

City of Falls City
City Council Regular Meeting Minutes
June 14, 2018 6:00 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, Don Poe, Supervisor Public Works, JoHanna Birr, City Clerk

Mayor Gordon called the meeting to order at 6:01 pm.

A. Roll Call

Clerk Birr took roll call.

B. Pledge of Allegiance

Mayor Gordon led the pledge.

C. Motion to adopt the entire Agenda

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

D. Consent Agenda

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

E. Public Comments

Dawn Taylor, of Waymire Road expressed concerns with the proposed location of the lagoon. She supports the growth of Falls City but doesn't feel the location near to a city entrance is the best option. Her interpretation of the letter received by Ms. Avery and Mr. Atherton was that the issue was decided. The wording in the document is a general form personalized to Falls City. The form contains the following phrase "...sell, gift or condemn".

Ms. Taylor wants to make sure the City looks at all options. Mr. Corthell invited her to come into his office and exchange dialog and ideas.

Mr. Corthell assured her is was a state required legal condition to send this letter before speaking to the landowners in detail. It is a formality meant to be informational and has no legal effect other than to notify a potential party.

Mayor Gordon said there would be a series of public hearings should the project move forward.

Bruce Garrett, of Waymire Road asked if Council would have a public hearing on the matter. Both Mayor Gordon and Councilor Flynn assured him Council is legally required to have public meeting and post notice of such meetings in a particular way. Mr. Garrett was concerned about drainage in such a low-lying area. It was explained the engineer felt it was the most feasible location, however studies have not been initiated yet. Mr. Garrett asked for this to be reflected in the minutes. Staff assured him it would be reflected.

Scott Van Horn of East Ave., had concerns with limited drainage as well. He was concerned with running a sewer line across the river. Mayor Gordon noted sewer is currently running under the Dayton Street footbridge. He said there seems to be a lot of planning but not well thought out. Mr. Van Horn noted his

land is dividable but not worth as much situated next to a sewage plant. He would like to see the City grow and would like to pursue other options. The area is shallow bedrock. A test well was dug and it only reaches down 13 feet before stopping at the bedrock.

Mr. Ungricht of Falls City said the Avery property location required the least amount of pumping and would be most cost efficient to operate using gravity fed lines. Mr. Van Horn requested to receive notice of steps involved. Mr. Corthell offered a copy of the guidebook at the cost of a Records Request. The guidebook will also be put online for the public to view. He assured everyone the City could not earmark the property, purchase etc. without public hearings on the matter. All property owners within a certain distance would be sent notifications of such meetings. All public meetings are noticed in four locations in town and on the city website. Clerk Birr wrote the city web address on the chalkboard.

Beth Parsons, of Bridgeport Road asked if any other land owners received letters. Mayor Gordon said only the Avery/Atherton's were sent a letter. She felt the lagoon was a major concern and asked if it had to be in the UGB to qualify for grant money and how many acres were needed. Mr. Corthell responded 16 acres and no, it does not have to be within the UGB.

Mr. Parsons, of Bridgeport Road requested a list of potential properties the city is looking at.

Vicki Avery of the subject property on Waymire Road handed out a brief letter on behalf of Mike Atherton. (Exhibit A) Ms. Avery had met with Mayor Gordon and Manager Corthell and enjoyed their meeting very much. Once home and reading through the packet they were given, they were taken aback by the wording as it didn't reflect the recent conversation in the meeting. She mentioned the 2013 watershed study done by Todd Jarvis noting elevated ground water levels.

Mayor Gordon said he regrets not discussing the letter during their meeting but legally was not allowed prior to notification.

MS. Avery asked all involved to take a deep breath and examine the situation in totality. She questioned if a lagoon is the welcome mat the city wants to put forth to visitors. She would like to continue dialog and institute trust that was broken in 2013 with the city, step back to a fresh start and find creative solutions. Ms. Avery's land use attorney and he felt the issue is not as transparent as it could have been. She asked for a formal hearing of which staff assured her would take place.

Owen Russell of Falls City approached Council to request a skate park for him and his friends. He noted Terrace was gravel with other roads and he has to carry is board much of the time. Places are very limited where they can ride. Mr. Russell said it is hard for them to get to Dallas and there just are not any good places to ride here in Falls City.

Mayor Gordon was impressed with Mr. Russell and told him they could explore options with grants and not for profits and learn together. He thanked Owen and the other boys for coming.

Councilor Drill thanked citizens for coming and sharing their concerns. She stressed communication and transparency.

F. New Business

A. Resolution 11-2018: 2017-2018 Supplemental Budget #1 Adoption

The Public Hearing opened at 6:50 pm.

No comments.

The Public Hearing closed at 6:50 pm.

