



**Regular City Council Meeting  
Tuesday, June 14, 2022  
MEETING MINUTES**

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**CALL TO ORDER**

Mayor Jones called to order the Regular Meeting of the Banks City Council at 7:07 PM.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**ROLL CALL**

Present were: Mayor Stephanie Jones, Mark Gregg, Marsha Kirk, Jeff Thompson, and Peter Edison.

Excused:

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

**APPEARANCE OF INTERESTED CITIZENS**

There were none.

**CEREMONIAL PRESENTATIONS & PROCLAMATIONS**

1. Proclamation – 2022 4A State Boys Golf Champions – Mayor Jones read the Proclamation.
2. Personal Achievement Awards – Banks High School Boys Varsity Golf Team – Mayor Jones stated the coaches and students could not attend tonight’s meeting, but the award certificates would be distributed to them. She added this was the first year the golf program was funded through the school district.

**CITY REPORTS, BRIEFINGS, AND PROGRAMS**

3. Police Monthly Briefing – Washington County Sheriff’s Office – Deputy Frank Ward presented the briefing for May. He assured the Sheriff’s Office was not taking the recent string of burglaries lightly and was working to curb some of the criminal activity that was occurring.

4. Library Director Report – Library Director Holmes noted her report was in the packet, adding the Community Walks should be fun events this summer. Two kits were being created using the Historical Society’s History Walk booklets; one for people to check out and the other for use in the library only. She updated that so far in 2022, the Seed Library had handed out 570 seed packets and filled 280 orders. More than 245 people had been in contact with the Seed Library through events like the Plant Swap and the display last month. The Seed Library was a great success and other libraries were looking at what Banks was doing.
5. 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:
  - The Sanitary Survey conducted every three years for the State took a lot of preparation over the last couple month and had been successful.
  - Referencing pictures on Page 2 of the report, he noted the work involved with completing the installation of the sports court, which should be completed mid-July. He clarified the court would not be sprayed on; a ½-inch rubber mat would be pieced together on top of the concrete.
    - He confirmed sod would be installed given the rain and the difficulty in keeping people off any seeded area. The fence would stay up until the hook anchor bolts were covered and protected. He expected Public Works would finalize its work around the same time that the rubber mat was installed, and the sports court would be fully functional in mid-July.
  - Images related to the permanent repair of the service line on Banks Rd were shown on Page 3.
6. City Recorder/Assistant City Manager Report – City Recorder/Assistant City Manager Lanter noted her report was included in the packet, adding that the City’s test website was now live, though she had several weeks of work before it was completed.
7. 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:
  - The City received confirmation that the full amount requested was granted from the MACC Grant, about \$34,000 to pay the City’s annual cost for Comcast, replace the backup server, and provide another layer of security with an MFA two-way verification to access the City’s system. Cyberattacks were a big issue, especially in how much it could cost the City.
    - Staff would be meeting with the City’s IT consultant to determine which software to use for the MFA, how it would be implemented and used, and whether the Library would be involved, since it had a separate connection with WCCLS. Though the plans were not yet in place, the City now had the funding to move forward to complete the project.
  - A couple new people attended the Parks Master Plan community workshop, one of whom wanted to join the Park, Recreation and Tree Board. Those unable to attend the workshop could take the online survey to provide input until June 30<sup>th</sup>; so far about 40 to 50 people had accessed the survey. Next, a workshop would be held with developers to get their perspective, then all the input would be used to form the Master Plan. A joint City Council/Planning Commission meeting would be held in August to get comments on the draft Parks Master Plan, then the adoption process would proceed.
  - The Emergency Response Plan (ERP) tabletop exercise went well with the School District, Banks Fire, and the City in attendance, along with representatives from Washington County Emergency Management, Jim’s Supermarket, Banks Veterinary Services, and City Council. Many of the missing pieces from the prior Plan were addressed.
  - She clarified that decision regarding the Community Plaza at the Joint City Council/EDC meeting was considered a consensus because no formal actions/decisions were made at work sessions. She

would provide the information to the consultants to include in the final report, which would be formally adopted.

- Once received, she would send the final report regarding alternate water sources to City Council, hopefully before August. The report's information on new water sources would be part of the Water Master Plan discussion at Council, including how to prioritize the water sources within the City's water system. Those discussions would likely begin in October.

#### **CONSENT AGENDA**

8. City Council Meeting Minutes – May 10, 2022
9. Shall the City Council approve appointments to the Board, Commission and Committee positions listed below, based on recommendations from the Mayor? (CL 2022-10)
  - a. Bobbie Gregg – Library Board Position LB2 (term will expire on June 30, 2026)
  - b. Linda Lybecker – Library Board Position LB3 (term will expire on June 30, 2026)
10. Shall the City Council authorize the City Manager to sign the Professional Services Contract, amending the hourly rate for legal services provided, with the City Attorney, Dan Kearns of Reeves and Kearns? (CL 2022-11)

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

#### **PUBLIC HEARING**

11. Public Hearing for the Fiscal Year 2022-2023 Operating Budget & Capital Improvement Plan

Mayor Jones called the public hearing to order at 7:32 PM and confirmed with Staff there was no public comment.

City Manager Becker noted the Budget Committee met on May 7<sup>th</sup>, reviewed each fund, and recommended moving forward with what was presented. The total budget for the City of Banks was \$7,565,239 and no changes were made following the Budget Committee meeting.

Mayor Jones confirmed there were no questions from the Councilors and closed the public hearing at 7:33 pm.

- a. Shall the City Council adopt Resolution No. 2022-07, a Resolution adopting the Fiscal Year 2022-2023 Budget, making Appropriations, Levying Taxes, and Categorizing the Levy?

Councilor Gregg moved to adopt Resolution No. 2022-07, a Resolution adopting the Fiscal Year 2022-2023 Budget, making Appropriations, Levying Taxes, and Categorizing the Levy. Councilor Thompson seconded the motion. MOTION CARRIED 4-0. Ayes: Kirk, Gregg, Thompson, Edison; Nays: None.

- b. Shall the City Council adopt Resolution No. 2022-08, a Resolution providing for Fiscal Year 2022-2023 Inter-fund borrowing for the fund?

Councilor Kirk moved to adopt Resolution No. 2022-08, a Resolution providing for Fiscal Year 2022-2023 Inter-fund borrowing for the fund. Councilor Gregg seconded the motion. MOTION CARRIED 4-0. Ayes: Kirk, Gregg, Thompson, Edison; Nays: None.

- c. Shall the City Council adopt Resolution No. 2022-09, a Resolution for Fiscal 2022-2023, declaring the City's Election to receive State Revenue?

Councilor Kirk moved to adopt Resolution No. 2022-09, a Resolution for Fiscal 2022-2023, declaring the City's Election to receive State Revenue. Councilor Thompson seconded the motion. MOTION CARRIED 4-0. Ayes: Kirk, Gregg, Thompson, Edison; Nays: None.

- d. Shall the City Council adopt Resolution No. 2022-10, a Resolution for Fiscal Year 2022-2023, declaring the City's Election to receive State-shared Revenue?

Councilor Gregg moved adopt Resolution No. 2022-10, a Resolution for Fiscal Year 2022-2023, declaring the City's Election to receive State-shared Revenue. Councilor Thompson seconded the motion. MOTION CARRIED 4-0. Ayes: Kirk, Gregg, Thompson, Edison; Nays: None.

- e. Shall the City Council adopt Resolution No. 2022-12, a Resolution for Fiscal Year 2022-2023, Transferring Appropriations – Street & Road Fund #04?

Councilor Kirk moved to adopt Resolution No. 2022-12, a Resolution for Fiscal Year 2022-2023, Transferring Appropriations – Street & Road Fund #04. Councilor Gregg seconded the motion. MOTION CARRIED 4-0. Ayes: Kirk, Gregg, Thompson, Edison; Nays: None.

#### **BUSINESS AGENDA**

12. Shall the City Council authorize staff to proceed with contracting out for sign installation and striping services for the Traffic Calming Project?

City Manager Becker noted re-signing and crosswalk painting had been discussed by Council previously for traffic calming. Given the staffing issues in Public Works, the City got quotes so the work could be done before school starts in the fall. She highlighted the quotes, which were included in the packet, and recommended contracting with Ready Made Barricade Sign & Striping for the project.

Councilor Gregg moved that City Council authorize staff to proceed with contracting out for sign installation and striping services for the Traffic Calming Project as presented. Councilor Kirk seconded the motion. MOTION CARRIED 4-0. Ayes: Kirk, Gregg, Thompson, Edison; Nays: None.

13. Shall the City Council authorize the City Manager to sign the proposal with Uptown Services for a Broadband Feasibility Study?

City Manager Becker noted this project had been a Council goal, so the City could get more information about how to proceed. Additionally, the County and Col-Pac was also doing a broadband project conducted by Uptown Services, and the City of North Plains was now part of that project to see what opportunities were available. The City's feasibility study would also incorporate the School District to provide broadband within the city limits, but also to see how the School District could connect into the same system.

Neil Shaw, Uptown Services, presented the firm's proposal for a Broadband Feasibility Study via PowerPoint, providing a brief overview of Uptown Services, the background of its founders, and the work done for other clients, particularly in the Portland Metro area. He also described the Phase 1 tasks

proposed for the City of Banks, which included assessing the current infrastructure and conducting a local market assessment and market research for \$18,230.

Comments from Council and responses to Councilor questions were as follows:

- Mr. Shaw explained the market research was important because the rates could vary at the local level, and those rates were a big driver in a feasibility study.
- The community Facebook page had hundreds of people complaining about the rates. Some local businesses, like the veterinary service, had information in the cloud that was not readily accessible using Comcast.
  - Mr. Shaw noted in this age and phase and competitiveness of grant funding, the more data one could provide, the better. One key data point was having to prove to the Comcasts of the world that the testing provided as part of the study would prove the advertised speeds within the community were not what people were experiencing. He confirmed this documentation created more documentation that looked better for grant applications.
- Mr. Shaw confirmed the speed test used by his firm was separate from speed test website owned by Comcast. Uptown Services was investigating the process of accessing M-lab or Ookla, which were independent, for Washington County. For Comcast subscribers, these speed tests options were completed through the Comcast network, but not necessarily to a Comcast server at the Comcast facility. The M-Lab was a more independent approach that Uptown was working with to figure out how to integrate M-Lab into its Washington County survey and would do its best to include M-Lab in Banks' survey as well.
- Mr. Shaw confirmed survey respondents are provided a target price for the cost of broadband services. The survey typically involved a two-cell design where with 400 completes, Uptown would want 200 responding to one cell at a \$70 price point and another cell for responses to a \$50 price point, though he did not think a \$50 price point could be done for Banks. They want to have a specific price or differential from the current provider and have done studies at the same price being paid and at 10 percent less to test price sensitivity, which was a major independent variable in the quantitative research approach Uptown used through a cell design.
- Mr. Shaw believed there were a couple angles to pursue if the Col-Pac project fell through, but he hoped it was successful at the middle mile level. As seen in the client list, Uptown was working with a lot of clients in northwest Oregon and was attacking the broadband service issue from multiple angles. Col-Pac was developing a western Washington County strategy, Washington County was working on its own strategy, and everyone would be cooperating to create the best force going forward.
  - The last slide noted the route being considered for western Washington for the core middle mile pieces. City Manager Becker had provided him with the areas, communities and neighborhoods of interest served by the Banks School District, which included Buxton, Manning, and other outlying areas, so Uptown would also want to look at costing and the potential for putting extensions into those neighborhoods in hopes that a wireless internet service provider would come in, given that little extra push and help financially, and provide the circuits needed to provide services in those communities.
  - He displayed the Glenwood/North Plains middle mile network, which looked good considering the underserved nature of the communities. Uptown was still working hard to get actual speed test data that was valid, which was part of the survey discussion. At this point, it looked like the network had some issues that would qualify for B Funding, which was what Uptown typically targeted.

Councilor Kirk asked how much of the fiber optics running along Highway 6 and throughout western Washington County could Uptown connect to versus running its own line. Mr. Shaw believed that Col-Pac was assuming Banks would connect into the Tillamook fiber optics at Glenwood and carry it through to North Plains and then at North Plains connect to the existing fiber going into Hillsboro. He understood Col-Pac was building to Glenwood through another grant funding process. Councilor Kirk replied she had not heard about building to Glenwood, but it made sense because fiber optic was running along Highway 6 that Glenwood was on; also, a lot of fiber optic ran under one of the trails along Highways 26 and 47 in the Manning/Buxton area that Uptown might be able to connect to versus running fiber pole to pole. Mr. Shaw said that was why Task 1 was included; to run these things to ground and get them mapped. He noted all poles shown on the displayed slide were confirmed from the PGE database and included a combination of transmission and distribution poles, all of which looked fairly clean. Councilor Kirk noted multiple fiber optic lines existed, including a Verizon trunk that ran underground off Highway 47 through Stub Stewart State Park, and a lot of fiber optics ran through the hills, but the on and off ramps were never available for them. Mr. Shaw noted Uptown would do its best to acquire that information and include it in the project map, along with the census block and testing data, to develop the best plan in the second phase. It would become very expensive if they had to overbuild the underground area which would not make sense, but Verizon might not be motivated to share. Having detailed discussions with facility owners was part of the project.

Councilor Kirk noted Washington County Commissioner Jerry Wiley was helping to push the Washington County project and perhaps Banks could partner with the County and Commissioner Wiley to put pressure on Verizon and others if needed. Mr. Shaw noted for the purposes of this project, the focus was on whether a fiber to the home system could be put in Banks, how that would work, how much would it cost, and what the finances would look like. Going outside the city limits would be the “middle mile” piece and bringing that to fruition would rely a lot on the Col-Pac and Washington County projects. Outreaching to the Banks School District communities would be part of the project as well.

Councilor Gregg commented it would be great for services to be provided to Buxton/Manning/Timber, but the scope of the project was within the city limits, which was the City’s only financial responsibility. He agreed the areas needed services, but Banks residents were not the ones to pay for the research and everything needed. He did not want to spend money to map out those areas. Mayor Jones noted by including other areas, the City might qualify for a lot more grant funding. City Manager Becker explained the city would be the focus, but the Col-Pac project and others provided different options for moving forward to expand into rural areas.

Mr. Shaw noted the heavy lifting of the feasibility study was within Banks’ city limits. The silver lining was that Banks and North Plains would get big benefits from the work being done by Col-Pac and Washington County.

City Manager Becker noted the PowerPoint would be provided so the Councilors could see the mapping and the individual companies Uptown worked with. She added that she had contacted different cities about how to proceed and many had recommended Uptown Services, including the City of Hillsboro. Uptown was also working with North Plains and Col-Pac, as well as the current project at the County to address both rural and urban areas to make the services more equitable and costs more competitive. Working with Uptown made sense since to see about potential partnerships with those other agencies going forward.

Mayor Jones clarified that Phase 1 involved the market research needed to determine how broadband services would work in Banks, and Phase 2 involved looking at costs and determining what type of internet service system made sense, including the potential for the City's own Banks area internet service.

Councilor Kirk noted Col-Pac had done a lot of speed test studies last year in Tillamook, Clatsop, and Columbia Counties, as well as western Washington County, and the only area that reached the minimal federal standards was the new dock area in Astoria.

Councilor Kirk moved to authorize the City Manager to sign the proposal with Uptown Services for a Broadband Feasibility Study. Councilor Thompson seconded the motion. MOTION CARRIED 4-0. Ayes: Kirk, Gregg, Thompson, Edison; Nays: None.

### **COUNCIL ROUND TABLE DISCUSSION**

Mayor Jones noted the City Manager's review was a bit overdue and that Councilors and department heads would be receiving a review document which needed to be returned to her within 30 days. The School Board selected Brian Sica as the new superintendent who would start July 1<sup>st</sup> with a three-year contract. A lot of discussion occurred at the School Board meeting about the hiring process with three people providing public comment because one of the candidates had withdrawn due to comments on Facebook. The high school was doing a lot of summer school programming and the elementary school was doing a kinder academy.

Councilor Kirk noted she would report about tomorrow's Sunset Park Association meeting next month. Banks Historical Society had its open house, along with Banks High School's mini golf course that was set up at Log Cabin Park, which went very well despite a few intermittent showers. Many people had commented that the Log Cabin needed to be open more often. Col-Pac and NWACT would meet July 1<sup>st</sup>.

Councilor Gregg stated WCCCA would meet tomorrow. Noting the potential of a second vacancy on the Council, he suggested having a more conceptual discussion about how to communicate to the public that the City's form of government required citizen involvement in a participative government. He had been on the Council for 14 years and Councilor Edison had been on for more than 20 years. More people needed to get involved because there should be two names on the ballot for each Council position. Citizens appear to care about what happens in Banks, but how could Council get them engaged? He noted no media representatives were present tonight, but maybe they could help.

Councilor Thompson noted he was still juggling multiple doctor visits to try to continue as a City Councilor. He suggested involving high school students, perhaps those interested in student government, to see how real local government operates and get some interaction so that they might want to run for Council in the future.

Mayor Jones noted several cities have youth councils or a dedicated position for a high school student. One requirement for serving on Council was being a registered voter, which meant 18 years old, but someone attending a local college, working at a trade, etc. would work if they were willing to commit time to being on the Council. Welcoming someone younger meant they could be involved for four years, potentially.

Councilor Kirk suggested promoting other committee positions at the high school, such as the Park and Tree Board. Mayor Jones confirmed City committees did not have the voter limitation so younger volunteers could be recruited.

Mayor Jones stated that at National Night Out, she wanted to push hard that the City needed more involvement from its citizens. Staff discussed having everything available to make it easier for people to volunteer, including City Council applications and the official information needed to be submit for the elections, which would be provided in packets at the event.

Councilor Edison agreed some cities had success with youth councils and sometimes the parents get involved. He agreed new people were needed on the Council, adding the Councilors needed to find people who were interested, and he would be doubling his efforts. Regarding the recent crime wave, he assured the City was very engaged in working with the Sheriff's Department to solve and mitigate the crime issues in the community. He believed some comments on Facebook were highly inaccurate. The Library Board met last month, and he had nothing to add to Director Holmes' report. He noted a recommendation was made regarding the Community Plaza project at the Joint City Council/EDC meeting and more information was forthcoming.

City Manager Becker noted an employee had resigned in Public Works and the City had posted and was interviewing for the position, which Staff hoped to fill by July 1<sup>st</sup>.

City Attorney Kearns stated he would be working with Deputy Ward on a couple of Parking Code changes to give him more tools when responding to what he was seeing on the street. He suggested contacting a teacher with an understanding of the students or that taught government classes about student volunteers that might be a good fit for Council. Teachers were the best way to establish a connection and recruit students as teachers could guide them.

Library Director Holmes announced that tickets for the Friends' Raise-a-Glass fundraiser were available for purchase at the Autria website or at the Library. The event would be held July 9<sup>th</sup> at Out AZA Blue. The book sale was quite successful. She congratulated Assistant City Manager Lanter for completing the Women's Leadership Academy.

Mayor Jones added a preview of the auction items for the Raise-a-Glass event would be on June 24<sup>th</sup> from 4 pm to 6 pm and on June 25<sup>th</sup> from 10 am to 5 pm. The auction would be online starting the following week. Of the 60 tickets available, only about 20 were still available. She encouraged the Councilors to talk to their neighbors about serving on the Council and filling the upcoming two vacant positions. She noted those involved in student government were typically already involved in several other activities. Matching someone with interest and the available time would be challenging.

City Manager stated she was meeting with the school principal and superintendent talk to about the Broadband project and having events around the ERP in August and September.

Assistant City Manager Lanter described publicity around the roll out of the ERP and all the work and collaboration involved. She was working with Tualatin Valley Cable TV on doing a video about the grant process, work done with Kathy Gleaves and Gleaves Consulting and how the three agencies came together to interweave

their plans. Tualatin Valley Cable would interview key people involved in the ERP project and insert emergency preparedness tips during the video. Social media posts would be done and direct mailings to the areas served by Banks Fire and the School District, which would encompass the entire city as well.

Ramifications regarding the shortage of Councilors was discussed. The remaining Councilors needed to be mindful of the rules around having a quorum. Alternates were also needed to fill in as liaison on some of the meetings, including the Habitat for Humanity and Banks Fire District. Councilors Kirk and Thompson would coordinate to cover the Banks Fire District Board meetings. Councilor Gregg was the Alternate for MACC. Staff would bring the Council assignments to the next meeting for a reevaluation and vote on the primary and alternates for the meetings

Assistant City Manager Lanter updated on the events being held at Greenville City Park, noting postcards were being sent to all residents. Music in the Park would be on July 24<sup>th</sup> with a taco truck and possibly Kona Ice coming in. Movies in the Park were scheduled for July and August and postcards were also being sent about those events.

Councilor Kirk noted Council had discussed having information tables at these events and suggested coming early to talk with people about the City's need for more Councilors and volunteers.

Council confirmed Staff should send a post card to help recruit people for the vacancies on the Council and various City committees. Since both Council vacancies were appointed positions, the City might see applicants as people were often reluctant to run for office.

**ADJOURN**

The meeting adjourned at 8:39 PM.

Submitted by:



Angie Lanter, MMC

City Recorder/Assistant City Manager