox Gray
 - Ages 7 to 9: 1st place, Lexie Schoegje; 2nd place, Aubree Busbee; 3rd place, Maren Jacobs
 - Honorable Mentions: Aerin Hollis, Lexy Gray, Grace Erickson, Mayshon Shroyer, Chloe Rossing
 - Ages 10 to 12: 1st place, Marissa Calvillo, 2nd place, Saydee Shroyer; 3rd place, Damien

CITY REPORTS, BRIEFINGS, AND PROGRAMS

Police Monthly Briefing – Washington County Sheriff's Office – Deputy Pope presented the Police Monthly Briefing for May. He and Lt. Ray addressed questions from Council regarding the Black Lives Matter March scheduled for June 12th, noting that all of the events in Washington County had been peaceful. A special investigations unit was dedicated to checking background information and data mining the groups involved to make sure the department was addressing everything properly. The special investigations unit would know of anything happening in the region. The unit was comprised of detectives and administrative staff, who help the Sheriff's office plan and appropriately adjust its resources for whatever was needed. Some groups were infiltrated by others for their own agenda and to cause destruction, violence, and

other crimes. The specialized detectives did an excellent job of finding out information about what was happening, and the groups involved.

2. Library Director Report – Library Director Holmes confirmed there were no questions about the Library Report in the meeting packet. She noted many other libraries had also started some kind of takeout or curbside service or planned to in the coming week and Banks had its first courier delivery and pickup today and more would occur as more libraries had their quarantine procedures approved by the courier. Banks, North Plains, Forest Grove and Cornelius libraries were coordinated their activities as best as possible, and people were placing holds for seed library pickup. She clarified the only holds being picked up were from libraries that had passed the quarantine protocol, items that had been waiting since mid-March would be coming via the courier service. More libraries would have to be active before Banks could place holds on items owned by other libraries or turn on holds online, so the Library could only fill requests from what came via the courier service that had been sitting in other libraries or what the Banks Library had on its own shelves. The book drop was open Monday through Friday, 10 am to 4:30 pm.
3. 100 Year Celebration Update – City Recorder Lanter reported that since the Celebration was canceled, the Giveaway items were being given away. June’s Giveaway was stainless steel straws. She confirmed all Giveaway items were being set aside for every Council, board, commission, and committee member to ensure everyone got one. The cancellation of the Movie in the Park would depend on the public gathering restrictions, which were constantly changing. While she did not believe having people sit six feet apart would be an issue, holding the event would still be based on how many people could be gathered in one place.
4. Economic Development Commission Update – City Manager Becker reported on the Commission’s meeting week, highlighting the discussions regarding the budget for the entryway sign, the Façade Program, which started June 1st, and wayfinding signs. Applications for the Façade Program were expected from some businesses in town. Councilor Kirk suggested creating signage by the trailhead to promote different local businesses without any expense to those businesses. The project would become a City project that required a lease agreement and quotes from different sign vendors. City Staff was researching funding options. The sign might qualify for \$2,000 to \$3,000 from an agency suggested by the Washington County Visitors Association (WCVA). She displayed a draft image of the proposed sign.

Councilor Kirk clarified that she believed the businesses featured on the sign should be those that visitors were likely to visit during the day, such as the food establishments, which were barely hanging on. By getting more out-of-town visitors into the food establishments, they would pass by the other businesses in town. Since Stub Stewart State Park just reopened its day use and planned to reopen camping on June 23, and more people were starting to come to Banks via the Banks-Vernonia Trail. Her original proposal to the EDC was two-fold. First, get approval from Oregon State Parks to have A-board signs at both the Banks and Manning Trailheads promoting Banks businesses. These signs would be paid for by Councilor Kirk. Second, erect a big sign across from the Banks Trailhead that was intended to cost \$2,000. Councilor Kirk stated that she had spoken with Carolyn McCormick, who works for the WCVA, who said that money from Travel Oregon could potentially be used for the sign. Travel Oregon was sending money to various visitors associations to help bring tourism back after COVID-19. At the EDC meeting, Rich Weitzel from Swatco said the Chamber would contribute to \$1,000 for the project. Leasing the sign area from the Port of Tillamook was a one-time charge of \$400. After the EDC meeting, she met with Clint Jackson at Five-Star Builders, who created the mockup being displayed to Council. The sign was intended to be temporary with no post holes needed and used until the new intersection was constructed, which would be at least two years or more. Clint estimated the sign as shown would cost \$2,500, and she guessed it would be under \$4,000 with the sign’s base and installation.

City Manager Becker confirmed the EDC recommended going forward with the proposal and hoped it would be done by July, but it would probably be done by the end of the summer.

Councilor Kirk acknowledged that even before the pandemic, no one at the trailhead would go south, so the city was missing a lot of tourism revenue while still by having to deal with the inconvenience of the parking issues. The City had been talking about wayfinding signs for that intersection for years, but the intersection project had not moved forward.

Councilor Lyda said he did not want to waste money on a temporary sign when a permanent sign could be relocated. Change happens all the time.

Councilor Kirk noted Clint had mentioned being able to reuse the sign base with a new sign once the intersection was completed.

Mayor Edison clarified a wayfinding sign program was conceptual and required planning that could take at least a year once the time and money were committed to the project. It typically included signs for a variety of services and places in town. Although in the City's plans, a wayfinding sign program had not been done yet. Council was not voting on the sign tonight, but it was good to discuss it. He was looking to the EDC for a formal proposal with costs that Council could deliberate on and decide whether to support.

City Manager Becker explained that after she gathered all the information, she would generate a sign application for review by the planner. The sign did not have to be reviewed by the Planning Commission, but it would have to meet criteria and conditions in the Code. She agreed more details would be provided about the easement and total costs next month. She confirmed that the EDC supported the project.

Mayor Edison invited Debbie Boothe-Schmidt, Democratic candidate for House District #32, to comment before City Council.

Debbie Boothe-Schmidt stated that with District #32's beautiful beaches and abundant resources, it was easy to forget the families who were struggling; many before the pandemic and even more were struggling now. She would fight to take care of everyone, not just the wealthy and well-connected, she would support those on the front line and essential workers. She would work to lower the cost of health care and prescription drugs because no one should be afraid of seeking help because they could not afford it. She would ensure no one was left behind as the state recovers from the COVID-19 crisis. As a small business owner in Astoria, she knew what it would take to get the District's businesses up and running again. As president of a union, she has fought for workers' rights and would be a strong voice for working people: fighting for better pay, better benefits, and better working conditions. She would fight to expand affordable housing and protect social safety nets, like paid sick and family time, as well as to expand mental health, substance abuse, and veterans' services. She would fight to address the changing climate, which was causing ocean temperatures to rise and impacting Oregon's coastal economy. Noting her family's history as loggers, military personnel, and union members, and her experience working two jobs to pay the rent, she stated as a mother and grandmother, she would fight to ensure all children had the resources they need to succeed. She would also work to expand apprenticeship programs and ensure more students could afford to go to college or get training in the field to sustain local businesses. As chair of the Board of the Sunset Empire Transportation District, transportation and infrastructure had been improved by expanding routes. In response to the COVID-19 pandemic, all bus fares were waived for residents. In the legislature, she could be counted on to continue to respond to the needs of the District's

working families. She promised to represent the entire district, not just the coastal areas, and she would always have time to speak with her constituents and would always work to understand the unique issues of each community. She thanked the City Council for allowing her time to speak this evening.

Councilor Gregg asked how Ms. Boothe-Schmidt planned to maintain some form of funding for education without unilaterally cutting everything by a double-digit percent.

Ms. Boothe-Schmidt replied education was very important to her. She wanted to keep the recently passed Student Successful Act in place and that she would do everything in her power not to cut any services to kids, which were one of the State's biggest assets. Education was needed, including teachers, counselors, and nurses. She did not yet know which programs she would want to start cutting if she had to, but she would reach out to the District's communities to find out what they believed they could afford to lose. She was not going to let the school budget go easily.

5. Planning Commission Update – City Manager Becker reported that the Commission's only agenda item was to review the Code assistance memo, and no changes were made. Information had been sent to the Planning Commission and the Code assistance group so they could review the memo and submit any comments to Staff by the June 15th. The same information was sent to the community outreach and business outreach groups with same instructions. Staff would also send the information to the City Councilors for review and comment.
6. City Manager Report – City Manager Becker reported that based on the last month's comments, her report, which was included in the packet, included the information and timeline regarding what the City had done since March with regard to COVID-19, as well as the list of meetings Staff had been attended, which had dropped from twice a week to once a week.

CONSENT CALENDAR

7. City Council Meeting Minutes - May 12, 2020
Councilor Kirk corrected the last line of Item 6 on page 2 as follows, "explained the ~~WCBA~~ WCVA had pulled grants," noting it was the Washington Visitors Association.
8. Shall the City Council recommend approval of OLCC License Renewals to the OLCC Board (CL 2020-15)?
9. Shall the City Council authorize the City Manager to sign the Springs Water Supply Evaluation Project Proposal? (CL 2020-16)
10. Shall the City Council Shall the City Council authorize the City Manager to sign the addendum to the Park Street Waterline Project to add the curb/sidewalk work to the west side of Park Street? (CL 2020-17)
11. Shall the City Council adopt Resolution No. 2020-16, a Resolution Amending Resolution No. 2015-15, Amending the City's Intergovernmental Agreement with Washington County for Community Development Block Grant (CDBG) Funding (CL 2020-18)
12. Shall the City Council authorize the City Manager to proceed with obtaining Earthquake Coverage with our Insurance Carrier? (CL 2020-19)

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

PUBLIC HEARING

14. Public Hearing for the Fiscal Year 2020-2021 Operating Budget & Capital Improvement Plan

City Manager Becker noted Staff had complied with noticing requirements inviting public comment regarding the budget and no comments were received. No changes had been made to the budget since the Budget Committee adopted the budget document in May.

Mayor Edison opened the public hearing at 7:22 pm. He confirmed there was no public comment and closed the hearing at 7:23 pm.

a. Shall the City Council adopt Resolution No. 2020-17, a Resolution adopting the Fiscal Year 2020-2021 Operating Budget and Capital Improvement Plan? (CL 2020-20)

Councilor Jones moved to adopt Resolution No. 2020-17, a Resolution adopting the Fiscal Year 2020-2021 Operating Budget and Capital Improvement Plan. Councilor Kirk seconded the motion. MOTION CARRIED 5-0.

Ayes: Kirk, Lyda, Gregg, Harold-Heine, Nelson; Nays: None

b. Shall the City Council adopt Resolution No. 2020-18, a Resolution providing for Fiscal Year 2020-2021 Inter-fund borrowing for the fund? (CL 2020-21)

Mayor Edison clarified the inter-fund borrowing was for the Library Fund.

Councilor Kirk moved to adopt Resolution No. 2020-18, a Resolution providing for Fiscal Year 2020-2021 Inter-fund borrowing for the Library Fund. Councilor Harold-Heine seconded the motion. MOTION CARRIED 5-0. Ayes: Harold-Heine, Nelson, Gregg, Lyda, Jones; Nays: None

c. Shall the City Council adopt Resolution No. 2020-19, a Resolution for Fiscal Year 2020-2021, declaring the City's Election to receive State Revenue? (CL 2020-22)

Councilor Jones moved to adopt Resolution No. 2020-19, a Resolution for Fiscal Year 2020-2021, declaring the City's Election to receive State Revenue. Councilor Gregg seconded the motion. MOTION CARRIED 5-0. Ayes: Kirk, Lyda, Gregg, Nelson, Harold-Heine; Nays: None

d. Shall the City Council adopt Resolution No. 2020-20, A Resolution for FY 2020-21, declaring the City's Election to receive State-shared Revenue? (CL 2020-23)

Councilor Kirk moved to adopt Resolution No. 2020-20, A Resolution for FY 2020-21, declaring the City's Election to receive State-shared Revenue. Councilor Jones seconded the motion. MOTION CARRIED 5-0. Ayes: Jones, Lyda, Gregg, Nelson, Harold-Heine; Nays: None

BUSINESS AGENDA

15. Shall the City Council authorize the City Manager to execute an amendment to the City's contract with the Washington County Sheriff's Office to increase police coverage to 80 hours per week?

Mayor Edison noted this matter had been discussed in work session and Council heard from learned professionals.

Councilor Gregg moved to increase police coverage to 80 hours per week. Councilor Lyda seconded the motion. MOTION CARRIED 5-0. Ayes: Lyda, Nelson, Kirk, Jones, Harold-Heine; Nays: None

Lieutenant Ray thanked City Council, noting he looked forward to the Sheriff's Office's continued partnership with the City.

16. Shall the City Council adopt Ordinance No. 2020-06-01, an Ordinance Amending Title III (Administration), Chapter 32 (City Organizations) of the Banks Code of Ordinances to Allow Planning Commission Members to be Reappointed to Serve Additional Terms After Sitting out for Three Months (First Reading and Consideration for Adoption) (CL 2020-24)

City Attorney Kearns explained that the ordinance was designed to fix a problem in the Code that was unique to small cities that had a difficult time filling commissions and committees due to term limits expiring. Currently, Planning Commissioners could never be reappointed after serving two successive, three-year terms. He noted the Library Board had 12-month sitting out period but was informed that State law required those limits on library boards.

Councilor Jones moved to adopt Ordinance No. 2020-06-01 by title only. Councilor Kirk seconded the motion. MOTION CARRIED 5-0. Ayes: Kirk, Lyda, Gregg, Nelson, Harold-Heine; Nays: None

City Recorder Lanter read the title into the record.

17. Shall the City Council approve appointments to the Board, Commission and Committee positions listed below, based on recommendations from the Mayor? (CL 2020-25)
 - a. Elaine Goldman - Library Board Position LB1 (New Term will expire June 30, 2024)

Councilor Jones moved to confirm the appointments to the Board, Commission and Committee positions, based on recommendations from the Mayor. Councilor Harold-Heine seconded the motion. MOTION CARRIED 5-0. Ayes: Harold-Heine, Lyda, Gregg, Nelson, Kirk; Nays: None.

18. Shall the City Council adopt Resolution No. 2020-22, a Resolution Extending the City's Emergency Expressed in Resolution No. 2020-14 until July 14, 2020 Due to the Novel Coronavirus?

Councilor Kirk stated that as discussed last month, even though the virus would not be totally gone, she believed the state of emergency in the City of Banks should be lifted, adding it could be put back in place if needed.

City Attorney Kearns stated several jurisdictions were asking the same question and noted city councils around the State were getting "emergency declaration fatigue". The emergency declaration was important in some cities because it affected how they operated, but that was not the case in Banks because the City of Banks did not close any businesses. He could not think of a reason to keep Banks' emergency declaration in place. In the beginning, it had been implemented just in case some element of local government control was needed, but that had not occurred, and the State and County declarations were still in place and controlled what was happening. He did not know of any relief funding that was contingent upon Banks' emergency declaration, adding that Banks was covered by the State and county to the extent that any funding would be available.

Mayor Edison noted that Washington County was discussing a \$10 million distribution to cities for business relief, but he did not know if the emergency declaration would affect that.

City Manager Becker confirmed the County would hand out the relief money to each City, and the Cities would decide how to allocate the money. The County was still deciding how much each City would receive and whether the cities would receive the funds directly or a third party would be used to distribute the

money to the small businesses in town. City Manager Becker did not know for sure if those decisions were independent of whether a City had a declaration of emergency.

Councilor Gregg said he agreed with emergency declarations, but a value for maintaining it needed to be defined. He was also concerned that the City just issued a permit for a large gathering that did not meet Phase 1, which was very hypocritical if the City truly believed there was an emergency and was following the Governor's directions for Phase 1. He believed the large gathering was fine and that those gathering had a right to do so, but it seemed hypocritical to continue with the declaration of emergency.

Staff confirmed the declaration of emergency would expire today, but City Council could reinstate the emergency declaration resolution if needed. For example, if there was a massive spike in COVID-19 cases in the county.

Councilor Lyda noted Council could simply let the State of Emergency expire, rather than having an action item via a motion.

Councilor Jones stated if the only reason to declare a state of emergency was so businesses could receive emergency funding, it would be possible to reinstate the declaration at a future time.

Councilor Lyda stated he had never been in favor of the declaration, and now the City was looking for a potential handout from the same entity that imposed the State of Emergency, which was horrible. He would not vote in favor of continuing the declaration of emergency now or ever. Citing comments from last month's Council meeting, he noted he had never sworn an oath to follow what the Governor stated, he swore an oath to represent the citizens of Banks.

Mayor Edison noted no motion was made; therefore, the State of Emergency would expire today.

COUNCIL ROUND TABLE DISCUSSION

City Manager Becker said a budget change might be necessary if the City began receiving County funding to help small businesses, which could be \$20,000 to \$100,000. A meeting might be scheduled in July or August to accommodate the funds. The budget change might be able to be done through City Council rather than the Budget Committee but would provide further details as she learned more. The County was also looking into having cities submit for reimbursements for any PPE the City had to purchase, and she was keeping a folder of such City's expenses that have occurred over the last three months.

Councilor Kirk noted several entities and even city contractors did not list the correct address for the City. City Recorder Lanter confirmed she had contacted different entities on several occasions but updating the City's address seemed to take forever. She requested that in-person City Council meetings be held, noting that up to 25 people were allowed to gather. Council did better work face-to-face.

Councilor Jones noted she had sent her email updates to the Councilors.

Councilor Gregg stated WCCA was doing well on the bond project the voters approved a couple years ago to upgrade the dispatch emergency communication systems for the County; doing all the radio system upgrades and the installation required for the backup systems, which were almost ready to bring online across the tri-county area. The new dispatch center was under construction and would be open in about a year.

City Attorney Kearns shared that some of his other clients were struggling to operate without being together, and many wanted to resume in-person council meetings; however, he was not sure that would happen as most had adjusted well to the Zoom meeting platform and were reluctant to meet in person due to continued concern about the virus. Protest marches in one of his jurisdictions were getting a lot of social media coverage, and he was glad the Sheriff's deputies would be present. He noted it was important to have First amendment expressions and protests in communities as long as they were not disruptive.

ADJOURN The meeting adjourned at 7:56 pm.

Submitted by:

Angie Lanter – City Recorder

