

City of Falls City
City Council Regular Meeting Minutes
November, 08 2018 7:00 PM.
Meeting Location: 320 N Main Street, Falls City, Oregon 97344

Council Present: Lori Jean Sickles, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn

Staff Present: Mac Corthell, City Manager, Rachel Inman Assistant City Clerk

1. Call to Order Mayor Gordon called the meeting to order at 7:00 pm.

2. Roll Call

Clerk Inman took roll call.

Councilor L. Sickles arrived at 7:01 PM.

Councilor Drill arrived at 7:15 PM.

3. Pledge of Allegiance

Mayor Gordon led the pledge.

4. Motion to adopt the entire Agenda

A motion was made by Councilor T. Meier and seconded by Councilor Flynn to adopt the entire agenda. Motion carried 5-0-0. Ayes: Lori Jean Sickles, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn.

A. Consent Agenda

A motion was made by Councilor Meier and seconded by Councilor Flynn to adopt the consent agenda. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn.

5. Announcements

A. Falls City Staff has been awarded the League of Oregon Cities and City County Insurance Services Gold Safety Award for zero injuries in FY 201-2018.

B. The Polk County Sheriff's Office Sub-Station is officially open for business. The station is not manned, but provides a much needed location for Deputies to conduct investigations, interviews, write reports, get out of the rain, eat lunch and use the restroom. A sign formalizing placement of the Station has been placed near the Flag Pole at the Fire Hall.

C. Public Works Committee Meetings moved to 7pm in September, October, and November; they will still be on the 3rd Thursday of the month at the Community Center.

D. The next regular Council meeting will be held on December 13, 2018 at 6pm in the Community Center.

6. Community & Government Organizations

A. Falls City Public Works Report October 2018

No comments

B. Falls City Fire Report September 2018

No comments

C. Polk County Law Enforcement Levy Information

City Manager Corthell said this allows for continuity, it cancels the 5th year of the levy and starts over. Councilor Flynn asked if this cancels the 5th year of the levy will they collect the full amount. Mr. Corthell responded with they will continue to collect the same taxes they would have.

D. Polk County Sheriff's Officer Report October 2018

No comments

7. Communications

A. Letter from Kathy Kuelback to Council Re: Guest RV Parking

Mayor Gordon read the letter from Ms. Kuelback to council. Mr. Corthell said they do not have a permit but knows the day they came in and complained. They were given an application and have not returned it. Councilor D. Sickles said if they want to do something different for our code they need to follow the rules now and they council can discuss that later. Councilor Lauder said the whole ordinance code needs updated/reorganized. Mr. Corthell said they went through a statutory interpretation process gleaning the right interpretations by law. The code is accurate for what the intent is but not clear to the average person. Councilor Lauder stated his concerns about the code changing and the amount of people who live in RV's who might apply for a hardship application. Mr. Corthell said that requires a lot more notices and becomes a quasi-judicial decision.

B. Email from Wanda Duncan Re: Paving of Sheldon St.

Mayor Gordon said this short stretch of gravel and there may have been an effort to get County to pave the stretch of Bridgeport. This would be a good project to collaborate with the County. Councilor D. Sickles said the amount of paving wanting done by Ms. Duncan is short and would be expensive. Mayor Gordon said this is something to keep in mind when the City prioritizes the street improvements.

C. Email from Rose Bajorins regarding tiny homes

Ms. Bajorins wrote in response for City to approve SB 1051 legislation in our code. Mayor Gordon said the planning commission can look over code for opportunity for innovation for building and possibly consider. City Manager Corthell said this letter is in response to the solicitation for folks to start contacting City Hall or Council on what their vision is for the City long term. If we have a vision process we'd have input from citizens to develop the plan. Councilor Drill asked if the city has a response in responding to these emails/letters we receive and asked council if they have a process. Mayor Gordon said he will draft a letter of response. Councilor Drill doesn't want a long wait for response and is willing to help respond to these emails/letters. Mr. Corthell will work with Councilor Drill in drafting a letter for response that addresses their particular issues with response from Council. Councilor Flynn asked with our current code do tiny houses have to have their own water/sewer hookup for each house. Mr.

