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City of Falls City  
City Council Regular Meeting Minutes  
Monday July 13, 2020 6:00 PM  
Meeting Location: 320 N Main Street, Falls City, Oregon 97344

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**Council Present** Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, T.J. Bailey

**Staff Present:** Mac Corthell, City Manager; William Sullivan, Community Development & Outreach Coordinator; Jamie Ward, City Clerk

**1. Call to Order and Roll Call**

Mayor Gordon called the meeting to order at 6:00PM. Clerk Ward took roll call. Councilor L. Sickles was absent.

**2. Pledge of Allegiance**

Mayor Gordon led the pledge.

**3. Motion to adopt the entire Agenda**

A motion was made by Councilor J. Drill and seconded by Councilor T. Meier to adopt the entire agenda with the addition of the USDA Grant and Falls City Burning Ordinance to new business. Motion carried 5-0-0-1. Ayes: Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, T.J. Bailey

**4. Announcements, Appointments and Appreciations**

- a. Certificate of Appreciation given to City Clerk, Jamie Ward.
- b. Falls City Awarded Oregon Community Foundation Grant for the pocket park at the Clinic. The next volunteer day is Saturday 18, 2020
- c. Falls City was also awarded a Certified Local Government Grant to digitize historical photos to be added to the website. Anyone with photos can submit them to City Hall and staff will scan them and give them back.

**5. Community & Government Organizations**

- a. Public Works-TMDL  
Clerk Ward explained the annual Total Maximum Daily Load (TMDL).
- b. Fire  
None
- c. Polk County Sheriff  
None

**6. Reports**

a. Council

- Councilor T. Bailey has been working on building relationships with local kids who are eager to build the skate park. Councilor Bailey stated that he has been

looking into funding sources and may have found on Tony Hawk Foundation. Bailey believes that Falls City meets the criteria for it.

- C. Lauder  
Would like to know when the Gates are open for people to get to the Valley of the Giants. He would also like to see some signage directing people how to get there.
- J. Drill  
Was wondering if we could post when the gates are open on the website?

City Manager Corthell stated that there is really no rime or reason to when they have the gates open or closed.

Councilor Drill wanted to also check and see what the Plans were for the North Side of the Falls Park.

Corthell stated that there were no other plans as of yet other then the parks master plan.

Council Drill would also like to have a section of next month's newsletter dedicated to summer safety tips.

- b. Mayor Gordon has been working with Oregon Solutions on access to Valley of the Giants. He is getting proposal to submit to Oregon Solutions and he is partnering with Polk County Commissioners, Polk County Sheriff's, Bureau of Land Management, Senator Jeff Merkley, Travel Salem, Weyerhaeuser, Hancock to get funding to fix the road, post signage and maintain facilities at Valley of the Giants.
- c. William Sullivan read his staff report (see exhibit A) touching on the Pocket Park at the Luckiamute Clinic. Sullivan stated that the City was awarded two thousand seven hundred and sixty-five dollars (\$2,765.00) to fund the improvements to the front yard.
- d. City Manager Corthell read his staff report (See exhibit B) touching on the CBDG wastewater and stating that we will need to hold a special meeting later in this month. Corthell explained that the City contracted with Willamette Valley Council of Governments to do our environmental survey and they are far more in-depth then we have seen before. The Cultural Resources Survey because Falls City in an area that anytime we build anything we are going to have to do a cultural resources survey because we are close to the water and close to the tribe. We are looking at Twenty-five to Thirty Thousand dollars (\$25,000.00 to \$30,000.00) to pay for the Survey. He is asking council for permission to apply for a USDA grant

A motion made by Councilor D. Sickles and Seconded by Councilor T. Bailey to move that the City Council of Falls City give City Manager Corthell to apply for and accept the USDA Grant in the amount of Thirty Thousand Dollars. Motion carried 5-0-0-1. Ayes: Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, T.J. Bailey

## 7. Consent Agenda

A motion made by Councilor T. Meier and Seconded by Councilor C. Lauder to adopt the consent agenda. Motion carried 5-0-0-1. Ayes: Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, T.J. Bailey

## 8. Public Comments

- a. Bo Johnson sent in a letter to Council (See exhibit C) regarding the City holding the Spring Clean and the City-Wide Garages Sale on the same weekend.
- b. Jon Schwarz Sr. wrote a letter (see exhibit D) regarding the backflow devices.
- c. Bria Smith wrote a letter to City Manager Corthell (see exhibit E) regarding the article he commented on regarding the timber executives.

