



City of Falls City

299 Mill St • Falls City, Oregon • 97344
Ph. (503) 787-3631 • www.fallscityoregon.gov

PUBLIC NOTICE: City Council Meeting

Date: Monday, June 22, 2020 **Time:** 6:00 pm

Location: The FC Community Center, Telephone, Web Application, in writing

How to Attend and/or Participate:

1. **In-Person:**
 - a. Falls City Community Center, 320 N. Main St. Falls City, OR 97344
 - b. 20 Person Maximum Capacity
1. **Call-in:**
 - a. (425) 436-6370, Code: 251514(#)
 - b. You will be muted, but may "raise your hand" to indicate you wish to comment. Please visit freeconferencecall.com for a tutorial
2. **Web Application:** Download the Freeconferencecall.com web application
 - a. Meeting ID: manager3208
 - b. You will be muted, but may "raise your hand" to indicate you wish to comment.
3. **Write-In:** Using regular mail or email.
 - a. info@fallscityoregon.gov; 299 Mill St. Falls City, OR 97344

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AGENDA

1. CALL TO ORDER & ROLL CALL

Jeremy Gordon, Mayor ___ Dennis Sickles ___ Lori Jean Sickles ___

Jennifer Drill ___ Tony Meier ___ Cliff Lauder ___ TJ Bailey ___

2. PLEDGE OF ALLEGIANCE

3. MOTION TO ADOPT THE ENTIRE AGENDA

4. NEW BUSINESS

a. Sewer Rate Study Presentation – Donovan Enterprises ----- pg. 1-15

b. Friday Market Vendor License ----- pg. 16-20

c. Upper Park Alcohol Permit-----pg. 21

5. CITIZEN COMMITTEES

a. Reconvening in July!

6. **ADJOURN**

STAFF REPORT

TO: HONORABLE MAYOR, AND CITY COUNCIL
FROM: CITY MANAGER, MAC CORTHELL
SUBJECT: SEWER RATE STUDY & USER RATES
DATE: 6/22/2020

SUMMARY

The City's Sewer Rate Study Consultant, Steve Donovan, will present the findings of his study and make recommendations for short and long-term rate adjustments.

INTRODUCTION

In 2017 the City was awarded a Community Development Block Grant from the Department of Housing and Urban Development. The grant is purposed to provide the design, engineering, and environmental study necessary to replace the City's current "slow sand filter" sewer treatment facility with a lagoon style system. The new system will achieve the twin aims of getting effluent off the High School Football field, and position the city to expand the system to the south side of town in order to create economies of scale.

The current 2017 CDBG-HUD grant also provides funding for a sewer rates study to determine how to fund the construction of the new system. The city is currently eligible for approximately \$2.1 million in additional CDBG-HUD funding. However, the construction of the lagoons and acquisition of the necessary property will cost approximately \$4 million, leaving a gap of at least \$1.9 million (and that assumes award of the additional CDBG funds, which is not a guarantee).

In early 2020 the City engaged with Donovan Enterprises, a well-known and highly respected firm with a long history of conducting high quality utility rate studies. The City's consultant, Steve Donovan, has conducted the mentioned study and is here to present his findings as well as proposed next steps and a path to funding the new system.

RELVANT COUNCIL ACTION

Rates reviewed and changed in June, 2017.

ALTERNATIVES/FINANCIAL IMPLICATIONS

Steve Donovan Presentation.

STAFF RECCOMENDATION

Adopt the rate increase as presented in the resolution.

PUBLIC HEARING ON RATE INCREASE: ORS 294.160

Mayor: This public Hearing is an opportunity for any member of the public to comment on or make requests regarding the proposed resolution increasing user rates for sewer service.

I will open the public hearing for raising the City service fees at _____pm.

Public Comments;

I will close the Public Hearing for raising City service fees at _____pm.

