



**Regular City Council Meeting
Tuesday, May 10, 2022
MEETING MINUTES**

CALL TO ORDER

Council President Gregg called to order the Regular Meeting of the Banks City Council at 7:05 PM.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present were: Mark Gregg, Mike Rainey, Marsha Kirk, Jeff Thompson, and Peter Edison.

Excused: Mayor Stephanie Jones.

Staff Present: City Manager Jolynn Becker, City Recorder/Assistant City Manager Angie Lanter, Public Works Supervisor Jeffrey (J.J.) Olson, Library Director Denise Holmes, and City Attorney Dan Kearns.

APPEARANCE OF INTERESTED CITIZENS

There were none.

CEREMONIAL PRESENTATIONS & PROCLAMATIONS

1. 2022 National Drinking Water Week Coloring Contest Winners — Council President Gregg recognized the following Coloring Contest winners, noting each winner won Main Street gift certificates and water credits:
 - Ages 2 to 4: 1st Place, Emmett Hugget; 2nd Place, Madeline Fisher
 - Ages 5 to 6: 1st Place, Lexy Gray; 2nd Place, Paige Lazzott; 3rd Place, Haven Hammett
 - Ages 7 to 9: 1st Place, Kalie Hammett; 2nd Place, Raygan Shroyer; 3rd Place, Kamilah Robles
 - Ages 10 to 12: 1st Place, Jaden Cop, 2nd Place, Mayson Shroyer; 3rd Place, Dominic Woods
2. 2022 National Bike Month Proclamation — Council President Gregg read the Proclamation declaring May 2022 as Banks' Bike Month and Friday, May 20, 2022, as Bike to Work Day.
3. 2022 Emergency Medical Services Week Proclamation — Council President Gregg read the Proclamation declaring the week of May 15-21, 2022, as Emergency Medical Services Week.

4. 2022 National Library Week (April 3-9, 2022) — Council President Gregg thanked Library Director Holmes, Library Supervisor/Programs Coordinator Susan Cackler, Library Associate Michele Ray, and Library Assistants Angie Spiering, Lisa Power, and Karyn Blankenship for their work with the Library.
5. 2022 Professional Municipal Clerks Week (May 1-7, 2022) — Council President Gregg recognized City Recorder/Assistant City Manager Angie Lanter for all her work.
6. 2022 National Public Works Week (May 15-21, 2022) — Council President Gregg expressed thanks to Public Works Supervisor Olson, Utility Worker Zak Brady, and Administrative Assistant Chrystina Vilar for their work in the Public Works Department.

CITY REPORTS, BRIEFINGS, AND PROGRAMS

7. Police Monthly Briefing – Washington County Sheriff's Office – Deputy Frank Ward presented the briefing for April 2022 noting it had been an eventful month with several incidents related to the Fire District Board members' recall. Overall, calls were up compared to the same time last year. He confirmed the officer hospitalized after a crash had a long road to recovery, but he was doing well.
8. Library Director Report – Library Director Holmes noted her report was in the packet. She emphasized the importance of interactive play for young children, adding she was grateful for the rotating kits program the Washington County Cooperative Library Services (WCCLS) purchased with grant funding for the Library's Stay and Play area. The plant swap had been successful with all of the plants ultimately gone by the end of day Monday.
9. Public Works Report – Public Works Supervisor Olson presented the Public Works report, which was included in the packet, highlighting the activities of the Public Works team. His key additional comments were as follows:
 - Staff installed a small spring blow-off/drain valve, completing the last bit of work on the intake when the piping was destroyed in the winter storm.
 - The flushing in March had produced some concern because water was not moving in the right direction. Staff had done some tests, and the Oregon Association of Water Utilities (OAWU) conducted further testing using listening devices, but the issue was not identified. Area residents had to be notified of a potential shut down, since Staff was unsure of the problem.
 - The Banks Rd leak on April 19th resulted from a service line to two or three homes breaking. The shutdown for the repair was not long, but the residents were put on a boil water notice.
 - He had passed the Water Treatment Level 1 Exam. Currently, the City contracted for a Direct Responsible Contact (DRC) with Treatment Level 1 and Distribution 2 certifications. He currently had Distribution 1 and Treatment Level 1 certifications and expected to be certified test for Distribution 2 by June, a year sooner than expected, and then the DRC contract could be cancelled.
 - Referencing pictures on Pages 3 and 6 of the report, he described the work involved with installing an Air Relief Valve on the small spring line, which increased water flow from 20 to 30 gallons per minute (gpm) to 50 gpm, as well as the removal of a static mixer that had been full of dirt because it required another piece of equipment to work properly which had been offline for 10 years. Water began flowing from 50 to 140 gpm, and a flow rate of over 100 gpm had been sustained for a few weeks.
 - Staff was working to balance the springs. The small spring's water right allowed up to 80 gpm, but it produced 140 gpm. The large spring's water right allowed about 210 gpm, but that was not the actual flow. Staff was working with the State to add a diversion point or apply some creative technical ideas to balance out the water and capture 100 percent all the time.
 - The good news was that no overflow was occurring, and the City was capturing all the water possible.