Corthell responded with residential structures are allowed one main residence and two accessory structures. Accessory structures are not allowed for residence in our Code. Mayor Gordon suggested some land use amends for our Code.

8. Consent Agenda

A motion made by Councilor D. Sickles and Seconded by Councilor Lauder to adopt the consent agenda and the approval of bills. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn.

9. Public Comments

Jeff Propp of Falls City addressed the Council with his concerns of his neighbor having 5 RV's on the property with them all being lived in at times. Overtime they have all left except one. Now he has a couple trailer houses (12 x 60). Mr. Propp does not know if he plans on living in them and is concerned if they City should be collecting taxes on these houses. Councilor Lauder said you could not have a singlewide trailer in Falls City. Mr. Propp has been in contact with the County, the procedure is Council would give permission, and then planning would issue a placement permit if sewer and water meet code. Mr. Propp does not know what to do and is waiting on a third one. Mayor Gordon said this is concerning and is something our Code Enforcer and City Manager are trying to get ahead of. The City Manager explained the lack of resources the City has and the Code Enforcer is only here once a week, going off complaints.

The Code Enforcer received this complaint and Mr. Corthell will issue a letter of cist and desist after the code complaint investigation if needed and will become public records after the investigation is complete. Councilor Drill thanked Mr. Propp for letting the Council know of this problem. Councilor Lauder said this has always been an ongoing problem with small out of the way places and has been going on for a long time and will continue to go on. Councilor asked if there is a fee for campers/RVs permits and if there is an increase. Mr. Corthell responded with piece of value for singlewide trailer is a planning modification, there is no fee. There is an increase with the amount of permits received. Those without have been in contact with to get an effort for them to comply. Mayor Gordon thanked Mr. Corthell and Code Enforcer Steve Birr for their work on this.

10. New Business

a. Resolution 28-2018 Worker's Comp for Volunteers

This is a formality, CIS requires us to submit a resolution that reflects our current volunteer status in order to have compensation status for our volunteers, which makes us sole exclusive remedy if they are injured. If we do not have this resolution, it is the City's responsibility and has the statutory maximum. If we do have the resolution, the worker's comp is the sole exclusive remedy. CIS only used volunteer categories from last year that the City used. This procedure is in process, you must have the waiver signed and document all hours and type of work. Each waiver will specify hour/job. All City Council members are under the waiver.

A motion made by Councilor Meier and Seconded by Councilor Drill to adopt resolution 28-2018, A resolution extending worker's compensation coverage to volunteers of The City of Falls City. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn.

b. Notice to Council of 2nd RV Permit at 456 Pine St.

City Manager Corthell said this is a requirement; Council must be notified on Second RV Permit. Councilor Lauder asked if it is on permit, RV's could be parked on city property. Mr. Corthell responded with these permits only apply to private property.

11. Tabled Business

- a. Polk CDC Revolving Fund Allocation for CDFI
 - i. Agenda Report

Mayor Gordon questioned alternatives (paragraph 2) if the Council should direct Mr. Corthell to devote portion of the fund for CDFI if Polk CDC becomes certified as a CDFI lender can they continue to manage existing loan fund, believed they would not be able to but they can do both. A municipality cannot manage CDFI funds that allocated. Councilor Lauder believes we should be a part of the program, and wondered how much Falls City would give to become partners. Mayor Gordon said Falls City should do what they think is best for Community Development. Mayor Gordon thinks this would be good for Polk County and the region as there is not an office in Polk County that focuses on this. His recommendation would be to ask Mr. Corthell to work with other municipalities if needed to find a fair equitable contribution. Councilor Drill stated that Falls City is getting to a point where they can do things on their own with Community development and we have funds to do that. She does not think this is the right time to allocate our funds to CDFI and wants to come up with a vision for Falls City Community Development. Councilor Flynn agrees with Councilor Drill and looks at the funds as money we have to help our residents. Councilor Drill said even if we do not contribute the residents can still go to Polk CDC and apply. Mr. Corthell said it would be a good idea for him to get a full presentation slideshow together of what Polk CDC does what our current situation is.