## 9. New Business

- a. USDA Grant see above in City Manager Corthell's reports.
- b. Resolution 18-2020 FY 20-21 Supplemental Budget 1 to amend the account for an awarded Grant from Oregon Community Foundation.

A motion made by Councilor D. Sickles and Seconded by Councilor C. Lauder to move that the City Council of Falls City adopt RESOLUTION 18-2020, SUPPLEMENTAL BUDGET 1. Motion carried 5-0-0-1. Ayes: Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, T.J. Bailey

- c. Ordinance 559-2020 was noticed to the public at City Hall, in writing, on July 09, 2020. Ordinance 559-2020 will amend the Ordinance pertaining to Budget Committee allowing it to become compliant with state law.

Adopted at the first reading by unanimous vote of quorum of the City council on July 13, 2020

A motion made by Councilor J. Drill and Seconded by Councilor C. Lauder moved that the City Council of the City of Falls City adopt Ordinance 559-2020 AMENDING FALLS CITY MUNICIPAL CODE SECTIOS 32.04.030 AND 32.04.040. Motion carried 5-0-0-1. Ayes: Jennifer Drill, Cliff Lauder, Dennis Sickles.

- d. Mayor Gordon wanted to touch briefly on the City's current open burning ordinance. Gordon handed out section 93.01 Open Burning (see exhibit F).

Councilor Drill asked if council could take some time to read the ordinance over and come back with solutions in the August Meeting.

City Manager Corthell said that council could make a recommendation to direct Staff to get a legal opinion from the city's attorney.

Councilor Drill asked how much it would cost to have the city attorney give a written opinion?

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City Manager Corthell stated it would be around Two to Four Hundred Dollars (\$200.00-\$400.00).

A motion made by Councilor t. Bailey and Seconded by Councilor D. Sickles to move that the City Council of Falls City direct staff to get a written legal opinion from the City Attorney regarding the Open Burning Ordinance and not exceed \$200.00. Motion carried 5-0-0-1. Ayes: Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, T.J. Bailey

**10. Old Business**

- a. Councilor Drill wanted to apologize to Council for not doing more for the Most Improved Yard Contest but would still like to see the city move forward with it. Drill would like to possibly get one member from each committee and form a smaller committee dedicated to this event. Councilor Drill would like to have something in the Committee's packet asking for volunteers to help brainstorm ideas.

City Manager Corthell stated that he would meet up with Councilor Drill and go over the details.

**11. Citizen Committees**

Citizen Committees resume this month P&R, PW.

**12. Adjourn**

A motion made by Councilor D. Sickles and Seconded by Councilor T. Meier to move that the City Council of Falls City Adjourn. Motion carried 5-0-0-1. Ayes: Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, T.J. Bailey

The meeting adjourned at 7:35pm.

**13. Meeting reopened at 7:40**

- a. Dennis Sickles needed council approval for alcohol use at his family reunion on Saturday July 25, 2020.

A motion made by Councilor T. Meier and Seconded by Councilor J. Drill to move that the City Council of Falls City allow alcohol at the George Kitchin' park for the Sickles family reunion. Motion carried 5-0-0-1. Ayes: Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, T.J. Bailey

**14. Adjourn**

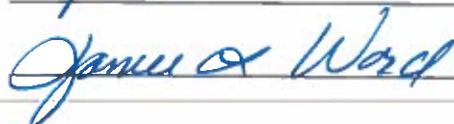
A motion made by Councilor T. Bailey and Seconded by Councilor J. Drill to move that the City Council of Falls City Adjourn. Motion carried 5-0-0-1. Ayes: Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, T.J. Bailey

The meeting adjourned at 7:45pm

Attested:



Mayor, Jeremy Gordon



City Clerk, Jamie Ward



Community Development & Outreach Coordinator Report  
July 13, 2020

Dear Honorable Mayor and City Council,

I hope that you are all doing well, enjoying the outdoors responsibly, and staying healthy! Before updating you on other recent work, I'd like to take a moment to review the progress that has been made on the Luckiamute Clinic project:

One of the main themes that emerged from the 2019 Community Visioning process was the public's desire for downtown revitalization. At the beginning of my tenure, I was introduced to a landscape architect here in Polk County who agreed to meet with Falls City Thrives and business owners to help beautify the North Main Street business area. City Councilors were also invited. The meeting was held on October 15, 2019 at 6pm at the Community Center. Much of the discussion centered around the opportunity presented by the front yard of the Clinic, which had been neglected and fell into disrepair. The group felt that it was a perfect spot to center our beautification efforts and hoped to, by doing some work there, create a central gathering place on North Main Street. We planned a follow-up meeting for January 29, 2020 at 5:30pm, held up at Falls City High School, to further design that space. It was decided at that meeting to open the space up by removing the brick wall and cutting back overgrown trees and shrubs. In their stead, the following would be installed: cross-cut log seating (harkening to Falls City's timber roots), a dry river bed (to represent the Falls), pavers, a bicycle rack, a bicycle repair station, signage pointing visitors to our parks and landmarks, and a community bulletin board. This space will provide an "outdoor living room" to welcome and orient visitors to Falls City and where residents can congregate centrally. The City Council approved use of funds to renovate the building structure and approved Falls City Thrives to recruit community volunteers to create the outdoor living room pocket park in front of the main building. To fund improvements to the front yard, I applied to a nonprofit foundation fund and we were awarded \$2,765 at the end of May. Falls City Thrives has held one volunteer day on June 28, 2020 so far and we had a great, positive group of community members volunteer their time. The group met with other community members to discuss which trees and plants should stay and which needed to be removed. Those that needed to be removed were removed, along with the crumbling brick wall. At the next volunteer day, we'll level some of the front yard off to pave roughly 100ft<sup>2</sup> of it with the pavers and install the dry river bed. The remaining tasks will take a few more volunteer days, but we're on our way to make the space a more inviting place and hope to complete construction around the end of the Summer.





City of Falls City  
 299 Mill St • Falls City, Oregon • 97344  
 Ph. (503) 787-3631 • [www.fallscityoregon.gov](http://www.fallscityoregon.gov)

## Manager's Monthly Report

Dear City Council,

Welcome to another edition of the City Manager's monthly report. These reports are focused on keeping the council updated as to the status of projects and initiatives, preparing them for what is to come, and looking back on what we've accomplished. Thank you for taking the time to stay informed as to the goings on in your city, please read on to learn more!

### FY 2020-2021 Budget

1. Budget passed at June 8, 2020 Council Meeting.
  - a. Highlights – Total Budget doubled through projected grant receipts driven by infrastructure improvements and restoration.

### COVID-19

1. Current Restrictions
  - a. City Hall- Operating on a full schedule, but access remains limited to the foyer door.
    - i. Hours M-Th 10am-5pm
    - ii. Meetings by appointment only
  - b. City Facilities- Closed for non-city use
    - i. Case by case exceptions for social service organizations
  - c. City Parks- Green space OPEN, Social Distancing required
    - i. Park structures (e.g. playgrounds, restrooms, etc...) CLOSED until further notice
  - d. City Events- Have resumed on a case by case basis
  - e. Utilities (Water/Sewer)
    - i. Shut-Offs & Penalties Reinstated
  - f. City Committees – Resume meeting in July, 2020.
2. Masks Required in Public Places Statewide

### CDBG Wastewater (Council Goal #1)

1. Property Acquisition-
  - a. 2 Purchase options entirely complete
  - b. 2 purchase options on final stages of completion
2. Design, Engineering, and Permitting-
  - a. NPDES permit approved, maximum discharge allowance increased.
  - b. Preliminary Design submitted to DEQ, awaiting comments
3. Environmental-
  - a. Wetland Delineation – Budget Amendment Submitted to CDBG for this work
  - b. Endangered Species Biological opinion will be required, funding an issue
  - c. Cultural Resources Survey and Mitigation is required, funding an issue
4. Rate Study-
  - a. ~~Draft Final Report Complete and disseminated for Council Review~~
5. Construction Financing
  - a. One Stop meeting held 7/7/20 with several funding options

- i. Awaiting follow-up documentation and will discuss with Council at next meeting.

