

City of Falls City
City Council Regular Meeting
Thursday July 9, 2015
Meeting Location: 320 N Main Street, Falls City, Oregon 97344

Council Present: Mayor Terry Ungricht, Lori Jean Sickles, Jennifer Drill, Tony Meier, Gerald Melin, Dennis Sickles, Julee Bishop

Staff Present: Domenica Protheroe, City Clerk; Don Poe, Public Works Lead Worker

Mayor Ungricht called the meeting to order at 7:00 pm.

- 1) Roll Call
Clerk Protheroe took roll call. Councilor Bishop attended the meeting by speakerphone.
- 2) Pledge of Allegiance
Mayor Ungricht led the pledge.
- 3) Motion to adopt the entire agenda
A motion was made by Councilor D. Sickles and seconded by Councilor Bishop to adopt the entire agenda. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Gerald Melin, Dennis Sickles, Julee Bishop
- 4) Consent Agenda: Motion Action Approving Consent Agenda Items
Polk County Itemizer Observer payment for second required budget notice.
River-Bend Sand and Gravel payment for gravel used at top of the stairs and was paid by the grant. Councilor Drill requested a copy of the Speer Hoyt LLC invoice.
The City refunded Valsetz Heights LLC unused land use fees because they decided not to move forward with a subdivision application.
Yother Works, LLC payment was a partial payment for painting the Water Plant and City Hall.
The ODF grant did not cover right-of-way brush cutting.

A motion was made by Councilor Meier and seconded by Councilor D. Sickles to approve the consent agenda. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Gerald Melin, Dennis Sickles, Julee Bishop

- 5) Public Comments:
Gracie Drill of Falls City asked the City Council to put money aside for the 2016 Falls City fireworks display. The community loves the fireworks and her grandfather [Fire Chief Young] enjoys doing them.

Tracy Young of Falls City. Ms. Young did not approve of the 3rd of July parade at 4:00 PM during the heat of the day. She expressed concern for senior citizens attending the parade in the high heat. She preferred the 3rd of July vendors in the Upper Park and the Parade at 10:00 AM. The fireworks were beautiful.

- 6) New Business:
 - a) Resolution 11-2015 Setting Tax Rate on Marijuana
This Resolution would establish a zero percent tax rate on recreation and medical marijuana. Upon the advice of the City Attorney, the City would consider a tax rate after the State of Oregon establishes regulations.

Council discussed the status of the Cave Junction marijuana lawsuit.

A motion was made by Councilor D. Sickles and seconded by Councilor Meier that the City Council of the City of Falls City adopt Resolution 11-2015 A Resolution adopting a tax rate on the sale of Marijuana and Marijuana Infused Products. Motion carried 5-0-1. Ayes: Lori Jean Sickles, Tony Meier, Gerald Melin, Dennis Sickles, Julee Bishop. Abstain: Jennifer Drill.

b) Kay McGee resignation from managing cemeteries

Council appreciated the many years of volunteer service that Kay McGee had given to Falls City Cemeteries. Council agreed by consensus to explore a way to thank Ms. McGee. Mayor Ungricht had received training on the Lower Cemetery. Kay McGee would complete the survey of the Upper Cemetery in July 2015 after which she would turn over the cemetery records.

c) Surplus Property

In 2010, Council passed Resolution 2010-09 to surplus several pieces of equipment, but two of the items remain in City storage. Council discussed the condition of the two vehicles. The money received from the sale would go into the general fund.

Lilly Boettcher of Falls City requested information on the vehicles to share with someone who might be interested.

A motion was made by Councilor Melin and seconded by Councilor Bishop to allow staff to surplus the 1963 Western States Fire Truck and the 1980 Ford Ambulance per Resolution 2010-09. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Gerald Melin, Dennis Sickles, Julee Bishop

d) City Attorney Report on Marijuana Legislation

Council did not have any questions on the staff report.

e) Report on Code Violations Litigation

The Falls City Code Enforcement Attorney, Moe Brown had recommended the City drop the McDaniel's property enforcement case because City personnel changes had weakened the case. Mayor Ungricht and Council President D. Sickles had met and concluded that it was in the best of the City to drop the case based on the advice of the attorney.

7) Correspondence, Comments and Ex-Officio Reports

A) Mayors Report

Mayor Ungricht had included a written Mayors Report in the packet.

Councilor L. Sickles asked if the City would partner with Polk County for Code Enforcement. Polk County used a contractor for limited code enforcement instead of staff. Mayor Ungricht had requested a copy of the contract and planned to talk with the contractor. The contractor primarily serves Polk County as a process server.

Councilor Drill reported that she had spoken to the Code Enforcement Group and they had availability in September to come to Falls City. Council revisited the need for code enforcement training. Mayor Ungricht would speak with Adrian Albrich, Risk Management, Citycounty Insurance Service to evaluate the risk for Council based code enforcement. Polk County could not offer training. Mayor Ungricht planned to talk to Mayor Dalton of Dallas about sharing their part time code enforcement officer. Mayor Ungricht hoped Falls City code enforcement cases could go through the Dallas court.

The City had conducted a subdivision pre-application meeting with Valsetz Heights, LLC to explore the land use process needed to create bigger subdivision lots by merging smaller lots. Under State law, this would require a new subdivision application which Valsetz Heights, LLC had not submitted to date; the City elected to return the balance of their land use fees as a result.

