

City of Falls City
City Council Regular Meeting
Meeting Minutes
September 8, 2016
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

Staff Present: JoHanna Birr, City Clerk; Don Poe, Public Works Lead Worker

Mayor Ungricht called the meeting to order at 6:01 PM.

1) Roll Call

Clerk Birr took roll call. Councilor Bishop was absent. Councilor D. Sickles was late due to a school activity; he arrived at 6:36 pm.

2) Pledge of Allegiance

Mayor Ungricht led the pledge.

3) Motion to adopt the entire Agenda

A motion was made by Councilor Meier and seconded by Councilor Drill to adopt the entire agenda with the addition of Item I; Resolution 18-2016, A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF FALLS CITY AND OREGON PARKS AND RECREATION DEPARTMENT FOR THE LAND ACQUISITION GRANT TO EXPAND MICHEAL HARDING PARK. Motion carried 4-0-0. Ayes: Lori Jean Sickles Jennifer Drill, Tony Meier, Gerald Melin

4) Consent Agenda

A motion was made by Councilor Meier and seconded by Councilor Melin to adopt the Consent Agenda. Motion carried 4-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Gerald Melin

Council asked for clarification on the Paid Bills Report page 1, Richard and Patricia Hill. Mayor Ungricht explained it was for a modification in their land use application process. They are opting for a lot line adjustment forming only two lots as opposed to a subdivision application.

Sheriff Garton was time restricted with another meeting to attend. Mayor Ungricht obliged Sheriff Garton allowing him to speak during this portion of the meeting. There were no questions regarding the Sheriff's report. All activity has been about the same with little or no change. Polk County Crisis Response Team, consisting of a deputy paired with a mental health worker, started September 6, 2016. Salem Police Department is participating in this program as well.

Sheriff Garton announced Salem Police Department would be covering Polk County four days per week on calls. In turn, Polk County would be covering West Salem. This way 24/7 coverage will be possible for all areas. He reassured Council and attendees not to be alarmed if they should see marked Salem PD patrol cars in the area from time to time.

Sheriff Garton thanked the community for starting up the Neighborhood Watch program. He shared the next meeting to be held would be September 22 at 6:30 pm. In addition, September 21, HADIT (Healthy Alternative Drug Information Team) will be meeting at the Breadboard. Sheriff Garton will speak on perception and misconception of law enforcement and community. He pointed out that many callers reporting crimes wish to remain anonymous. Callers must give their

information to enable law enforcement to investigate and proceed to serve and protect the community. Lack of this basic information prohibits officers from moving ahead on reports of criminal activity.

Another program Polk County Sheriff's Office can now offer is a school liaison deputy. This Deputy will be available Monday through Fridays and cover Falls City, Bridgeport, Pee Dee, and Perrydale. This liaison will take reports from students and present educational materials. A key element of his role will be to build trust, communications and relationships with school-aged children. Jack Thompson, Falls City School District's Superintendent, HS Principal and Special Education Director was kind enough to offer a desk and office to the PCSO for this program's purpose. Brief discussion on DARE took place. Sheriff Garton said this program is virtually non-existent due to other more successful programs.

Council thanked Sheriff Garton for attending the meeting and sharing information.

5) Public Comments

None

6) New Business

A. Bridgeport Road

Mr. Lamb, an out of city limits resident of Falls City requested of Council to prepare a letter in support of paving a small gravel portion of Bridgeport Road. The length is approximately 1.5 miles. Dust abatement materials are costly and not effective to control safe levels of visibility. The road incurs heavy vehicle traffic including school buses and logging trucks as well as being the main artery for the south side of town.

A motion was made by Councilor Drill and seconded by Councilor Meier that Falls City Council grant its consent to have staff draft a letter for the Councilors to sign in favor of the Bridgeport paving project. Motion carried 4-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Gerald Melin

B. Resolution 17-2016, City Engineer Contract

Mayor Ungricht included the original city engineer contract and a revised contract in the Council packet (pgs. 46 and 69 respectively). Minor changes were made in negotiations with Westech Engineering. Previous Council action allowed staff to work to negotiate a contract with the engineering firm selected by the City Engineer Review Panel. Councilor Drill said she was not aware of these changes. Mayor Ungricht assured her they were more of a tonal nature in wording. Initially insurance was a point of concern, but after successful negotiation, it stayed the same. Councilor Drill suggested changes be clearly highlighted for Council in the future.