**Code Services (Council Goal #2)**

1. Municipal Court
  - a. IGA in work with City of Dallas. draft contract complete and awaiting Dallas City Manager review.
2. Code Services Program
  - a. City Staff completed database creation and file organization
  - b. Nearly prepared to hire a Code Officer. communicating with other cities on the possibility
3. Most Improved Yard
  - a. Councilor Drill organizing as time allows

**Community Development Coordinator Projects**

1. Falls City Thrives Non-Profit – Earned tax free status. begun work on Clinic building
2. Old Clinic – Contract in place and work beginning to restore
3. Pocket Park – Volunteers from FC thrives and the steering committee working on this
4. Safe Routes to School – Application draft reviewed, final product to be complete by July 30
5. Committee Handbooks – Prototypes complete. need to duplicate and disseminate
6. Website Overhaul – Complete. but adding a historical documents page through CLG grant

**Backflows**

1. Testing- Standard Operations
2. Beginning planning process to pursue appropriate repair options after July 1.

**Chamberlain Rd. Repair**

1. Timber companies provided approximately \$70,000 in pledge funds
2. Polk County pledged \$28,000 in-kind match
3. Immediate Opportunity Fund application submitted to ODOT

**Currently on Back Burner**

1. Valley of the Giants Access – Mayor and RARE working on this
2. Business Outreach for old Dump Site
3. Lower Park Skate Park
4. Surplus Vehicles/Equipment – will resume in July/August timeframe

Please advise if you have additional inquiries. Thank you!

Sincerely,

Macahan "Mac" Corthell, JD  
City Manager  
Falls City, OR

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TO CITY COUNSEL

Exhibit C

HAVING CLEAN UP DAY AND YARD SALE ON THE SAME WEEKEND IS JUST PLAIN STUPID.

IF YOU WANT TO PARTICIPATE IN CLEAN UP YOU CAN'T HAVE A YARD SALE. IF YOU WANT TO HAVE A YARD SALE YOU CAN'T HELP WITH CLEAN UP.

YOU HAVE TO HAVE THE YARD SALE A WEEK OR 2 BEFORE CLEAN UP DAY SO THE JUNK YOU CAN'T SELL OR GIVE AWAY CAN GO TO THE DUMP.

IF YARD SALE DAY IS AFTER JUNK DAY YOU KEEP STUFF YOU THINK YOU CAN SELL. IF IT DON'T SELL YOUR STUCK WITH IT A WHOLE YEAR.

YOU HAVE TO PUT A NOTICE IN THE WATER BILL OF WHAT YOU'RE GOING TO DO. IT IS NOW TOO LATE TO HAVE IT IN JUNE IT HAS TO BE IN JULY SO YOU CAN NOTIFY PEOPLE WHAT IS HAPPENING.

IF YOU DON'T PUT AN AD IN THE PAPER YOU WON'T GET PEOPLE FROM SALEM AT THE YARD SALE. THE HALF DOZEN PEOPLE YOU GET FROM SALEM WILL BUY MORE STUFF THAN ALL THE LOCAL PEOPLE COMBINED.

ITS NOT ROCKET SCIENCE ITS JUST COMMON SENSE

RECEIVED

JUN 01 2020

JW

# Exhibit D

**Jamie Ward**

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**From:** jonandstacischwarz@yahoo.com  
**Sent:** Friday, July 3, 2020 6:44 PM  
**To:** Jamie Ward  
**Subject:** Backflow devices

Greetings,

My name is Jon Schwarz and we live behind the fire dept.

My question is this, I have been really struggling with the idea of even having a backflow device on my side of the meter. I believe it should not be the homeowners responsibility if the city uses it for preventative maintenance. There are too many people that do not need to be saddled with such a device and overall maintenance of such device. I have worked in landscaping and have called our surrounding cities and have recieved the same answers from dallas and salem and independence and monmouth, any house that does not have an active irrigation line installed in line with a city water source does not require a backflow device. There are other stipulations such as factories or buildings that use caustic chemicals. We do not have any irrigation that requires a backflow and I am sure, more people besides myself agree that it is overkill. The water supplied to homes is under pressure and on gate valves. Which means that when the faucet or valve is shut there is no way for water to backflow into the drinking water. I would like the ordinance for mandatory backflow on dwellings without irrigation please.? Since this is required by all falls city residents I believe we should have some sort of rights when it comes to forced maintenance on a device we don't really need. Thank you for your time