Mayor Ungricht provided an update on water and sewer infrastructure issues that were discussed at the June City Council Meeting. The Pine Street development would not present an issue with water or sewer. The City Engineer would prepare an estimate to replace both the Pine Street and Mill Street water lines; the proposed lines would be looped which was the preferred method. The lot-line adjustment application had been denied due to issues; the City had recommended that the applicant submit a Land Use Partition Application. City Planner fees for the Lot Line Adjustment had been waived. Carey Court had an undersized 2-inch sewer line. Mayor Ungricht would attend a public utilities funding class at the end of July. There he would meet with State and Federal funding sources. Mayor Ungricht had postponed the meeting with Greg Ellis of the Governor's Office to discuss Fall City infrastructure issues because the meeting would have been limited to loan packages. A moratorium was unlikely due to their requirements and temporary nature.

Councilor D. Sickles wanted to be proactive and explore code language that would require new developments to connect to the nearest line that had capacity at their expense, instead of the nearest line. Councilor L. Sickles agreed. Mayor Ungricht would discuss with a land use attorney.

Councilor Drill asked for a status of the Mitchell Street [Flip Road] Grant. The grant application had been submitted and accepted. Notification of the award was a year out. Bureau of Land Management (BLM) and Polk County would talk with Weyerhaeuser about the issue of the locked gate preventing access to forestland.

The Library Report (Exhibit A) was distributed to Council.

B) Council Reports

Councilor Drill reported on several issues of the Volunteer Fire Department.

- 1) In a vote, the Volunteer Fire Department decided they would not to put on a 2016 Fireworks show unless the City provided additional funds. Councilor Drill stated that the Fire Association required a minimum of \$3,000 from the City. The Fire Association spent \$7,000 on the 2015 Fireworks show and only raised \$400.00 in donations. On July 3, 2015, the Fire Department had one EMT call and no fire calls.
- 2) The Fire Association had been told they would not receive a monthly payment because it was not budgeted. Councilor Drill stated the contract called for an \$11,000 annual payment. Mayor Ungricht stated that \$9,500 had been budgeted because the prior year budget numbers had been rolled forward. Mayor Ungricht suggested that Chief Young and John Gilbert meet with him to go through the budget to identify possible sources for additional money. A supplemental budget might be required.
- 3) The City was behind on the monthly contribution to the Volunteer Fire Association. Councilor Drill reported the Volunteer Fire Association was not happy because they had to pay for the fireworks from their saving account. Mayor Ungricht reported the City was only one payment behind. He had informed John Gilbert and the recent bill would be paid after the new fiscal year budget numbers were entered into the accounting system.
- 4) Payment of the True North Fire bill.
Mayor Ungricht had recently received the bill and thought the bill had been paid. He would confirm.

Mayor Ungricht wanted the City Council to review Fire Department funds at a future meeting. The Fire Department currently received 74% of the money received from Property Taxes. Mayor Ungricht reported that in the last six years the Fire Department budget had grown from \$48,000 to \$71,000. He stated that the Fire Department was an integral part of the City and everyone wanted the department to be successful. The City needed to look forward ten to twenty years to determine how to fund the department because property tax growth was limited. To keep the health of the fire department Council would need to explore options including a safety levy or joining the Southwest Polk redistricting effort.

Councilor Meier inquired about the status of power generation project. Councilor D. Sickles had read the materials provided by the Mayor. Councilor D. Sickles would meet with Mayor Ungricht to discuss obtaining a letter of approval to proceed from the regulatory agency and to develop a plan.

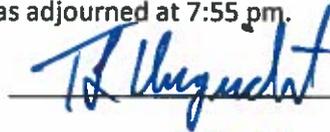
Don Poe, Public Works Lead Worker, reported that the summer water source Teal Creek was at least 30 days ahead of normal due to the summer heat. The City sold Luckiamute Domestic Water Co-op over million gallons of water from one vault during the prior billing cycle. Additionally, Public Works was in the process of decommissioning the Parry Street pump house that had a bad leak.

Horst Boettcher of Falls City requested the City to send a noxious weed enforcement letter the owners of the vacant lot at 513 Cameron Street. High dry grass was a fire risk with the hot weather.

Tracy Young of Falls City reported that there was a three-acre parcel behind her property with high dry grass.

8) Council Announcements
None

9) Adjourn
The meeting was adjourned at 7:55 pm.



Mayor Terry Ungricht

Attested:



City Clerk Domenica Protheroe

Library Director's Report
June 2015

Attendance totals for the Wagner Community Library June 2015 265; the breakdown is as follows: Adults 169 and Youth 96. These are regular hours in addition to the four added hours on Thursdays for summer reading. Volunteer hours logged = 20. Items catalogued, 23.

The end-of-the-year excitement, of course, carries over to the libraries. This year *the Every Hero Has a Story* theme is carried out thanks to cooperation from Micke Kidd and John Gilbert. Those two showed new strains of flexibility in order to get the Summer Reading Program with performers launched on 6/17/2015. The program continues to combine reading goals, engaging performances and scientific experiments. Effective press coverage indicates that these offerings will repeat every Thursday at 9:45 a.m. through July 30, 2015. Pre-school students through age fourteen are encouraged to register for a plethora of prizes.

Although Wagner Community Library emphasizes being part of a 17 member library group where request books are regularly delivered within the week, SOMETIMES nothing will satisfy like leaving the library with just the right reading material in-hand. Case in point: A regular patron recently inquired about the Sci Fi collection at Wagner. Thanks to extended Saturday hours...I was able to punch a few keys and produce a list of twenty-one science fiction titles in-house. Look for the Reading List posted on the bulletin board. Fans of Science Fiction.. lists are available e-mail.

Polk Yamhill Marion Meetings are full of ideas for Adult Summer Reading. An adult reading group is in the formative stages. Please call the library 503.787-3521 x319 for more information. I was invited to tour the State Library during June and become familiar with the data bases and research tools available to our community. You will be hearing more about this. Happy Summer!

Respectfully submitted,

Cynthia Hovind, Director
Wagner Community Library