A motion was made by Councilor Meier and seconded by Councilor Melin to adopt resolution 17-2016, A RESOLUTION OF THE CITY OF FALLS CITY, OREGON AUTHORIZING THE APPOINTMENT OF WESTECH ENGINEERING, INC. TO SERVE AS CITY ENGINEER FOR THE CITY OF FALLS CITY. Motion carried 3-1-0. Ayes: Lori Jean Sickles, Tony Meier, Gerald Melin. Nays: Jennifer Drill

C. Wastewater Income Survey

Informational material on the Wastewater Income Survey included Portland State University's process and findings in relation to our low-income survey results. This survey was conducted in order to qualify for CDBG grant funding. Falls City results showed 55.15% low-income residents and surpassed the threshold of 51% needed to qualify. Councilor Drill thanked Mayor Ungricht for all of his hard work and effort on this project. Mayor Ungricht also included a thank you to Rose Bajorins, Councilor D. Sickles and Shane Curry.

D. OHA Water System Survey

The survey resulted in three deficiencies. 1) Rounding numbers improperly. Figures should not be rounded individually, but in total. 2) Cross Connection specialist not retained. Mayor Ungricht was aware of this issue and has been in contact with Oregon Utilities Association, which offers a weeklong training course in cross-connections. They also gave him names of professionals and contracting this position out is an option. This item will take the longest to correct due to training and costs involved. 3) Water Master Plan not in place. This is in process, and should be completed by the end of the year.

These surveys occur every five years unless deficiencies are found. Then it is performed every three years. There is not a fine, but these do pose a cost to the city each time they are done.

E. Committee Appointments

A motion was made by Councilor Drill and seconded by Councilor Meier that the Falls City Council grant its consent to appoint Janet Propp to the Parks & Recreation Committee. Motion carried 4-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Gerald Melin.

F. Boondocks Additional Privilege OLCC License

The Boondocks Bar and Restaurant has requested they be allowed to sell beer kegs to customers in the area. Currently Salem is the nearest place to purchase these. Local farmers host end of harvest parties and would like the convenience of buying beer beverages at the Boondock's site. Lori Jean Sickles recused herself, as she is co-owner of The Boondocks.

A motion was made by Councilor Meier and seconded by Councilor Melin that the Falls City Council recommend that OLCC grant The Boondocks the additional license type of limited On-Premise Sales and direct staff to sign the City Use Only section of the OLCC liquor license application. Motion carried 2-1-0. Ayes: Tony Meier, Gerald Melin. Nays: Jennifer Drill

Clerk Birr confirmed the motion carried after reviewing "An Overview of Falls City's Municipal Government; A Guide for City Council". This League of Oregon Cities Hand Book publication was last revised on March 13, 2013 and kept with the Clerk at all meetings as a quick reference. Clerk Birr read aloud for Council; "Quorum, Four Councilors are needed to make a quorum and conduct business at a meeting. For most items, a majority vote of those present is needed for passage." This rule corresponds with the Falls City Charter- Section 13.

G. Declaration of Emergency

Informational material was provided in the packet on Resolution 18-2014, A RESOLUTION ADOPTING THE FALLS CITY EMERGENCY OPERATIONS PLAN, and the adopted plan itself. Councilor Drill has emergency items she would like to go over in detail with Council's review at a work session meeting. She thanked Mayor Ungricht for the overview. Mayor Ungricht reminded her materials to be included in a packet are due in advance.

H. Code Enforcement

Mayor Ungricht has been speaking with the City attorney about a citizen panel for code enforcement issues. This panel would oversee cases of code violations, which resulted in non-compliance and a citation issued. The panel could consist of one person, such as the City of Detroit uses or a three-person panel. A part time code enforcer would be required to act on our complaint

driven system, negotiate compliance, issue citations, refer to panel etc. Citation recipients would have the right to an appeal process with the Sixth Circuit Court. Fines would result in legal lien against the property in violation. Mayor Ungricht and the City Attorney estimate it would cost \$1,500.00 to \$2,000.00 to bring our Ordinances into line with this type of arrangement versus our current court based system.