Best Regards,

Jon Schwarz Sr.  
154 3rd st  
Falls city OR. 97344

*Sent from my LG Mobile*

Exhibit E

JUN 1 2020

JW

June 14, 2020

Dear Mayor Macahan Cortshell,

I read the article in ProPublica and thought I might reach out to you. It seems from the article you struggled for a long time trying to get a meeting with the Timber executives about the road you wanted to improve in Falls City, but they were only willing to meet with you when you said you would close the road. It seemed like they came to the table to try to strong arm you by demanding you get a grant and that they would only pay for half of it. Might I remind you that you have all the power in this situation? They are trying to push a small town mayor around when they have millions upon millions of dollars in the bank. Making money off your citizens, your roads, your land, and your community. I dare say you have much more leverage than what you think, but you need to believe in yourself when you come to the table to negotiate. These tactics have been perfected by executives and people in power for centuries, and playing their game is what allows you to take back control. I can see you are concerned about not getting the grant money, but they are using that to their advantage. They love that you are ringing your hands wondering how you're going to get the money, wasting your time, which buys them more time, all while making money in the process. Meanwhile, they are sitting on piles of cash. You can use the road as leverage to get what it is you want. Will they then use their lobbyists to try to limit your power? Possibly. But isn't it better to be respected by the citizens of your community as someone who is truly fighting for their best interests by taking a hard stand against a bully. All they care about is money, and you care about something so much more, which gives you leverage.

I would urge you to take a harder stand against them and make them pay for what your community is entitled to. Lead the way. If you have success other mayors and communities in the area will be knocking at your door asking how you did it. Create a community led coalition to fight for what you deserve, which means writing to the state legislators, your representative, the governor etc... get the community involved by having post cards available during community events. Work the PR side of things by getting community involvement and education the community of how the timber industry to ravaging your resources without paying taxes to build better schools, homes, and roads. The approach should be nice and polite, but stand your ground and don't budge. I'm happy to jump on the phone if you want to talk more. You have the power and I know this is a job you took because you care, now just take on the powerful interests.

Bria Smith  
971-401-3874

Falls City, OR Code of Ordinances

Section	
93.01	Open burning
93.02	Use of fire equipment
93.99	Penalty

**§ 93.01 OPEN BURNING.**

(A) No trash, grass, brush, or waste material of any kind shall be openly burned within the city in an unguarded manner and without the attendance of some competent person in actual attendance at the burning, and in control thereof.

(B) During any season when a burning permit is required, no person shall openly burn any trash, grass, brush, or waste material of any kind without first obtaining a permit from the Fire Chief for the burning, as herein prescribed.

(C) Each person desiring to openly burn any material herein referred to shall first apply for and receive from the Fire Chief a permit for the fire, the issuance of which shall be discretionary with the Fire Chief with due regard to existing fire hazards. The Fire Chief shall make any rules and regulations for burning with a permit as he or she shall deem appropriate. Each person obtaining a permit shall be given notice of the rules and regulations under which the permit is issued, and any violations of the regulations shall be deemed a violation of this section.

(D) The Fire Chief shall establish the seasons during which a permit shall be necessary and may delegate the function of issuing permits hereby imposed upon him or her to any city official as he or she may designate. The Fire Chief may waive the requirement of obtaining a permit during nonhazardous seasons.

(E) The Chief of the Fire Department may, at all reasonable hours, enter any building, except a private dwelling, for the purpose of providing for fire prevention and protection in connection with hazardous materials, processes, and situations. Upon finding any fire hazards existing, he or she may require the removal or correction of the hazards. Any person failing to take the measures as may be required in order to eliminate a fire hazard within 30 days after he or she is served with a written notice by the Fire Chief, containing a detailed statement of the corrections to be made, shall be deemed in violation of this section and, upon conviction, punished as herein provided.

(F) The Fire Chief is hereby appointed as a Deputy City Marshal for the purpose of enforcing this section and other fire protection ordinances and, in connection therewith, shall have all the powers and obligations incidental thereto, including the power and authority of the City Marshal to make and affect arrests.

(Ord. 285, passed 11-5-1962) Penalty, see § 93.99

**§ 93.02 USE OF FIRE EQUIPMENT.**

(A) No person shall deface, molest, or injure any property now belonging to or hereafter to be owned by the city.

(B) The bell now in place on the tower located on Block T in the First Addition to the city, or any bell hereafter to be placed in this tower by order of the City Council, shall be known