

Notice of Public Meeting

City Council Meeting

AGENDA

CITY OF FALLS CITY, OREGON

Meeting Location: 320 N Main Street, Falls City, Oregon 97344

Thursday November 8, 2018 7:00 p.m.

Posted November 6, 2018

1. Call to Order

2. Roll Call

- a. Jeremy Gordon, Mayor _____ Dennis Sickles _____ Lori Jean Sickles _____
Jennifer Drill _____ Tony Meier _____ Charlie Flynn _____ Clifford Lauder _____

3. Pledge of Allegiance

4. Motion to Adopt the Entire Agenda

5. Announcements & Appointments

Announcements

- a. Falls City Staff has been awarded the League of Oregon Cities and City County Insurance Services Gold Safety Award for zero injuries in FY 201-2018.
- b. The Polk County Sheriff's Office Sub-Station is officially open for business. The station is not manned, but provides a much needed location for Deputies to conduct investigations, interviews, write reports, get out of the rain, eat lunch and use the restroom. A sign formalizing placement of the Station has been placed near the Flag Pole at the Fire Hall.
- c. Public Works Committee Meetings moved to 7pm in September, October, and November; they will still be on the 3rd Thursday of the month at the Community Center.
- d. The next regular Council meeting will be held on December 13, 2018 at 7pm in the Community Center.

6. Community & Government Organizations

- a. Falls City Public Works Report October 2018.....pg. 1
- b. Falls City Fire Report September 2018.....pg. 2-3
- c. Polk County Law Enforcement Levy Informationpg. 4-9
- d. Polk County Sheriff's Officer Report October 2018.....pg. 10

7. Communications

- a. Letter from Kathy Kuelback to Council Re: Guest RV Parkingpg. 11
- b. Email from Wanda Duncan Re: paving of Sheldon St.....pg. 12
- c. Email from Rose Bajorins regarding Tiny Homespg. 13

The City of Falls City does not discriminate in providing access to its programs, services, and activities on the basis of race, color, religion, ancestry, national origin, political affiliation, sex, age, marital status, physical or mental disability, or any other inappropriate reason prohibited by law or policy of the state or federal government. Should a person need special accommodations or interpretation services, contact the City at 503.787.3631 at least one working day prior to the need for services and every reasonable effort to accommodate the need will be made.

8. Consent Agenda

- a. Approval of the Bills pg. 14-18
- b. Approval of October 11, 2018 Council Meeting Minutes pg. 19-23

9. Public Comments: This is the time set for Citizens to address the Council regarding items not already on the agenda.

- a. Please limit your commentary to five (5) minutes or less.
- b. Please state your name and city of residence for the record.

10. New Business: Members of the public wishing to comment on items of new business must sign up at the podium near the entry prior to commencing this portion of the agenda. Comment time may be limited by Mayoral prerogative.

- a. Resolution 28-2018 Worker’s Comp for Volunteers
 - i. Staff Report..... pg. 24
 - ii. Resolution 28-2018 pg. 25-27
- b. Notice to Council of 2nd RV Permit at 456 Pine St.
 - i. Staff Report..... pg. 28-29

11. Tabled Business:

- a. Polk CDC Revolving Fund Allocation for CDFI
 - i. Agenda Report pg. 30-31

12. City Manager’s Report

13. Mayor and Council Reports

14. Executive Session

- a. The Falls City Council will go into Executive Session to conduct employee performance evaluations under ORS 192.660(2)(i). **All discussions are confidential and those present may disclose nothing from the Session.** Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. **Executive Sessions are closed to the public.**
 - i. Executive Session Script pg. 32
 - ii. Executive Session Tracking Sheet pg. 33
- b. The Falls City Council will go into Executive Session to consider dismissal, discipline, or to hear complaints or charges brought against a public officer, employee, staff member, or individual agent who does not request and open hearing. This executive session is authorized under ORS 192.660(2)(b). **All discussions are confidential and those present may disclose nothing from the Session.** Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. **Executive Sessions are closed to the public.**

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i. Executive Session Tracking Sheet pg. 34

15. Adjourn

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Public Works Staff Report for October, 2018

Monday, 1 Did ditch work most of this week, Tuesday & Wednesday on Sheldon, all so repaired sewer cleans out on 239 Pine.

Thursday, 4 Unplug sewer line 196 Prospect, DEQ paper.

Friday, 5 Finish the week out with ditch work on woods.

Saturday, 6 & Sunday, 7 Routine water & sewer.

Monday, 8 Work on grades hydraulic system, also had to replace alternator.