A motion was made by Councilor Drill and seconded by Councilor Meier that the City Council of the City of Falls City approve resolution 11-2018, a resolution of the City Council of Falls City, Oregon authorizing appropriations amending the fiscal year 20-2018 budget (Supplemental Budget No. 1). Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn

B. Resolution 12-2018 2018-2019 Budget Adoption

A motion was made by Councilor D. Sickles and seconded by Councilor Flynn that the City Council of the City of Falls City approve resolution 12-2018, appropriating taxes at the rate of \$2.9202 per \$1,000 .00 of assessed value and adopt the Fiscal Year 2018-2019 Budget in the amount of \$5,504,500.00. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn

C. Resolution 13-2018 Republic Services Rate Increase

The Public Hearing opened at 6:59 pm.

Bruce Garret, of Waymire Road stated he pays more for garbage service and is not offered the option of recycling.

Lilli Boechtter, of Falls City feels the fees are too high.

Republic Services' contract with Falls City includes a cost of living increase. Fees will raise approximately \$0.74 per month.

A motion was made by Councilor Lauder and seconded by Councilor D. Sickles that the City Council of the City of Falls City adopt Resolution 13-2018, a resolution establishing a schedule of solid waste rates, fees and charges pursuant to Chapter 53: and repealing all prior fee schedules for solid waste, establishing a schedule to solid waste fees; providing and effective date. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn

D. Independence Day Block Party Road Closure

A motion was made by Councilor Flynn and seconded by Councilor Meier that the falls City Council approve the closure of Boundary St. and Prospect Ave. on July 3, 2018 from 12:00 pm to 8:00 pm in accordance with Exhibit A and pending verbal conformation from neighbors. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn

E. Variance on Carey Court

A motion was made by Councilor Meier and seconded by Councilor Drill for Council to act as Planning Commission. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn

Councilor Drill made the disclosure she was a neighbor of the variance site and daughter of the builder. City Manager Corthell inquired if she felt she could be fair and impartial. Councilor Drill replied yes.

The Public Hearing opened at 7:16 pm.

Mr. Ungricht said he has researched the site and it is an unusual property situated in a cul-de-sac with nothing behind it.

The Public Hearing closed at 7:16 pm.

Councilor Flynn was not in favor of the variance.

A motion was made by Mayor Gordon and seconded by Councilor L. Sickles to approve Variance 2018-01 to allow the roofline extension by no more than 8-feet into the required 20-foot rear setback for tax lot 03800 including criteria paragraphs 1 & 2. Motion carried 5-1-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, Nays: Charlie Flynn

F. Mayor's Report

G. Council Announcements

Councilor Drill thanked staff and volunteers for their work at the Spring Clean. She also thanked Councilor Lauder for his work on the stair handrail at the High School.

H. Manager Report

City Manager Corthell thanked Ms. Avery for coming and expressing her concerns with the wastewater project. He apologized for the tenor of the letter and any misunderstandings. It was a fact-finding mission and there is no action on the table at this stage. Mayor Gordon accepted his share of blame for the misunderstanding.

The Spring Clean went off without a hitch and approximately five- hundred (500) cubic yards of garbage was collected. Republic Services has not released tonnage at this point. There were over 20 volunteers helping to make the event a success.

There will be a few changes next year to eliminate non-residents and streamline the process. He went on to say the coordination was perfect, the volunteers and Republic Services were great. One person stands out and put in a great deal of effort on the event. She coordinated it from the beginning and saw it through to the end, volunteered her time, making sure we were all fed and watered. Mr. Corthell presented Clerk Birr with a certificate of appreciation.

Mr. Corthell recently had meetings with Sheriff Garton, Polk County IT and the City of Independence Finance Director and many others. He has met with Fire Chief Bob Young and has discussed using his office as a substation for law enforcement to keep the town safe. Sheriff Garton seems to be on board at this point and the cost would be minimal. Code enforcement is coming along. This is an added reason to have law enforcement in the area. Mr. Corthell does not want to send Code enforcement to a site without proper protection.

In addition, the City is bringing its IT security in to compliance. He wants to make the town as good as it can be without changing the culture.

Sheriff's Report

There was no report given.

I. Adjourn

The meeting adjourned at 7.30 pm.



Mayor, Jeremy Gordon

Attested: 

City Clerk, JoHanna Birr

Exhibit A

To whom it may concern:

A week ago today I received a phone message from Mayor Gordon asking to meet with my wife, Vicki Avery and me,

Mike Atherton to discuss a form letter sent to all impacted parties by the proposed waste water project.

Nowhere in that letter is mention of my right to public hearing. Quite to the contrary all that is discussed is the right of the city of Falls City to acquire our property through eminent domain or through a donation made by us to the City of Falls City. Fortunately we have retained an eminent domain lawyer who informed us of our right to a public hearing on the proposed location of the waste water improvement project. To that end I have made this appearance and request a public hearing on the proposed project's location.

Thank you, Mike Atherton.