EXHIBIT

A- PowerPoint Presentation from Donovan Enterprises

B- Resolution 16-2020

PROPOSED MOTIONS

I move that the City Council of Falls City adopt Resolution 16-2020, A RESOLUTION PARTIALLY RESCINDING EXHIBIT 2 OF RESOLUTION 12-2017, AND ADOPTING NEW MONTHLY SEWER RATES ON JULY 1, 2020

Falls City
Wastewater Rate Study
City Council Briefing
June 8, 2020

Prepared by:



Today's Agenda



- Why we are here today
- What we want from you
- Draft financing plan for the new facultative wastewater treatment lagoon system
- Neighboring communities' utility rates
- Next steps
- Questions & comments

Why We are Here Today



- The STEP/STEG system was built in the mid 1980's (35+ years old). Current plan is to replace the existing RGF/drain field system with a facultative lagoon treatment system.
- Sources and uses of project funding:

Sources of Fund:

Balance of CDBG award not yet spent	\$ 2,100,000
Local community match funding (loan proceeds)	<u>2,000,000</u>
Total sources of funds	4,100,000

Uses of Funds:

Facultative lagoon WW Treatment project	\$ 4,100,000
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- Estimated project completion date is June 30, 2023
- We have formulated a financing and rate strategy to fund the new lagoon system. We will share that analysis with you today.
- This rate study is funded from CDBG funds; a requirement of the grant.

What We Want From You



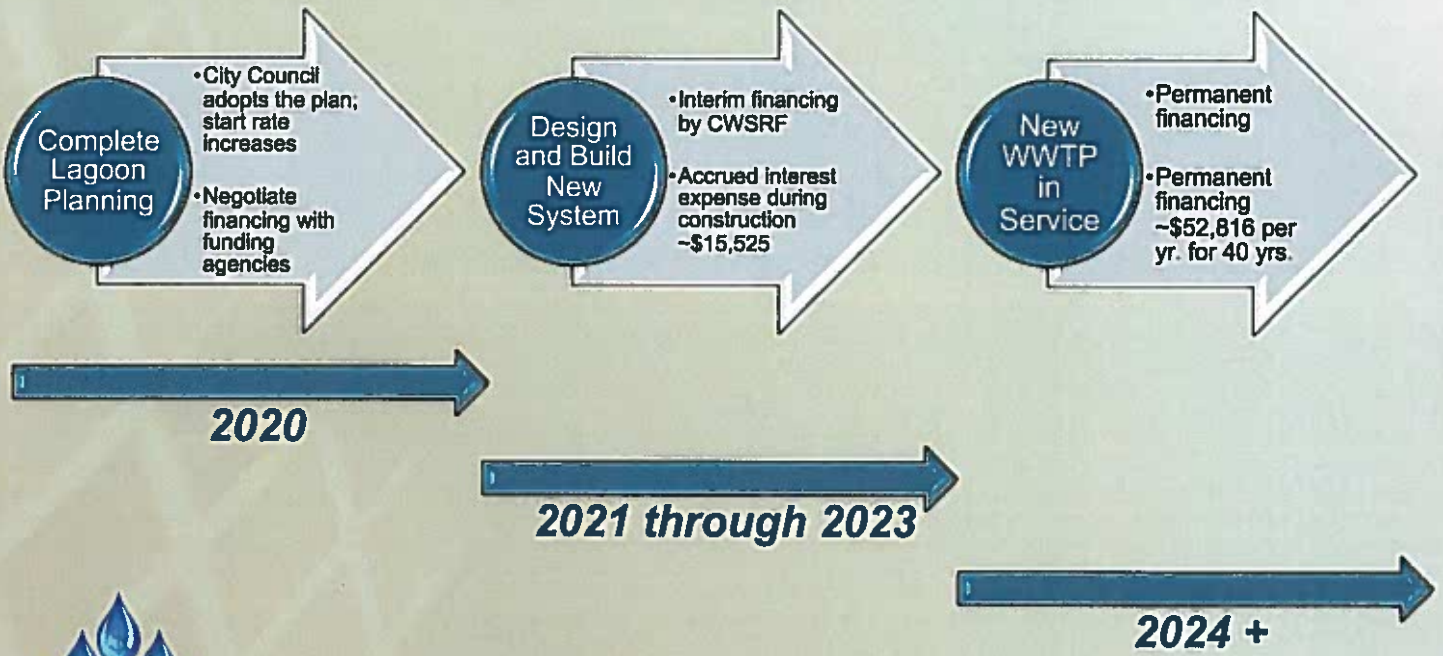
- No legislative action is needed now, but, at the end of this presentation, we will ask you for direction.
- A key element of our funding strategy is “levelized” annual wastewater rate increases. We are recommending a start date for this strategy on July 1, 2020.
- We want feedback from you on our draft financing and wastewater rates strategy