Tuesday, 9 Put new alternator on grader, park maintenance,

Wednesday, 10 Water service installation on Carry Court.

Thursday, 11 Had so problems with service had to shut main line off, then went to Corvallis with water sample, delivered boil water notices.

Friday, 12 Ditch work on Fifth.

Saturday, 13 & Sunday, 14 Routine water and sewer.

Monday, 15, Tuesday, 16, Wednesday 17 Ditch work on Fifth, Alder, Pine, also on Monday Hach calibrated turbidity analyzers, chlorine delivery at WTP.

Thursday, 18 Finish Pine graded and rock, took chlorine by-products samples.

Friday, 19 Repair septic tank riser at 273 Mill.

Saturday, 20 & Sunday, 21 Routine water and sewer.

Monday, 22 & Tuesday, 23 Ditch work Fair Oaks, Alder and Montgomery.

Wednesday, 24 Meter reading, went to Tangent, grader cutter blades, Salem for meter box on Carry Court.

Thursday, 25 Meter rereads, Luckiamute had water leak on Bridgeport RD. drew down clear will at WTP.

Friday, 26 Repair another clean out in Pine.

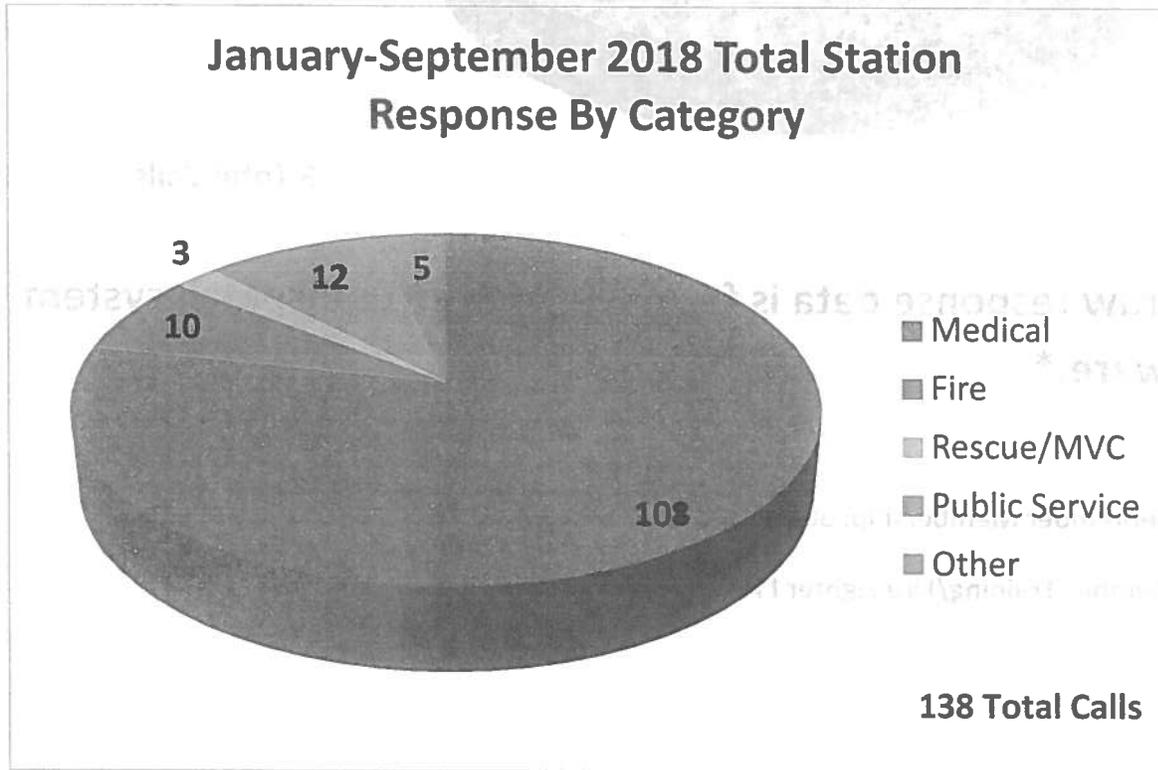
Saturday, 26 & Sunday, 28 Routine water and sewer.

Monday, 29 WTP problems, intake plug up, clear well empty out, clean intake, filling all day.

