



**Regular City Council Meeting
Tuesday, August 11, 2020
MEETING MINUTES**

CALL TO ORDER Mayor Edison called to order the Regular Meeting of the Banks City Council at 7:07 pm.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Staff Present: City Manager Jolynn Becker, City Recorder Angie Lanter, City Planner Lauren Scott, City Attorney Dan Kearns, Library Director Denise Holmes

CEREMONIAL PRESENTATIONS & PROCLAMATIONS

1. CIS Longevity Award – Mayor Edison noted the City had received a letter and plaque from CIS recognizing the City as a customer for 30 years.

CITY REPORTS, BRIEFINGS, AND PROGRAMS

2. Police Monthly Briefing – Washington County Sheriff's Office – Deputy Frank Ward presented the Police Monthly Briefing for July, adding it was great to be back and that he appreciated the support he had received over the last 16 months. He liked that the City had two dedicated officers, which would improve communication on updates about what occurred during their shifts.
City Manager Becker announced the Municipal Court would start being held monthly again in September.
3. Library Director Report –Library Director Holmes was not available; her report was in the packet.
4. 100 Year Celebration Update – City Recorder Lanter said she had nothing to report.
5. Economic Development Commission Update – City Manager Becker reported that the August meeting involved discussion about the Wayfinding Signs. Next month, the Commission would review applications for the Façade Program. Two applications had been submitted and two more were expected following conversations with business owners in town.
6. Planning Commission Update – No Planning Commission meeting was held in July.
7. City Manager Report – City Manager Becker updated Council on the Park User Fee, which would begin being charged this month, and that ODOT would replace the flashing pedestrian crossing light on Hwy 47

at the Banks Middle School and move it farther north to align with the School District entrance. ODOT would provide the project schedule once the engineering design was complete and a budget was established. She addressed questions about the project, reviewing its history, noting that it was identified in the Bike and Pedestrian Plan, and clarifying the existing crossing light would be replaced by a button-activated flashing light that would stop north and south bound traffic on Hwy 47. ODOT would be requesting comments from both the City and School District about the project. If the City and School District were awarded the ODOT Safe Routes to School grant, a consultant would identify infrastructure and study traffic traveling in and out of all three schools to help determine a safer way to control traffic in the area. The City signed an agreement with Community Action for a customer assistant program agreement to allow funds to be sent directly to the City rather to the individuals requesting assistance with their water bills. She also updated on several grant opportunities, including the Washington County Community Development Block Grant (CDBG) requirements being addressed for the Wilkes St Project and a \$100,000 grant with ODOT's Small City Allotment Program that could also be used for Wilkes St. She clarified the Community Action funds could not be used for library fines, only for utility costs.

CONSENT CALENDAR

8. City Council Meeting Minutes – July 14th, 2020.
9. Shall the City Council adopt Resolution #2020-24, a Resolution Authorizing the Write-Off Bad Debt/Accounts Receivables? (CL 2020-28)
10. Shall the City Council approve an Audit Services Contract with Dennis Conner, CPA for the years ending June 30, 2020, 2021 and 2022? (CL 2020-29)
11. Shall the City Council authorize the City Manager to sign and execute an Inter-Governmental Agreement with Washington County Finance Department for the Cities and Special Districts Assistance Grant for the city's expenses related to COVID-19, in an amount not to exceed \$7,567.00?

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

PUBLIC HEARING

12. Shall the City Council adopt Resolution No. 2020-22, a Resolution Granting an Exemption from Competitive Bid Requirements and Authorizing Execution of a Contract with Five Star Builders to Design and Construct a "Welcome to Banks" Monument Sign, not to Exceed \$20,000?

Mayor Edison opened the public hearing at 7:23 pm.

City Manager Becker displayed an example of the proposed monument sign. Five Star Builders presented a total cost of \$56,325 minus Five Star's donation of \$36,000, leaving the remaining cost to the City of \$20,000. The City received a second quote for \$65,000 from Security Signs for a manufacture and install of the sign, but it did not include the demolition of the existing sign or the electrical installation.

City Recorder Lanter confirmed that no one was present on Zoom to provide public testimony regarding the Resolution.

Mayor Edison read into the record an email from Kathleen Fleming, which was included in the packet, stating her opposition to the Resolution.

City Attorney Kearns noted discussions regarding the monument sign concept and Five Star's willingness to create and install the sign for the City took place at the Economic Development Commission (EDC). What justified the exemption was Five Star's significant donation, which addressed two critical findings

from both the State and City Code: it was unlikely the exemption would encourage favoritism in the reward of public improvement contracts, or substantially diminish competition for public improvements, and that the award of this contract under the exemption would result in a substantial cost savings to the City. It was unlikely anyone else would offer such a donation or be able to submit a comparable bid. He did not believe Ms. Fleming had the benefit of reading the Resolution, which explained the background.

Mayor Edison closed the hearing at 7:30 pm.

Councilor Lyda moved to adopt Resolution No. 2020-22, a Resolution Granting an Exemption from Competitive Bid Requirements and Authorizing Execution of a Contract with Five Star Builders to Design and Construct a "Welcome to Banks" Monument Sign, not to Exceed \$20,000, seconded by Councilor Gregg. MOTION CARRIED 6-0. Ayes: Gregg, Kirk, Jones, Harold-Heine, Lyda, Nelson; Nays: None

13. Shall the City Council adopt Resolution No. 2020-23, a Resolution Granting Preliminary Approval for the Annexation of an Island of Approximately 1.03 Acres Surrounded by the City and Authorizing a Public Vote on the Annexation Request (Island Annexation)?

Mayor Edison opened the public hearing at 7:34 pm and read the conduct of hearing procedures and cited the applicable Code criteria.

City Planner Scott presented the Staff report, displaying a map of the annexation area shown on page 57 of the packet and describing the background and applicable Code criteria regarding the proposed annexation. Addressing questions from Council, she noted the properties not indicated as part of the annexation were already within the city limits and confirmed there would be no further islands along that strip of land.

City Recorder Lanter confirmed that no one was present on Zoom to provide public testimony regarding the Resolution.

City Manager Becker confirmed that no written testimony had been received, but the City received a phone call from one of the property owners who was concerned about losing their second tax lot. Staff clarified the two tax lots would be converted into one lot, which satisfied their concern.

Mayor Edison closed the hearing at 7:44 pm.

Councilor Lyda clarified that he did not own any property within the annexation area, and therefore, he had no conflict of interest.

Councilor Lyda moved to adopt Resolution No. 2020-23, a Resolution Granting Preliminary Approval for the Annexation of an Island of Approximately 1.03 Acres Surrounded by the City and Authorizing a Public Vote on the Annexation Request (Island Annexation, seconded by Councilor Harold-Heine. MOTION CARRIED 6-0. Ayes: Gregg, Kirk, Jones, Harold-Heine, Lyda, Nelson; Nays: None.

14. Shall the City Council Adopt Resolution No. 2020-25, a Resolution Renewing a Moratorium on New Development in the City of Banks Due to a Documented Shortage of Municipal Water Supply? (CL 2020-30)

City Attorney Kearns noted State law required the City to show it was making progress on resolving the water shortage that resulted in the water moratorium. The water transition line replacement project was the largest public works project the City had ever undertaken and it would go to bid at the end of the month. He noted the City had not received any adverse comments from DLCD about the moratorium. The attached updated engineering report documented the steps the City had and was taking to resolve the problem.

Mayor Edison opened the public hearing at 7:49 pm.

City Recorder Lanter confirmed the City had received no emails or phone calls and that no one was present on Zoom to provide public testimony regarding the Resolution.

Mayor Edison closed the hearing at 7:50 pm.

Councilor Jones moved to adopt Resolution No. 2020-25, a Resolution Renewing a Moratorium on New Development in the City of Banks Due to a Documented Shortage of Municipal Water Supply, seconded by Councilor Kirk. MOTION CARRIED 6-0. Ayes: Gregg, Kirk, Jones, Harold-Heine, Lyda, Nelson; Nays: None.

BUSINESS AGENDA

15. Shall the City Council authorize staff to proceed with Temporary Business Promotion Signage?

City Manager Becker clarified all the applications would be under the City, which would also be signing the lease agreement with the Port of Tillamook.

Council discussed several aspects regarding the project, including whether the Chamber of Commerce should lead the project in order to garner funding more easily and have the City dealing with the Port; and having a more robust sign than the banner concept currently proposed that could be updated over time with different businesses, if needed. The City's Wayfinding Program might also be a factor if the sign did not match that program.

Councilor Kirk briefly explained the funding opportunity available from Travel Oregon was no longer available because the City's process had taken too long. Washington County Visitors Association had agreed to give \$1,000 to \$3,000 toward the project and the Chamber said it would donate \$1,000. She had not known there would be a lease for the property; otherwise the sign project would be done already. She confirmed she had told the businesses that the sign would not cost them anything. Shortening the sign to 7 ft would reduce costs, and eliminate the structure permit costs, reducing the cost from \$6400 to closer to \$4,000, not including any costs to the City.

Following discussion, Council agreed to proceed with the sign labeled with \$6400, noting if the City was investing money into a more robust, structurally sound sign with the map would be best for the community and local businesses. Potential donations would offset the cost and the sign would last longer.