Draft WWTP Financing and Rates Plan

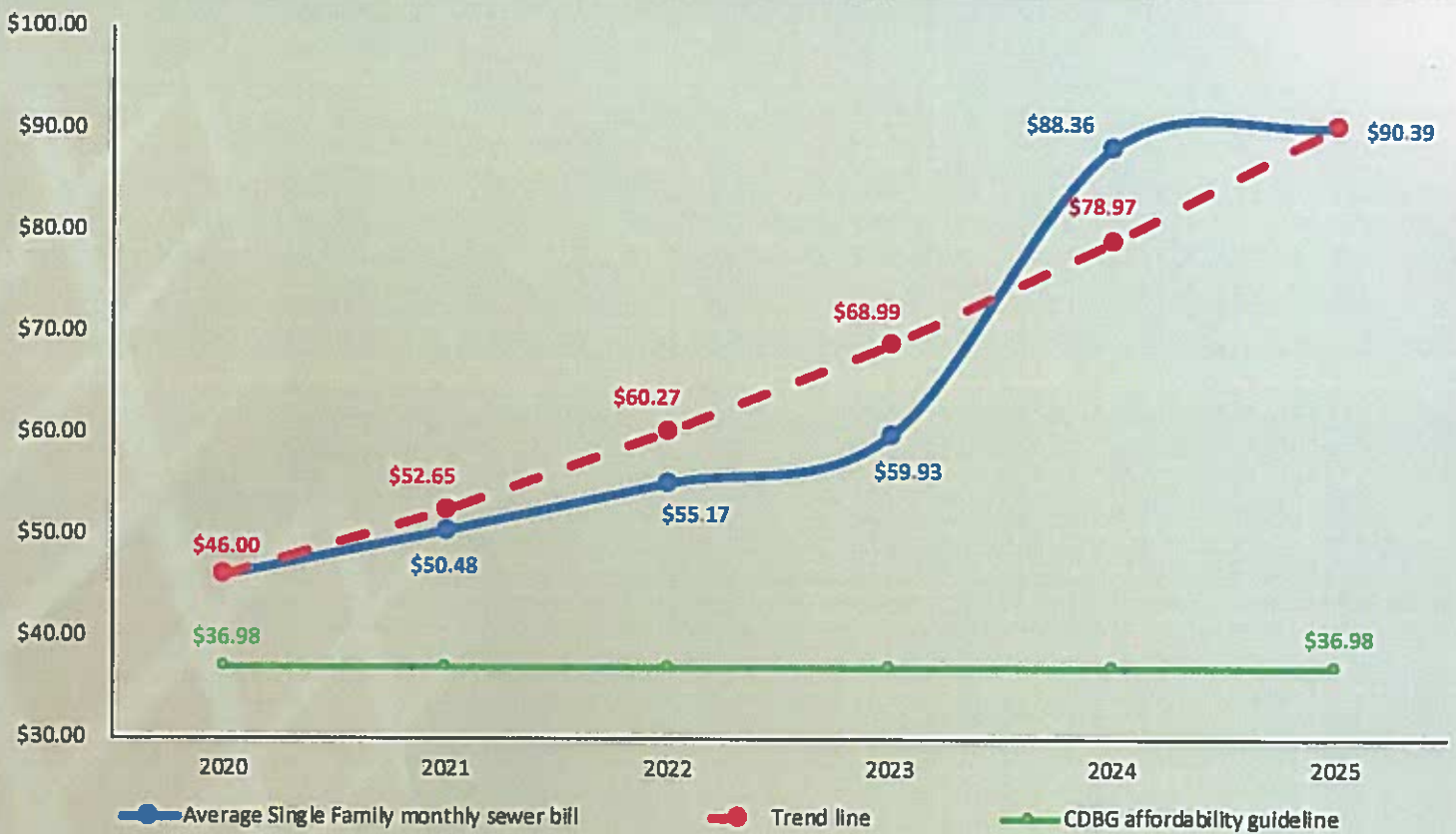


- Assumptions:
 - ✓ Three (3) year design/build schedule for lagoon location and construction starting late 2020. Construction completed by June 30, 2023.
 - ✓ For the loan, interim financing provided the Oregon DEQ's Cleanwater State Revolving Loan Program. Current terms are 0.69% APR, no administration fees. At end of construction, principal outstanding is "taken out" by permanent financing.
 - ✓ Permanent financing provided by USDA Rural Utility Service 40-year water/wastewater loan. Current terms are 2.25% APR.
 - ✓ For this analysis, we have assumed no new grants.

Draft Schedule for the Project



Rate Implications of the WWTP Financing Plan

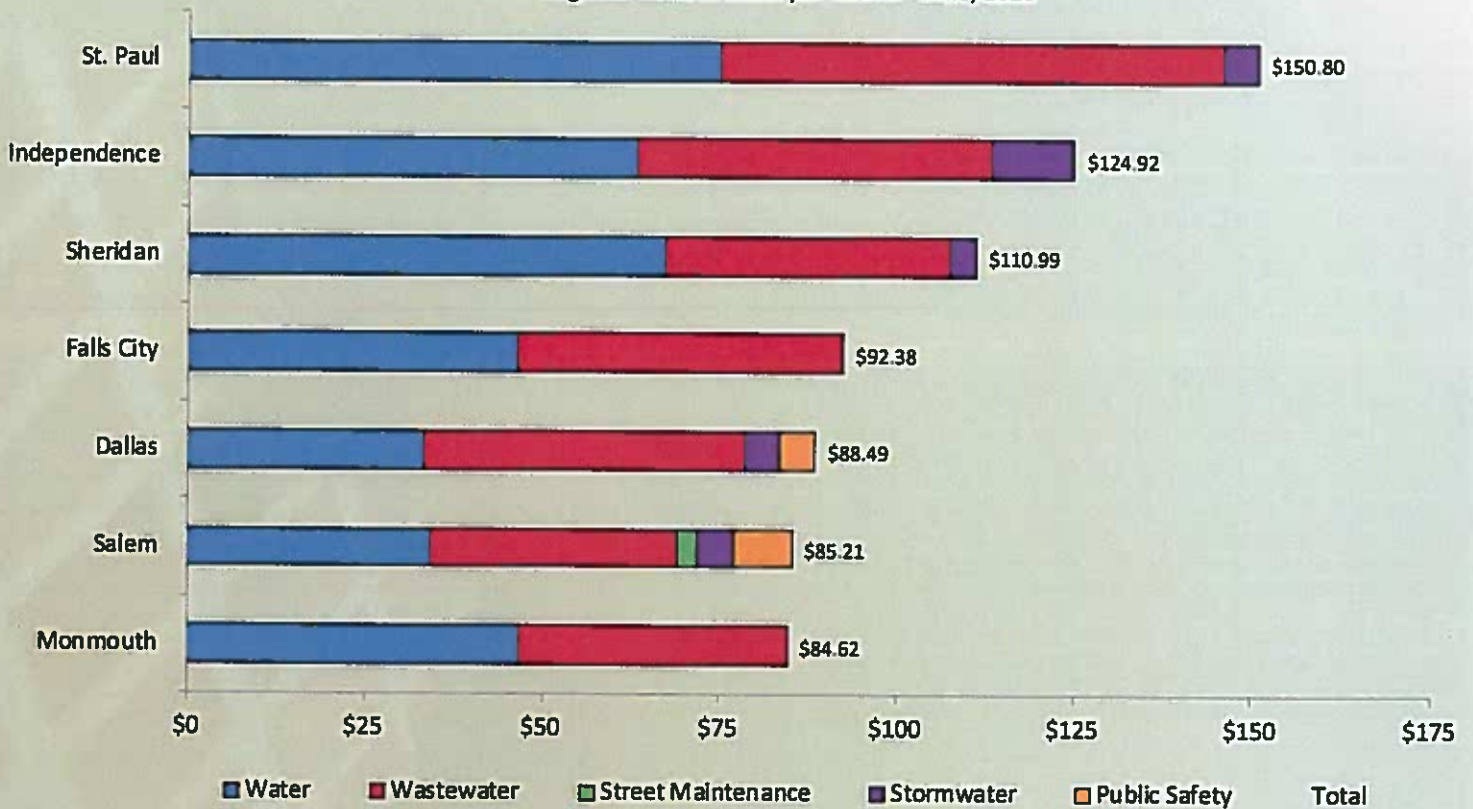


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Neighboring Communities' Utility Rates



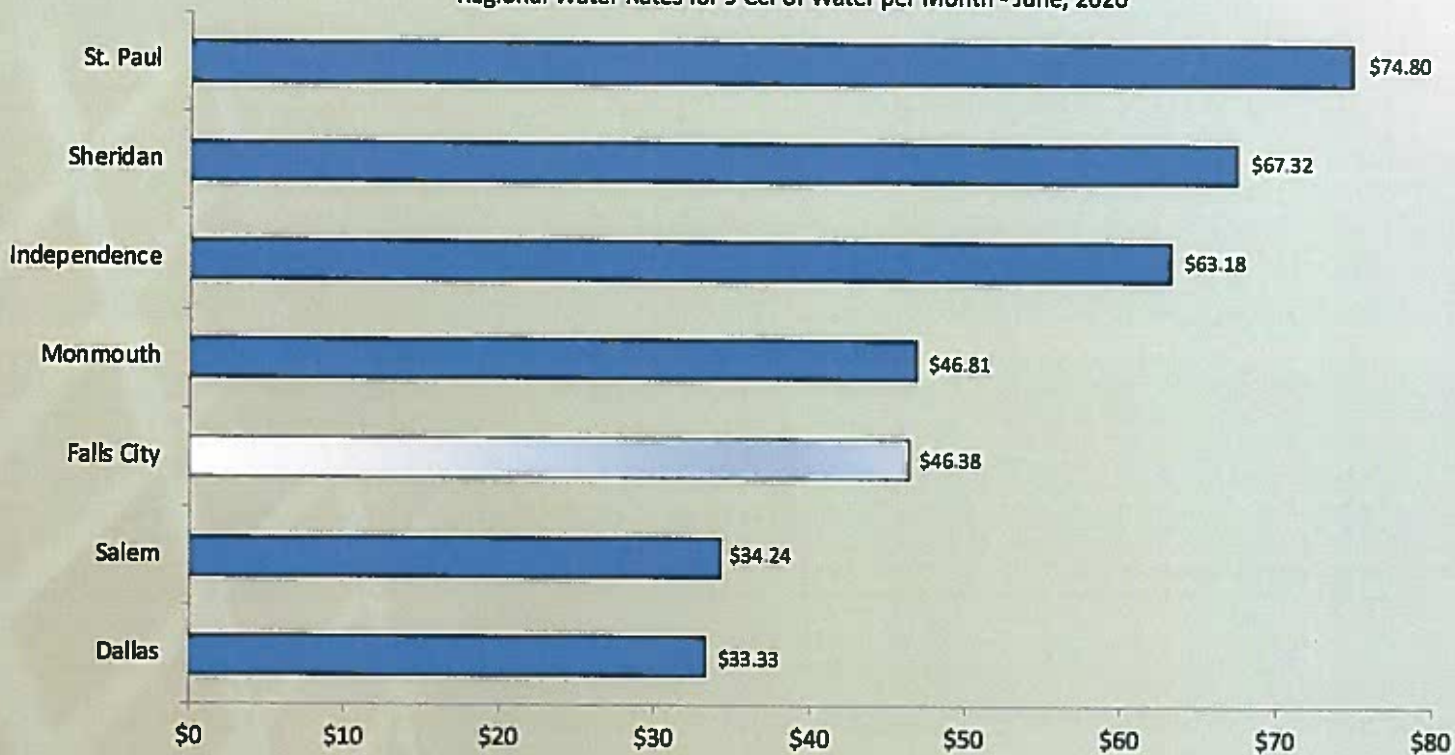
Regional Utilities Rates per Month - June, 2020



Neighboring Communities' Utility Rates



Regional Water Rates for 9 Ccf of Water per Month - June, 2020



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Neighboring Communities' Utility Rates



Regional Wastewater Rates for 5.5 Ccf of Winter Average Monthly Flow - June, 2020



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Next Steps



- Continue work on the lagoon plan and advise the Council on progress.
- Continue work on the wastewater rate study; should be completed by the end of August 2020.
- Recommendations:
 1. Program in a general wastewater rate increase for July 1, 2020; raise the current rate from \$46.00 to \$52.65 per month.

Questions



RESOLUTION 16-2020

**A RESOLUTION PARTIALLY RESCINDING EXHIBIT 2 OF RESOLUTION 12-2017,
AND ADOPTING NEW MONTHLY SEWER RATES ON JULY 1, 2020**

WHEREAS, the City Council of Falls City realizes the need to establish fair and equitable sewer rates and charges; and

WHEREAS, the City of Falls City has not adjusted sewer rates and charges since 2017 via Resolution No. 12-2017 dated June 7, 2017; and

WHEREAS, the City of Falls City has started a master planning effort for the wastewater collection and treatment system that will call for the relocation and replacement of the City's wastewater treatment works at substantial cost to the City and its sewer ratepayers; and

WHEREAS, the City of Falls City was awarded a Community Development Block Grant to fund the design and planning work related to new wastewater treatment works; and

WHEREAS, ORS 294.160 requires a public hearing before fees can be increased; and

WHEREAS, the required public hearing was held prior to adoption of this resolution, on June 22, 2020; and

WHEREAS, the Falls City Council has determined the rates, charges, and schedule set forth in this resolution are appropriate and in the best interest of the City.

NOW THEREFORE, THE CITY OF FALLS CITY RESOLVES AS FOLLOWS:

Section 1. The City of Falls City hereby adopts the following sewer rates by categories. The referenced monthly sewer rates will go into effect on July 1, 2020.

Service Category	Flat Monthly Rate
Residential (RS1)	\$ 52.65
Commercial (CM1)	\$ 52.65
Apartments (APT) each unit	\$ 52.65
Elementary School (ELE)	\$ 323.91
Falls City High School (FHS)	\$ 323.91

ADOPTED BY THE FALLS CITY COUNCIL ON THIS 22nd DAY OF JUNE, 2020.

VOTE: AYE____ NAY____ ABSTAIN____ ABSENT____

Jeremy Gordon, Mayor

Date

ATTEST:

Jamie Ward, City Clerk

Date

STAFF REPORT

TO: HONORABLE MAYOR, AND CITY COUNCIL
FROM: CITY MANAGER, MAC CORTHELL
SUBJECT: FRIDAY MARKET VENDOR'S LICENSE
DATE: 6/22/2020

SUMMARY

A proposal to adopt a vendor's license known as a "Friday Market vendor license."

INTRODUCTION

Frink's General Store has proposed a "Friday Market" hosted on their private commercial property each Friday between April 1 and September 1, from 9am – 3pm. City Staff reviewed the request and found that the current temporary business license rules will not allow for operation throughout the proposed date range due to a limit of 90 days continuous licensure, and up to 180 days of total licensure with a required 30 consecutive day break.

This gap in the temporary business license ordinance would result in "Friday Market" vendors being required to obtain a full business license with council review and associated fees in order to operate throughout the Friday Market season.

City staff feels requiring a full license would work an inequity to potential vendors who would only be operating up to approximately 15 Fridays per year, for 6 hours at a time, and would stunt the potential for success of the "Friday Market."

In light of this, City staff is proposing a special vendor license issued specifically for operation as part of the Friday Market. In order to ensure equity amongst the City's commercial entities, the license would be available for operation on any commercially zoned property within the city, limited to Fridays, from 9am-3pm, from April 1 to September 1 of a given year.

ALTERNATIVES/FINANCIAL IMPLICATIONS

Costs to process one of these applications is equal to the proposed charges associated with a "within Polk County" license.

STAFF RECCOMENDATION

Adopt the Friday Market Vendor's License.

EXHIBIT

A- Friday Market Vendor License & Application
B- Resolution 17-2020

PROPOSED MOTIONS

I move that the City Council of Falls City adopt Resolution ??-2020, A RESOLUTION CREATING A "FRIDAY MARKET VENDOR LICENSE."



Friday Market Vendor Application & License

Once approved, this license allows the named vendor to operations during the hours of the Friday Market (9am – 3pm) on Fridays between April 1, 2020 and September 1, 2020.

Vendors are only authorized to operate on private property, zoned for commercial activity, and with the consent of the property's owners. All vendors agree to comply with all relevant laws and rules of the United States, the State of Oregon, the County of Polk, and the City of Falls City.

<p>_____</p> <p>Business/Vendor Name</p> <p>_____</p> <p>Contact Name</p> <p>_____</p> <p>Mailing Address</p> <p>_____</p> <p>City State Zip Code</p> <p>_____</p> <p>Phone</p> <p>_____</p> <p>eMail</p>	<p>Vendor Fees (Check One):</p> <p><input type="checkbox"/> \$10- Falls City Resident Vendor</p> <p><input type="checkbox"/> \$15- Polk County Resident Vendor</p> <p><input type="checkbox"/> \$20- Outside Polk County Vendor</p> <ul style="list-style-type: none">• The City of Falls City is providing this vendor license as a "Temporary Business License" for the purpose of operating during the Friday Market Only.• Vendors may only operate on private, commercially zoned property, and only as permitted by the property owner. No use of public property is allowed without the express written consent of the City of Falls City.• Please complete the application and deliver, mail, or email to: City of Falls City – 299 Mill St. Falls City, OR 97344; info@fallscityoregon.gov
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Address of Location Where Vending Will Take Place _____

1. Upon approval, this application will become your Vendor license. Please keep it on hand at all times while conducting vendor operations.
2. All vendors must provide a certificate of liability insurance to the city with this application to be considered.

Vendor Rules & Information

All Vendors: This license only authorizes you to operate and conduct your business on commercially zoned, private property, with consent of the property owner. Additionally, you may only operate on the date(s) and times of the Friday Market as outlined above.

Cost: All vendors agree to pay the appropriate fee to the City of Falls City.

The City of Falls City
Phone: (503) 787-3631
www.fallscityoregon.gov

Exhibitor's Space: The city makes no promises nor guarantees regarding the availability and/or size of vendor space. Vendors will be responsible to secure their own space with a private property owner.

Cancellation & Refund Policy: Cancellations or changes must be requested at City Hall at 299 Mill St. Falls City, OR 97344. Upon review and approval by the City of Falls City Manager, a refund may be granted.

Licenses: Any and all licenses including city, county, state, or federal inspections or permits required by law of any exhibitor in the installation or operation of said vendor is the sole responsibility and expense of the signing exhibitor prior to vendor setup. Commercial, Information and Retail Vendors are covered under the City of Falls City. Food Vendors must contact the Polk County Health Department at 503-623-8175 to file for the appropriate food handling and serving permits and licenses.

Fire Hazard Restrictions: All exhibits must comply with appropriate fire regulations. For information and/or details, contact the Falls City Fire Department at 503-787-3767.

Liability & Insurance (READ THIS!!!!!!):

Vendor must provide the city with a certificate of liability insurance. Vendor releases the City of Falls City, and their respective directors, officers, employees and agents (the "Indemnitees") from liability for damage to or loss of Exhibitor's equipment, stock and other personal property, and agrees to defend, indemnify and hold the Indemnitees harmless from all claims, liabilities, demands, damages or actions, of whatever form or nature, arising from or relating to Exhibitor's participation in Friday Market, including costs and attorney fees incurred in defense thereof.

Restrictions / Guarantees: City of Falls City shall process all requests and has the right to deny a vendor license for any lawful reason. City of Falls City reserves the right to revoke a vendor license, without refund, if it is not in compliance with the terms and conditions of this agreement or any other rule or law. The City of Falls City makes no representations or guarantees concerning any matters connected with the Friday Market event, except as expressly set forth in this agreement.

The undersigned applicant or authorized agent has read and understood the above Vendor Agreement and agrees to comply with all criteria and conditions. The undersigned swears or affirms that they are legally authorized to commit and/or encumber the business named herein to conform to all laws and rules, and all terms of this agreement.

Signature of Applicant or Authorized Agent

Date

Staff Use Only

- Completed Application Location Zoned Commercial Fee Paid, Amount \$ _____
 Vendor Fee Waived for Non-Profits and Government Entities.

This Vendor License is hereby approved and entitles the vendor to operate their business, subject to all terms stated and/or referenced in this application/license.

Jamie Ward, City Clerk

Date

RESOLUTION 17-2020

A RESOLUTION RAISING CURRENT SEWER RATES AND IMPLEMENTING AUTOMATIC INCREASES AS DELINEATED HEREIN.

Whereas:

1. The City of Falls City requires a business license in order to conduct business within the city limits; and
2. The City's current business licensure options would require each vendor to obtain a full business license to operate at the Friday Market; and
3. The City Council wishes to support community development and recreation within the City of Falls City; and
4. Requiring a full license would tend to discourage vendors who wish to participate in the "Friday Market"; and
5. Discouraging vendors would tend to curtail the potential of the "Friday Market" and associated tourism, thus working against the Council's goals associated with supporting recreation in the city.

NOW THEREFORE, THE CITY OF FALLS CITY RESOLVES AS FOLLOWS:

Section 1. Friday Market Vendor Permit.