10. City Recorder/Assistant City Manager Report – City Recorder/Assistant City Manager Lanter noted she had nothing to add to her report, which was included in the packet.
11. City Manager Report – City Manager Becker noted her report was in the packet and provided the following additional comments and responses to questions from Council:
 - Kick-off meetings would be starting for each of the Master Plan update projects which could increase agenda items or require additional Council meetings. Stakeholder and community outreach meetings for the Transportation Master Plan update would be held from June 20th through the end of September or October.
 - The Park Master Plan update would kick-off at the Parks, Recreation, and Tree Board meeting so the Board could provide input on the updates and their vision for Greenville Park, [the City's current park] as well as other park facilities throughout the entire city. An online open house would be held June 8th so residents could provide feedback about their vision for future parks and the needs to be addressed within the different types of parks within the community. An online survey would also be available the month of June. In July, the first findings from these outreach meetings would be presented at a joint City Council/Planning Commission meeting to get input and ideas before developing the guidelines, which would be tentatively adopted in September/October.
 - The Water Master Plan would come before Council two or three times in July through September for input.
 - She confirmed a joint Economic Development Commission (EDC)/City Council was scheduled to for June 1st to continue discussions about the community center/plaza.
 - The consultant was working to complete the 30 percent construction drawings for the Banks-Vernonia Trailhead parking lot upgrade and just received the information on how the floodplain must be incorporated into the design. The project was submitted to Senators Wyden and Merkley and Representative Bonamici, all of whom had requested information on projects the City might have for appropriations. She had not yet heard about the outcome regarding that funding.
 - Staff submitted the 2022 spring grant application for MACC, requesting funding to pay the City's annual Comcast fees and the BUG as usual, but this year funding was also requested for a server upgrade or replacement that would require a two-point verification or multi-factor authentication (MFA) to help protect the City from cyber-attack issues.
 - The City would be applying for the second phase of Safe Routes to Schools funding, based on the report Staff sent to Council several weeks ago.
 - The pedestrian crossing ODOT was installing in front of the School District office was separate from Safe Routes to Schools and the plans to install the flashing beacon crosswalk were expected to be finalized soon.
 - She and Mayor Jones have been attending the Washington County Transit Committee Group which was identifying projects for funding in fiscal year 2024-2025.
 - She had started talking with several cities to research how they expanded broadband within their cities and to acquire contact information for consultants who could assist the City in the future.

CONSENT AGENDA

12. City Council Meeting Minutes – April 12, 2022.
13. Shall the City Council authorize the Mayor to sign the Letter of Promulgation for the Emergency Operations Plan for the City of Banks
14. Shall the City Council adopt Resolution No. 2022-04, a Resolution Regarding a Lease Purchase Contract for the Purpose of Procuring Heavy Equipment and Vehicles?

