

City of Falls City
City Council Regular Meeting Minutes
December 13, 2018 6:00 PM.
Meeting Location: 320 N Main Street, Falls City, Oregon 97344

Council Present: Lori Jean Sickles, 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 6:01 pm.
2. **Roll Call** Clerk Inman took roll call. Councilor Drill excused.

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 D. Sickles and seconded by Councilor L. Sickles to adopt the consent agenda. Motion carried 5-0-0. Ayes: Lori Jean Sickles, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn.

5. Announcements

- a. Election Results; Congratulations to Councilor Meier, Councilor Drill, and Councilor L. Sickles for another term on City Council. Congratulations to Mayor Gordon on his election as Mayor of Falls City.
- b. **Falls City Photography Contest**, open to all, photos due to City Hall by January 15, 2019.
 - i. Photo Contest Rules and Entry Agreement can be found on fallscityoregon.gov
- c. **Falls City awarded \$150k** to overlay portions of 5th, Fair Oaks, Boundary and Wood Streets.
- d. Falls City received DEQ approval of the Supplemental Environmental Protection Project to remove blackberries and junk from the riverside adjacent to the Mill Lot. The City is working on a follow up project with the high school forestry class to replant trees and plants around town. The initial start date for the DEQ project is in May. The timeline for the school follow up project is not set.
- e. Falls City Council and Staff attend Free Training
 - i. On November 10, 2018 Mayor Gordon, Councilors D. Sickles, Lauder, Flynn, and Meier, Assistant Clerk Inman, and City Manager Corthell attended a 4-hour training session at the Falls City Community Center. Veteran City

Manager Scott Diereckson of Woodburn and Executive Director of Mid-Willamette Valley Council of Governments Sean O'Day provided training. The training included Council roles and responsibilities, Staff roles and responsibilities, Council-Staff relations, and Council-Citizen relations training.

- ii. On November 28, 2018 Mayor Gordon, Councilor Meier, Assistant Clerk Inman, and City Manager Corthell attended Elected Essentials Training hosted by the League of Oregon Cities. This was a full day of training reviewing the responsibilities, authority, and limitations of City Councilors and Staff.

- f. The Polk County Law Enforcement Levy early renewal was placed on the ballot by the Polk County Commission. Falls City Staff will be working to have the District Attorney, Sheriff, and County Commissioners to the January or February Council Meeting to provide further information.

- g. Public Works Committee Meetings moved back to 6:00 pm the third Thursday of the month, at the Falls City Community Center.

- h. Regular Council Meetings moved back to 6pm, second Thursday of the month, at Falls City Community Center.

6. Community & Government Organizations

- a. Polk County Cemetery Savers

Lloyd Collins with Polk Cemetery Savers preserves Pioneer Cemetery. There is little information about these cemeteries, he makes a map and gives it to Bollman Funeral Home. Mr. Collins presented a slideshow of the work they have done. See (Exhibit A.) The Lower Cemetery will be done first with a workshop May 18, 2019 8:00am-12:00pm. The first workday is May 21, 2019 from 8:00am-12:00pm and will last for 8-10 weeks. Mayor Gordon will work with staff to recruit volunteers. They have five regular people that volunteer. D2 biological cleaner is all that is used. All headstones are hand washed. Councilor Lauder asked if the headstones are sealed after cleaning. Mr. Collins said the headstones cannot be sealed they need to breathe; they soak moisture from the ground. The Upper Cemetery would be scheduled the following year.

- b. Falls City Public Works Report November 2018
No Comments

- c. Falls City Fire Report November 2018
No comments

- d. Polk County Sheriff's Officer Report November 2018

Councilor Flynn asked Sheriff Garton how often they are going to Green Haven RV Park and has it lessened over the last year. Sheriff Garton responded that it is less than it used to be. Mayor Gordon asked Sheriff Garton if he had a time scheduled to come and talk about the levy. Sheriff Garton said there is a timeline in what the Commission can do. Greg Hansen presented the ballot title and filed it with the County Clerk. The City would then become aware of any ballot title objections by January 1 2019. Details of the levy will not change. Sheriff Garton said he could give information out on questions. Councilor Flynn told Sheriff Garton the traffic on Fridays for the produce giveaway has slowed down since they are putting cones up. Sherriff Garton was aware of the slower traffic from during the produce giveaway from City Manager Corthell.

7. Proclamations & Recognition

- a. A Certificate of Appreciation to Scott Derickson and the City of Woodburn was presented by Mayor Gordon for his exceptional service to the City of Falls City by volunteering his time to provide essential Council-Manager training to the City Council and City Staff.
- b. A Certificate of Appreciation to Sean O'Day and the Mid-Willamette Valley COG was presented by Mayor Gordon for his exceptional service to the City of Falls City by volunteering his time to provide essential Council-Manager training to the City Council and City Staff.
- c. A Certificate of Appreciation to Vicki Wyatt was presented by Mayor Gordon for volunteering her time and her Lean-6-Sigma Black Belt Certification to facilitate and guide the Falls City Fire Department and City Staff in a process building session that was at once efficient and effective.

8. Communications

None

9. Consent Agenda

A motion made by Councilor D. Sickles and Seconded by Councilor L. Sickles to adopt the consent agenda and the approval of bills. Motion carried 5-0-0. Ayes: Lori Jean Sickles, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn.

10. Public Comments

Mark Jacques of Falls City spoke to Council regarding his concerns of a private conversation between himself and a City Staff member becoming public online. City Manager Corthell responded that almost everything that occurs at City Hall is public record. Mr. Jacques said he jumped through hoops trying to follow the Code for the noise. He said he has turned his music down. Mr. Jacques said he was, told by Code Officer Birr if his music is not heard in someone's house it was within code. He says he has people with their phones out there reading decibels outside his house, which is not accurate to read decibels. He said he is down below code right now and was told the Code is being changed to complaints. Mr. Jacques was told by the Code Officer Birr, there were two complaints on November 11, 2018 for his music and he said he was not home. Mr. Jacques says he tries to keep everybody in mind with his music being too loud. Mayor Gordon appreciated Mr. Jacques for speaking and his comment is in the public records

and appreciates any efforts he has made to accommodate neighbors. Mayor Gordon says our code for noise ordinance requires a DEQ Certified Sound Technician and DEQ no longer has that program. Mr. Corthell said if there is a complaint about an employee, they could come to City Hall and write a complaint.

Sheriff Garton said he had 22 kids from Falls City participated in Shop with the Sheriff they all had around \$40.00 to spend on family at Walmart. Amy Houghtaling with FACES did a good job organizing this.

11. New Business

a. Resolution 30-2018 Fire Duty Truck

Mr. Corthell introduced the resolution 17-2018, back in July the City Council adopted a resolution authorizing the purchase of a fire duty truck. Since then a few items have come up. If the Fire Department can increase the capability of the truck which will end up costing an additional \$25,000.00 bringing the total price tag up to \$80,000.00 or 40% of expected income. The truck will increase capability to allow access calls in difficult areas. This would allow the City to participate in configuration employment bringing revenue to the City and the firefighters. Mr. Corthell recommends the City adopt this resolution 30-2018 Fired Duty Truck. This is part of a larger vehicle plan he has been developing with Chief Young that involves the surplus of three of our current vehicles. The Surplus Plan will be presented at the next meeting. The plan is to dispose of some vehicles and save some money on insurance. This is the start of our State Agreement for the Surplus of personal property, vehicles, heavy equipment, titled trailers & watercraft and authorizes the City Manager to sign agreement.

Chief Young brought Kent McKnight who does maintenance on the fire trucks. Chief Young thinks of the future and wants to provide good protection to the citizens. This truck will have an aluminum cargo bed installed. Cascade Cargo provides slip in units with 300 gallons capacity and a foam unit doubling the water capacity. In addition, it would service as a medical truck that would go on all the medical calls. There is a 5-year lease option. Chief Young thinks it will be a selling point for volunteers. It will cut down on maintenance on the bigger trucks. The Fire Department is actively applying for grants for air packs and turnouts. Mr. Corthell said that at the end of the levy the City would own the new vehicle. Chief Young said the Fire Department is training this spring for wildland firefighting. Mr. McKnight thanked the Council he thinks this will be a great improvement for the volunteers.

A motion made by Councilor Lauder and Seconded by Councilor Meier to adopt Resolution 30-2018 Fire Duty Truck. Motion carried 5-0-0. Ayes: Lori Jean Sickles, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn.

12. Tabled Business

a. Polk CDC Revolving Fund Allocation for CDFI

Mr. Corthell did more research on this topic. He is waiting on some responses from different organizations. He wants to know specific areas of concern from the Council. Councilor Meier asked if it could be put in an amount per person comparing to other cities. Mr. Corthell will wait to hear all questions from Council and then will put some numbers together. He will also put together a resolution with a couple of options.

13. Land Use

- a. PAR 18-20, partition of 3.04 acres at 830 Parry Rd to three Lots of Record

The Planning Commission is not able to act because of a lack of a quorum. Therefore, the Council must act as the Planning Commission for this application. Is there a motion for the Council to act in place of the Planning Commission?

A motion was made by Councilor Meier and seconded by Councilor D. Sickles that the City Council of the City of Falls City acts in place of the Planning Commission. Motion carried 5-0-0. Lori Jean Sickles, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn.

Mayor Gordon read the script for Partition Application 18-20 at 830 Parry Rd. aloud:

We will start the application by receiving a staff report. When the staff report has been presented, Council can ask questions of staff and deliberate on the application.

This is a partition to an approximately 3.04 acre parcel into three (3) parcels. Upon partition approval, Parcel 1 will measure 0.34 acres, 15,225 Sq. Ft. Parcel 2 will measure approximately 0.65 acres, or 28,449 Sq. Ft. Parcel 3 will measure approximately 2.05 acres or 87,120 Sq. Ft.

Falls City Zoning and Development Ordinance (FCZDO) section 3.203 requires a site design review for all new developments and major expansion or remodel of existing development under a Type I-B action. The planning Commission, or the City Council in the absence of a Planning Commission, review of type I-B administrative actions are based upon generally clear and objective standards with some discretion afforded to the review authority. Conditions may be placed on the decision and notice was sent to the applicant and property owners within the required notice area (100 feet of the subject site.) Appeal is to the Land Use Board of Appeals (LUBA).

Are there any questions among the Council about this process?

There was none.

Oregon Land Use Law also requires that the hearings body (City Council in this case) disclose conflicts of interest and ex-parte contacts that we have with the proposals or applicants- this is whether we have any financial or other personal interest in the proposal(s) and whether we have spoken with anybody about the proposal(s) outside of this public meeting. In addition, Councilors may only participate if they can do so without un-due bias either for or against either application.

Do any Councilors wish to make disclosures?

There was none.

Mr. Corthell presented the Staff Report as follows. This application must meet eight (8) criteria's for approval. The application has to meet, improve or condition the criteria to improve and meet the recommended criteria.

1. Blocks
2. Easements

3. Lots
4. Lot Grading
5. Building Lines
6. Large Lot Subdivision
7. Leftover Land
8. Open Space

Staff recommended the approval of Partition 18-20 and adopts the findings in the staff report.

A motion was made by Councilor Lauder and seconded by Councilor L. Sickles to approve PAR 18-20 the Motion carried 5-0-0. Ayes: Lori Jean Sickles, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn.

14. City Manager's Report

None

15. Mayor and Council Reports

Councilor D. Sickles thanked Public Works for their quick work done before a basketball game. The septic tanks plugged and they went and worked on it so the game could go on.

16. Adjourn

The meeting adjourned at 7:59pm.



Mayor, Jeremy Gordon

Attested: 

Assistant City Clerk, Rachel Inman