Mayor Ungricht asked Council for direction and preference on the Code Enforcement panel size. Councilors Meier and Drill voiced favoritism for a three-person panel to ensure fair balance. Councilor Drill thanked Mayor Ungricht and Council for working so hard on this issue.

A motion was made by Councilor Drill and seconded by Councilor Melin that the Falls City Council instruct staff to work with the City Attorney to develop Ordinances that set up a process for a volunteer panel to hear code enforcement cases. Motion carried 5-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Gerald Melin, Dennis Sickles

I. Resolution 18-2016, Acquisition of Falls City Alliance Property

This resolution would allow the City of Falls City to enter into a grant agreement with the Oregon Department of Parks and Recreation for the maximum amount of \$85,000. This would allow the City to reimburse itself to the Revolving Loan Fund. Past administration had granted to loan the Falls City Alliance money from the Revolving Fund for the acquisition of land adjacent to Michael Harding Park in order to "Save the Falls". This loan has been in default causing the City to make payments on behalf of the Alliance.

There would be a few incidental costs involved with a title company, title insurance and new loan papers.

A motion was made by Councilor Drill and seconded by Councilor L. Sickles that the Falls City Council approve Resolution 18-2016, A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF FALLS CITY AND OREGON PARKS AND RECREATION DEPARTMENT FOR THE LAND ACQUISITION GRANT TO EXPAND MICHEAL HARDING PARK. Motion carried 5-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Gerald Melin, Dennis Sickles

Correspondence, Comments and Ex-Officio Reports

A. Mayors Report

Mayor Ungricht announced the Community Development Block Grant application is in process and he will be asking for the maximum amount of \$2.5 million for the Wastewater project.

B. Council Reports

Councilor Drill inquired if staff had researched designated parking signs. Mayor Ungricht responded that he had not. The Sheriff would like some trees removed in certain areas and "Closed at Dusk" signs posted in the parks. Mayor Ungricht apologized he did not make a note to check into parking signs. This item would be discussed at an upcoming Parks and Recreation meeting with information brought back to Council. Mayor Ungricht has spoken with Mr. Lauder and Mr. Propp about an affordable solution to close off parking in Michael Harding Park.

The ongoing trash situation at Green Haven RV Park was discussed. Mayor Ungricht said it would be best to negotiate with them to ensure they are operating in accordance with their CUP (Conditional Land Use Permit) agreement. Mayor Ungricht this is the best starting point for change. He invited Councilor Meier to spearhead the compliance project. Councilor Meier would work with the Bowmans and coordinate with staff to set up a spreadsheet for RV movement and other compliance issues. Councilor D. Sickles asked Councilor Meier how he felt about this role. Councilor Meier said something must be done and accepted the assignment.

Another issue is that Green Haven does not have multipliers on their water service unlike other multi-unit properties on the system. This would be a future issue the City could address. As it is, Green Haven is getting a very good deal noted Mayor Ungricht.

A motion was made by Councilor L. Sickles and seconded by Councilor Melin to appoint Councilor Meier to coordinate with staff to ensure Green Haven Complies with their Conditional Land Use Permit. Motion carried 5-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Gerald Melin, Dennis Sickles

All are welcome to attend a Town Hall Meeting on September 22, 2016. Sheriff Garton will be there. Topics include Green Haven RV Park, Emergency preparedness and Neighborhood Watch. An emergency sanitation kit was purchased and put in Fire Department storage. Councilor Drill read aloud a very detailed email regarding a legislative update on emergency preparedness from Senator Boquist.

Councilor Meier would work with staff and focus on regulations of Green Haven's CUP agreement.

Councilor Melin said the EDC committee is very excited and looking at a family friendly yearly event. He asked that name suggestions for the event be given to Patti Sample.

Councilor D. Sickles proposed City Council meeting times be changed to 7:00 pm through the election cycle as it conflict with his position as Athletic Director at the school. Councilors agreed a time change to 7:00 pm would be convenient.

7) Council Announcements

October 13, 2016 at 7:00 PM is the next City Council meeting.

8) Adjourn

The meeting adjourned at 7:20 pm.

_____ Mayor Terry Ungricht

Attested: _____ City Clerk JoHanna Birr