Councilor Lyda moved that the City of Banks appropriate \$3,500 toward the cost of the Temporary Business Promotion Signage with any remaining needed funds coming from outside sources and authorize staff to proceed with the project, seconded by Councilor Harold-Heine. MOTION CARRIED 6-0. Ayes: Gregg, Kirk, Jones, Harold-Heine, Lyda, Nelson; Nays: None.

Mayor Edison suggested setting a maximum budget that the City would be responsible for and then go get donations, grants, etc. The issue with the motion as stated was that if the additional funding was not obtained right away and the sign cost more than \$3500, then the final amount needed was unknown/uncertain. Setting a higher amount that the City would be responsible for would allow the City to go get grant funds and start project immediately.

Councilor Lyda amended his motion and moved that the City of Banks appropriate \$5,000 toward the cost of the Temporary Business Promotion Signage with any remaining needed funds to be offset by outside sources and authorize staff to proceed with the project, seconded by Councilor Gregg. MOTION CARRIED 6-0. Ayes: Gregg, Kirk, Jones, Harold-Heine, Lyda, Nelson; Nays: None.

16. Shall the City Council adopt the revised City of Banks Employee Handbook? (CL 2020-31)

Mayor Edison noted a red line version of the Handbook was included in the packet.

Councilor Jones noted a typo, stating the word "of" should not have been stricken where it stated, "should bring the matter to the attention ~~of~~ **of** any of the following city officials..." under Complaint Procedure.

Councilor Gregg moved to adopt the revised City of Banks Employee Handbook as presented, seconded by Councilor Jones. MOTION CARRIED 6-0. Ayes: Jones, Lyda, Kirk, Nelson, Gregg, Harold-Heine; Nays: None

COUNCIL ROUND TABLE DISCUSSION

Councilor Kirk said she wanted to ensure that Mayor Edison and the EDC Chair acknowledged that the Chamber had given the property for the entryway monument sign. She said she was advocating for being done with Zoom meetings.

Councilor Jones reported the School Board had held a number of meetings to do planning and was then told by the State that school would be done virtually. The Board would be working to distribute Chromebooks to older kids and iPads to K through 2nd grade students.

Councilor Gregg reported the WCCCA Dispatch Center was coming along very well and a new dispatch center director would be hired given the current director's retirement.

Councilor Harold-Heine commended City Manager Becker for the COVID-19 timeline, noting nothing referenced her regular daily tasks. She asked if a synopsis of the hard work she did on the City's behalf could be included in the packet to give Council a better understanding of all she did for the City.

Councilor Kirk noted the City of Newport City Manager was a speaker during her League of Oregon Cities (LOC) training and he took brief notes daily about the contacts he made or had contacted him and emailed the highlights to his city council every couple of weeks so they had a better idea of what the City Manager was dealing with, as well as the hot spots and topics in the community.

Council's suggestions included making the reporting part of the City Manager's goals, and identifying hot topics or things citizens were calling City Hall about in the Monthly report to give Council feedback about citizen concerns. [Mayor stated it was something to think about...but that was it-no follow up action]

Councilor Harold-Heine also updated on an email received from Virginia Ohler from West Tuality Habitat for Humanity, which reported the reopening of the ReStore that was extremely short staffed but very busy even with its reduced hours, and described the recent grants West Tuality Habitat for Humanity had received, which included a \$300,000 LIFT Award grant for the next three, three-bedroom homes Habitat will be creating for the Kidd Court Project in Forest Grove.

Mayor Edison noted the candidate deadline to file for public office in Banks was on August 17th at 1 pm. He shared it had been nice having his youngest son and his girlfriend home over the last few weeks, which has been his respite from COVID-19.

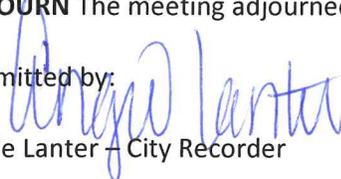
Library Director Holmes reported Summer Reading kits and books were given away again at the school, and some people came without wanting the food, which was a success.

City Recorder Lanter stated she had received one candidate filing for public office in Banks. She noted the LOC Conference would be held October 14 and 15th via Zoom and for those Councilors interested, she would be sure they were registered for the sessions they wanted. She added 100th Celebration pint glasses and challenge coins were still available.

City Manager Becker stated the announcements regarding the Small Business Grant Program had been sent out via email, and she called the businesses on Main St to alert them about the email and explained the information was also on the City's website. She confirmed the Façade Program was also available, and that three local businesses had applied for the Columbia Pacific Grant, which had a July 31st deadline, adding she would receive notification if they were awarded any of that grant funding.

ADJOURN The meeting adjourned at 8:27 pm.

Submitted by:


Angie Lanter – City Recorder