Councilor Edison moved to approve the Consent Agenda; seconded by Councilor Thompson. MOTION CARRIED 4-0. Ayes: Kirk, Thompson, Edison, Rainey; Nays: None.

PUBLIC HEARING

BUSINESS AGENDA

15. Shall the City Council adopt Resolution No.2022-05, a Resolution Declaring the Public Necessity and Convenience for Relocating and Placing Underground All Overhead Utility Facilities in the NW Main Street and NW Banks Road Intersection Project Area?

City Manager Becker stated this agenda item would be for discussion only and not approval as Staff needed some additional information and a modification might be needed to the resolution.

City Attorney Kearns highlighted the background and purpose of the resolution, noting the affected franchised utilities, PGE, Ziply Fiber and Comcast, require that their utilities be undergrounded when requested by the City. After a phone call with Washington County, the resolution was being postponed to the next Council meeting because the County's current plans did not anticipate the facilities being undergrounded and there might not be room in the public right-of-way, so additional right-of-way, or at least utility easements, may need to be acquired to place the underground facilities. The resolution would be revised to take that into account and to authorize the County to acquire property on behalf of the City. Meetings would be held with each utility to review and get them thinking about the undergrounding requirement. The detailed plans likely come from the County's project manager.

City Manager Becker confirmed the undergrounding would only be within the project area, involving the poles at the corners of the intersection where the construction would be done. City Attorney Kearns noted eight or nine poles in the project area would be impacted and all the utilities they held would be undergrounded. He recalled plans showing all the required vaults and conduit located in the right-of-way within the project limits, but now Washington County was questioning that. City Manager Becker added the project could be delayed another 6 months to one year, noting the City had been requesting the undergrounding since day one.

City Attorney Kearns clarified a project was not necessarily required for the City to request the undergrounding of utility facilities; however, the issue was who would pay for it. In his experience, utilities would not absorb the cost of undergrounding because a jurisdiction wanted to underground for aesthetic purposes. Utilities were used to such requests but could not bill the City for the excessive costs involved, which would likely be recovered from the City's rate payers.

City Manager Becker noted Ziply wanted to amend its franchise agreement with the City, effectively changing the name from Verizon to Ziply; however, Staff would review the agreement to consider whether any other changes were needed.

16. Shall the City Council adopt Resolution No. 2022-06, a Resolution Declaring a City Council Vacancy Consistent with Sections 31 & 32 of the Banks City Charter?

Council President Gregg stated Councilor Harold-Heine had submitted her resignation last week. He confirmed a vacancy must be declared in order to post a request for volunteer applications and that the

same process would be used where applicants would be interviewed, and the Mayor would appoint a Councilor for the City Council to confirm.

City Attorney Kearns noted Councilor Harold-Heine's term would expire at the end of 2022, so the newly appointed Councilor could consider whether they wanted to run to be elected to the position.

Councilor Kirk moved to adopt Resolution No. 2022-06, a Resolution Declaring a City Council Vacancy Consistent with Sections 31 & 32 of the Banks City Charter; seconded by Councilor Thompson. MOTION CARRIED 4-0. Ayes: Kirk, Thompson, Edison, Rainey; Nays: None.

COUNCIL ROUND TABLE DISCUSSION

Councilor Thompson expressed his appreciation to everyone for their patience with his health issues these last few months.

Councilor Kirk reported Stub Stewart State Park was entirely open and even with the rain, the sites were full. She noted some graffiti was reported at the Manning Trailhead and that the park rangers were trying to keep up with the weather.

Councilor Edison thanked City Staff for their work and especially Public Works for the improved production of the small spring.

ADJOURN

The meeting adjourned at 7:56 PM.

Submitted by:



Angie Lanter, MMC
City Recorder/Assistant City Manager