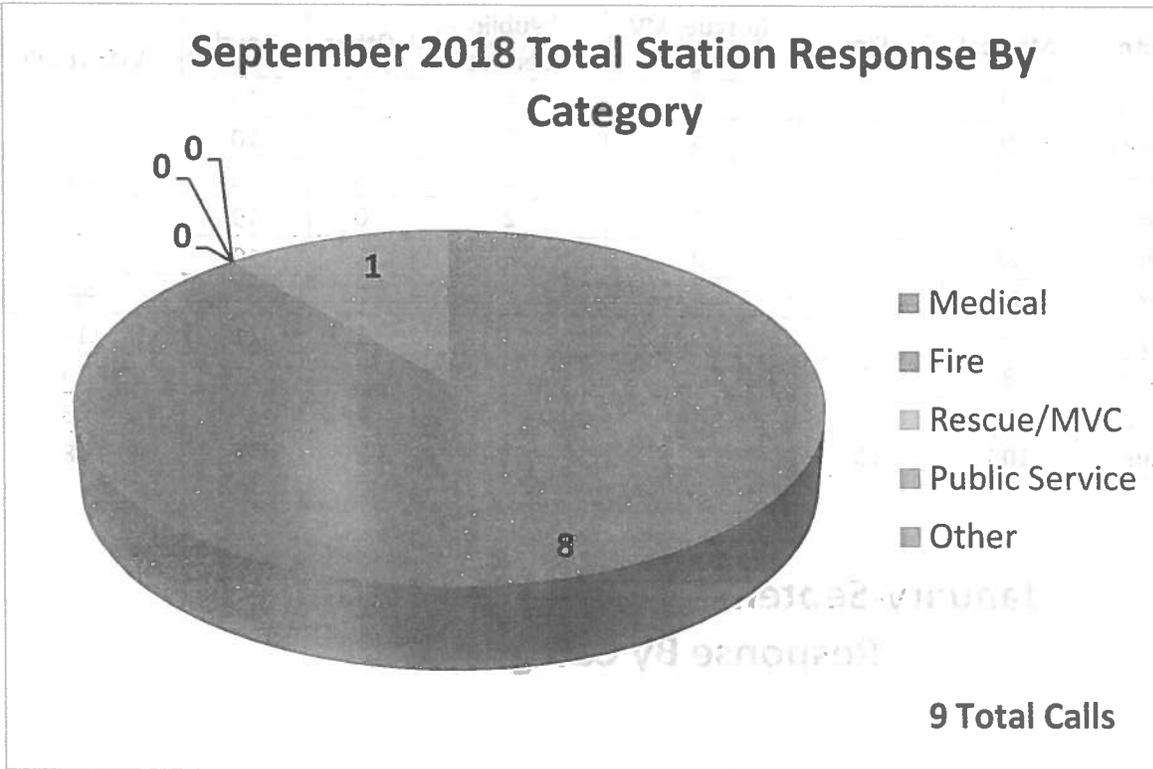
Tuesday, 30 Filling water tanks, intakes.

Wednesday, 31 Luckiamute was doing a repair, drain all the water out clear well and some out of city's reservoir, I to shut off water to their water system.

Month	Medical	Fire	Rescue/MV C	Public Service	Other	Total	YTD Totals
January	9	1	0	0	0	10	10
February	9	0	0	1	0	10	20
March	23	0	0	0	3	26	46
April	13	3	1	2	0	19	65
May	12	3	0	4	0	19	84
June	11	0	0	1	0	12	96
July	15	1	2	3	1	22	118
August	8	2	0	1	0	11	129
September	8	0	0	0	1	9	138
Totals	108	10	3	12	5	138	138



All raw response data is from our Active911 dispatch system software.



All raw response data is from our Active911 dispatch system software.

Total September Membership: 30 volunteers

New Member Training/Fire Fighter I Academy began September 12

POLK COUNTY PUBLIC SAFETY OPERATING LEVY

TO PROTECT THE INVESTMENT WE HAVE ALL MADE INTO OUR SAFETY AND TO ENSURE CONTINUITY OF CRUCIAL LAW ENFORCEMENT SERVICES TO ALL OF POLK COUNTY WE MUST RENEW THE ORIGINAL PUBLIC SAFETY LEVY, AS ITS NEARING ITS END.

CURRENT LEVY – AVERAGE COST PER YEAR HAS BEEN .33 CENTS PER THOUSAND OF ASSESSED VALUE

- ✓ 12 PATROL DEPUTIES
- ✓ 5 FULL TIME EMPLOYEES IN THE JAIL (3 DEPUTIES/2 CIVILIAN SUPPORT STAFF)
- ✓ 5 FULL TIME EMPLOYEES IN THE DISTRICT ATTORNEY'S OFFICE (3 PROSECUTORS AND 2 LEGAL SUPPORT STAFF)
- ