



**Regular City Council Meeting
Tuesday, January 9, 2024
MEETING MINUTES**

CALL TO ORDER

Mayor Jones called to order the Regular Meeting of the Banks City Council at 6:25 PM.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present were: Mayor Stephanie Jones, Peter Edison, Marsha Kirk, Marilyn McCalister, Catherine Sawyer, and Niki Walters

Staff Present: City Manager Jolynn Becker; City Recorder/Assistant City Manager Angie Lanter; City Attorney Dan Kearns; City Planner Lauren Scott (Zoom); City Traffic Engineer Reah Flisakowski (Zoom); Deputy Frank Ward (Zoom); and Library Director Denise Holmes (Zoom)

5. Shall the City Council approve the Mayor's recommendation for appointment to Vacant City Council Position CC2?

Councilor Kirk moved to approve the Mayor's recommendation for appointment of Don Giannetti to the vacant City Council Position CC2. Councilor McCalister seconded the motion. MOTION CARRIED 5-0. Ayes: Edison, Kirk, McCalister, Sawyer, Walters; Nays: None.

OATH OF OFFICE

6. City Councilor Don Giannetti (Position CC2)

City Recorder Lanter conducted the swearing-in ceremony for Don Giannetti to City Council Position CC2.

APPEARANCE OF INTERESTED CITIZENS

There were none.

CEREMONIAL PRESENTATIONS & PROCLAMATIONS

7. Certificate of Appreciation – Peter Sawyer –Planning Commission.
The Certificate of Appreciation was presented to Peter Sawyer during the Work Session.

CITY REPORTS, BRIEFINGS, AND PROGRAMS

8. Police Monthly Briefing – Washington County Sheriff’s Office – Deputy Frank Ward presented the briefing for December, included in the packet, and answered clarifying questions.
9. Library Director Report – Library Director Holmes noted her report was in the packet and responded to Council comments and questions as follows:
 - Several new places had been added to the WCCLS Adventure Pass Program, including Portland Japanese Garden, Japanese American Museum, Portland Opera, Shute Park Aquatic and Rec Center, Hidden Creek Community Center, and Hillsboro Outdoors In. Wings and Waves Waterpark could be added this summer, depending on its financial situation.
 - She agreed to research how an Adventure Pass might be printed so rangers at Stubb Stewart State Park and the Tyron Creek State Natural Area would not ticket passholders. Councilor Kirk suggested sending a voided pass to the Park Ranger.
10. Public Works Report – Conner Hayes, Public Works Supervisor

Mayor Jones commented that the lighting at the Greenville Park gazebo was now automated and shined down each pathway. The LED lights provided a nicer white color than the old yellow lights.

City Manager Becker added the Public Works Report noted the City was asking PGE to increase the wattage of the LED lights on Trellis and Arbor Park Loop from 60 or 65 percent to 75 percent to increase light around the park, which was in PGE’s project plan.

Addressing a question about the muddy play area at Greenville Park, she explained that the drainage system was not working properly. The system would be fixed this summer, and the wood chip mulch would be replaced with engineered fiber chips recommended for playgrounds with rock added at the bottom for drainage. The project would cost about \$10,000 and was in next year’s budget. Staff were looking for a different type of chips for the Log Cabin Park as well.

11. City Recorder/Assistant City Manager Report – City Recorder/Assistant City Manager Lanter noted her report was in the packet and added the following comments:
 - The City Council retreat would be on January 31, starting at 6:00 pm. The evening would begin with a short Special Council Meeting to approve the project on Broadshire Lane to fix the pipe and asphalt. Councilors with any items for the goals list should send her the name of the project and describe what the project entails to be included for discussion.
 - The minutes in this month’s packet had been corrected to clarify the dates under the second bullet point for the Library Director’s report.
 - Randy Schillinger, CEO Hampton Lumber, called to notify the City that the Banks location would be permanently closed because State restrictions on logging and the timberland made it extremely difficult to get enough timber to keep this mill going. About 60 employees would be affected by the closure. A statement was posted on Hampton’s website.
 - She confirmed volunteers for Boards and Commissions needed to live within the city limits, but nonresidents who owned property within the city could serve on the Planning Commission, however, both outside positions were full.

Staff addressed questions regarding the Hampton closure, noting the City’s revenue from franchise fees, as well as water billing and capacity would be affected, since Hampton Lumber was a large water user; however, the City’s water rights would not be affected. PGE’s privilege tax would also be affected. Ideas to fill the economic void would be discussed at the Economic Development Commission (EDC) meeting next month.

Councilor Edison explained use of the railroad crossing would depend on who purchased the property. He noted all the property was located within the City's Urban Renewal District.

12. City Manager Report – City Manager Becker stated her report was in the packet and noted she would not have an answer on retaining the two parking lots on the east side of Highway 47 until the next City Council meeting. Her additional comments were as follows:

- The punch list for the Wilkes Street project had been finished. The entire project would be complete once the final payment was made and would still have a one-year warranty.
- In response to social media comments about how urban renewal money is used, she explained that urban renewal freezes permanent rate items, such as property taxes, Port of Portland, City of Banks, Banks Rural Fire District, but anything regarding a levy or bond would not be frozen but paid at the normal rate based on the assessed value. She briefly described how urban renewal funds worked.
 - Councilor Edison noted the Facebook comments stated that when developed, properties in the Urban Renewal District (URA) on the west side of town would not pay anything toward the school bond if it passed, which was false. Those properties would pay the full amount of their assessed value towards the school bond; however, their permanent rate was frozen when the URA was formed six years ago and that would stay the same.
- She was still working on the letter of interest for the water construction projects which was due January 15; being a federal holiday, she would verify if the deadline was this Friday.
- Council Chambers would have maintenance work done to repair damage to baseboards and flooring due to flooding caused by the water filter failing under the sink.
- A work session could be added in addition to the retreat this month to discuss details of a developer agreement for the East Side, which was easier to read than the one for the West side. An email would be sent to Councilors to coordinate the date. Staff are currently vetting information in the agreement to make sure it was correct.
 - City Attorney Kearns noted the developer hoped to have the details pinned down by the end of this month for consideration at a public hearing at February's City Council meeting. The agreement had a lot of moving parts and public improvements. Unlike the West Side, the developer was also the home builder, making the project logistically easier.
- Banks Billiards is currently for sale, and an offer may be pending.

Councilor Kirk confirmed that Teresa Lyda had stepped down from the Historical Society and would be replaced. Currently, they were waiting for the contractors to send paperwork regarding the Wilkes House project.

CONSENT AGENDA

13. City Council Meeting Minutes – December 12, 2023.
14. Shall the City Council accept the FY 2022-2023 Audit?

Councilor Sawyer moved to approve the Consent Agenda with the December 12, 2023 meeting minutes amended to reflect the correct dates/years in the Library Report. Councilor Kirk seconded the motion. MOTION CARRIED 6-0. Ayes: Edison, Kirk, McCalister, Sawyer, Walters, Giannetti; Nays: None.

PUBLIC HEARING

15. Shall the City Council adopt Ordinance No. 2024-01-01, an Ordinance amending the Banks Comprehensive Plan by repealing and replacing the City's Transportation System Plan? (First Reading and Consideration for Adoption)

Mayor Jones opened the public hearing at 7:08 pm.

City Planner Scott presented the Staff report, included in the packet, noting that after adoption of the new Transportation System Plan (TSP) in 2023, Oregon Department of Transportation (ODOT) had requested minor revisions and had approved the 2024 update included in the packet, which she highlighted. Staff recommended the City Council approve the amendments and adopt Ordinance 2024-01-01.

Staff addressed Council questions and concerns as follows:

- As a high-level planning document, the TSP did not include a diagram of the roundabout.
- To meet ODOT's mobility target, a dedicated west-bound right-turn lane had to be added to the roundabout. The dedicated right-turn lane would be a single lane through the roundabout to continue westbound on Highway 6. Several hundred feet before the intersection, the road would flare out with a right-turn lane available for vehicles making a westbound to northbound right-turn onto Aerts Road. The extra lane allows for extra capacity because many westbound, right-turns were expected as growth occurred on the east side of town and pulled vehicles into their own lane to keep them from mixing with vehicles going through the roundabout. The dedicated turn lane was only needed for westbound traffic due to the present volumes and the traffic going northbound on Aerts Road to the new development. The eastbound and all other approaches were fine with a single lane approach.
- Staff confirmed the third WHEREAS clause of the Ordinance should be corrected to state, "February 12, ~~2010~~ **2019**". (Page 114 of the online packet)
- ODOT requested changes after the TSP was adopted by the City Council because the ODOT Region 2 Traffic Group did not review the document before adoption. City Staff coordinated with ODOT's planning staff who reviewed the TSP, however technicians in ODOT's traffic department wanted to dig into the details further before approving the document. When ODOT realized the TSP had been adopted, ODOT's letter about the required changes was very conciliatory and apologetic, acknowledging they missed it.
 - The TSP appendix and analysis had always included the dedicated right-turn lane, but the details were not included in the description since the TSP was a high-level document. ODOT simply asked for more explicit details.
- ODOT approved the changes within two weeks of receipt and confirmed there were no issues with the TSP, supported Council proceeding with the TSP's first reading. ODOT could have been more nitpicky, but let a lot of small, unimportant details go.

Mayor Jones called for public comment.

Ayla Hofler, Banks resident, said she was surprised that the dedicated lane would not go all the way around the roundabout, given the traffic volume and the size of the log trucks and trucks transporting from Portland to Tillamook. The roundabout's size must be substantial to handle that size and volume of vehicles. She was trying to visualize how the single lane would work for people driving south on Aerts Road wanting to head eastbound. She asked how many lanes would be in the roundabout and if maps with traffic flow were available for the public to view before the plan was approved.

City Manager Becker explained the TSP only identified projects for future growth. Once an application for development was received, public hearings for the actual concept design would be held as part of the approval process. No design work was addressed in the TSP.

Mayor Jones clarified the TSP included the City's list of projects but did not give specific details on how each project would be done.

Ms. Hofler clarified she was not concerned about the engineering, but having the project reflect what ODOT stated was the reality of that traffic pattern. Hearing that ODOT stepped in after the fact was a concern, so she would like to see the map. She added that Highway 6 already had enough problems, so the roundabout needed to handle long, large, frequent vehicles.

City Manager Becker reiterated the TSP was a list of future projects for Banks. Once identified and approved in a plan, a project would be engineered and a design created, which would go through public hearing as part of a planning application, involving ODOT, the County, City Planning Staff and City Council.

Reah Flisakowski, P.E., DKS Engineering, added the TSP involved detailed analysis. A 20-year forecast, including the city's current land use, was considered to determine how many trips would be generated and what the traffic volume would be in 20 years at the city's key intersections, including Highway 6 and Aerts Road. ODOT agreed the 20-year forecast was appropriate based on the current inputs, and the analysis showed a single lane roundabout with the addition of the separate westbound, right-turn lane would work during both morning and evening peak hours and operate within ODOT's mobility standard, which was 85% capacity or less in the 20-year horizon. Refinements would be made as development occurred, since the East Side developer would be responsible for designing, getting ODOT's approval and constructing the roundabout. Being an ODOT facility, the roundabout would have to meet state highway design standards, which accommodated large trucks and vehicles. She expected the roundabout to be 140 ft to 150 ft in diameter given the expectations and design standards ODOT would apply.

- She explained the Highway 47/David Hill Road roundabout was at a different type of intersection due to the road's size. She anticipated a roundabout like those seen in rural Washington County that accommodates double trailered trucks, but that would be worked out in the design process, in which turn templates for trucks were required.

Mayor Jones reminded that the specifics of the design were not being addressed tonight. The TSP must be approved with its list of projects so the City could set its rates accordingly.

Mayor Jones confirmed there were no further questions and closed the public hearing at 7:27 pm.

Councilor Sawyer moved to adopt Ordinance No. 2024-01-01, an Ordinance amending the Banks Comprehensive Plan by repealing and replacing the City's Transportation System Plan, amending the third *WHEREAS* clause of the Ordinance to state, "February 12, ~~2019~~ **2019**". Councilor Edison seconded the motion. MOTION CARRIED 5-0-1. Ayes: Kirk, Walters, Edison, Sawyer, McCalister; Abstain: Giannetti; Nays: None.

Reah Flisakowski, P.E., DKS Engineering, clarified the 140 ft to 150 ft diameter would be the outside measurement of the roundabout. She expected the single lane Aert Rd roundabout would be smaller than the one at Verboort, which was shown at roughly 191 ft in diameter.

BUSINESS AGENDA

16. Shall the City Council elect a new Council President?

Councilor Sawyer moved to nominate Councilor Edison for Council President. Councilor Walters seconded the motion. MOTION CARRIED 6-0. Ayes: Edison, Kirk, McCalister, Sawyer, Walters, Giannetti; Nays: None.

COUNCIL COMMITTEE REPORTS AND ROUND TABLE DISCUSSION

Mayor Jones reported on last night's School Board meeting, noting the financial audit was presented, and the District's statements were found to be correct, clean, and unmodified. The District had applied for a \$6 million grant and while it did not qualify as serving a lower income area, the District was second in the lottery. The Board hoped to provide an update at the February 21 meeting, which was not its normal meeting day. Work was being done on the ballot language for \$50 million to remodel the high school building and that part of the campus.

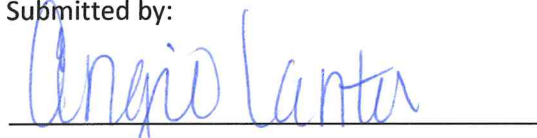
City Manager Becker requested postponing Round Table as someone was coming in for the Executive Session.

Mayor Jones confirmed no one had any items that needed to be included in this month's Round Table discussion.

ADJOURN

Mayor Jones adjourned to the Executive Session at 7:32 PM.

Submitted by:



Angie Lanter, MMC
City Recorder/Assistant City Manager