1. Any business with a Falls City Business License, current at the time of operation, may conduct business operations without a Farmer's Market vendor Permit.
 - a. A Falls City Business Licensee may operate in a vendor capacity on any commercially zoned property, Fridays between April 1 and September 1, between 9am – 3pm, with permission of the property owner.
 - b. A Falls City Business Licensee is approved to operate at any address that is commercially zoned, subject to the provisions of item "a" above. This is an exception to the requirement for Council approval of operations at an addressed other than that on the Business License.
2. Any business that does not have a Falls City Business License is required to obtain a Friday Market Business Permit, prior to conducting Friday Market Business.
 - a. Friday Market Business Permits will be obtained by submitting an application and the appropriate fee to City Hall.
 - b. Friday Market Business Permits will allow a vendor to operate exclusively: on private, commercially zoned property, on Fridays between April 1 and September 1, between 9am – 3pm, with permission of the property owner.

Section 2. Restrictions.

1. A vendor license shall not be assignable by the licensee. Licensees shall conduct business at the address stated on their application and none other, unless written consent has been received from the City.
2. A vendor license shall not be construed to permit any illegal activity. Licensed vendors are subject to all laws and rules of the City, County, State, and Federal governments.

Section 3. Revocation.

1. A vendor license may be revoked by the City Council or City Manager upon failure of the licensee to comply with any terms of this resolution and/or the vendor application and license.

Section 4. Fees.

1. Application Fees will be \$0 for Government & Non-Profit Entities, \$10 for Falls City residents, \$15 for Polk County residents, and \$20 for outside of Polk County residents.
 - a. These fees are subject to change at the will of the City Council.

Section 5. Nature of Vendor License.

1. The "Friday Market Vendor License" serves for all intents and purposes as a Business license and only authorizes business on commercially zoned private property.
2. Procurement of a "Friday Market Vendor License" does not guarantee an opportunity to operate, nor does it provide a right of entry to any property.
 - a. All relationships, agreements, and risk associated with operations under the license rest solely and exclusively with the vendor and private property owner.

Section 6. Effective Date.

1. This resolution becomes effective upon passage.

ADOPTED BY THE FALLS CITY COUNCIL ON THIS 22nd DAY OF JUNE, 2020.

VOTE: AYE____ NAY____ ABSTAIN____ ABSENT____

Signed:

Jeremy Gordon, Mayor

Date

Attest:

Jamie Ward, City Clerk

Date



City of Falls City
Park Reservation Request Form/Application
299 Mill Street, Falls City, Oregon 97344
Phone: 503.787.3631 Fax: 503.787.3023
www.fallscityoregon.gov

Date of Application: 06/11/2020
Organization/Applicant Name: City of falls City
Contact Person for Organization: Jamie Ward
Address: 299 Mill St City/State/Zip: Falls City, OR, 97344
Phone number: 503.787.3631 Alternative Phone Number: 971.304.5555
E-mail address: jward@fallscityoregon.gov
Nature of Event: Don POC's Retirement
Estimated Attendance: 50
Date Requested for Event: 06/26/2020 Time Requested-from: 4:00pm to: 8:00pm

- Rental of the Gazebo?
- Will Alcohol be served? Requires approval of City Council.
- Will there be monetary gain if Alcohol is served (donations/sale or tip jar)? Requires OLCC License.
- ADDITIONAL LIABILITY requirement for all Gazebo rentals and for any event that offers alcohol. An Insurance Rider naming the City of Falls City as an additional insured is required for all paid rentals and for all events that serve alcohol.**
- Will there be overnight camping? Requires approval of the City of Falls City.
Describe camping requirements: _____
- Will there be use of amplified sound equipment? Requires approval of the City of Falls City.
- Is power required? Specify use: _____

I have read, understand, and agree to the guidelines and regulations stated in the "The City of Falls City Park Rules for Use" and policies regarding use of the Park. By my signature, I agree to hold harmless and indemnify the City of Falls City, its officers, agents and employees for all claims arising from the use of park facilities resulting in bodily injury, property damage or personal injury, including but not limited to, settlements, judgments, costs and attorneys' fees.

Applicant's Signature Jamie A Ward Date: 06/11/2020

For Staff Use Only:	
Approved/Denied _____	Date: _____
Payment Type: Cash <input type="checkbox"/> Check <input type="checkbox"/> Check #: _____	Receipt #: _____
<input type="checkbox"/> Confirmation given to applicant	<input type="checkbox"/> Posted on calendar

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