A motion made by Councilor Lauder and Seconded by Councilor L. Sickles to direct City Manager Corthell to work with Polk CDC to figure out equitable formula/contribution formula. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn.

12. City Manager's Report

- a. CDBG

The CDBG wastewater project continues to move forward, the City has received verbal agreements from the property owners for the lagoon sites and the easement sites that are required to run pipes from one side of the river. The desire route for the easement is to pick up at the South end of the City Cemetery access road and run the easement down the East property line. Mr. Corthell and the Engineer have visited several site locations and reports that this location is able for the project. The City is in a holding pattern with land acquisition until the appraisal is done. The appraisal process requires both federally certified appraisal report and a view from a second appraisal. Once this is complete, the City will enter negotiations for purchase options that will be reviewed by Council. The actual money for acquisition will come in the next phase of the project. We would then move past the preliminary design stage and go to design, engineering and environmental. Once we have purchase options we can begin. Right

now, we are doing preliminary design and environmental work to get our DEQ permits modified and renewed and to move our influence site. Mr. Corthell said it would be a good idea to do an educational/informational campaign on this topic. It has been posted on the website and on the newsletter with the water bills. City staff and our partners are in a final stage of filling out a questionnaire that will go out with water bills.

b. DEQ Enforcement

There were two sets of issues during the DEQ inspection back in June; some were lower than Class I violation. Class I violation is automatically deferred to DEQ enforcement all other require corrective action or they would be sent to DEQ. The City took corrective action and created new policies and procedures for tank pumping inspection and wastewater monitoring and reporting. DEQ issued an fine for monitoring issues at the treatment plant from 2016-2018. DEQ offers a program where you can use 80% of the fine on project that protects the environment. The City has submitted a proposal for a supplemental environmental project that will include removing invasive blackberry bushes from the cliff edge up to the Mill lot and removing garbage that has been dumped there for years. DEQ wants something done in a area that could have been harmed from the violations. The cost of this project is \$2,800 which is 80% of the fine this leaves the City responsible in \$700 in fines.

c. Community Development

The City is in process of working with Polk Cemetery Savers to restore our upper and lower cemetery. This is to start in May or June 2019. This organization works to fix broken stones, plumb the headstones and beautify the cemetery. They are nonprofit but here is a price for the cleaning materials. They typically collaborate with loved ones in the cemetery, volunteers, and churches. The stones in the lower cemetery are marked and almost all need cleaning. They are marked with red tape. The upper cemetery would be done in May of 2020. Councilor Lauder would like to be a volunteer. Polk Cemetery Savers will be at the December meeting. Mr. Corthell was in contact with Polk County Conservation district to talk about getting the bi-partisan zone near the falls to include the parks. They are a good community partner that has access to certain kinds of grants. Mayor Gordon said he recently met with the Luckiamute Watershed Council and thinks they will have good option for funding opportunities and they want to start working with Falls City. The City is talking with Business Oregon to get funding and contract for Rural Development Institute (RDI) a nonprofit that formed specifically to help communities rendered helpless by the logging industry. They will help with community visioning and capacity. Mr. Corthell has been in contact with Nora Owens at Travel and she will help advertise our attractions and assist in funding and coming up with ideas to increase our attractiveness. The City has applied for a 2019 Small City Allotment Grant. HB 2017 came out and requires a pavement planning and bridge condition reporting. Mr. Corthell has been working with Todd at Polk County, an engineer was sent out free of charge. They have a pavement planning software that the City is now in. ODOT has been ordered to repair all curb transitions adjacent to state roads in order to make them ADA compliant. These will be repaired at their own expense.

e. Backflows

f. Looking Ahead

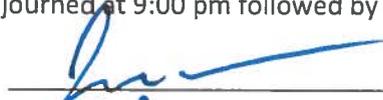
- i. Code Amendments
- ii. Policies & Procedures
- iii. Compliance

13. Mayor and Council Reports

14. Executive Session

15. Adjourn

The meeting adjourned at 9:00 pm followed by the executive session.



Mayor, Jeremy Gordon

Attested:



Assistant City Clerk, Rachel Inman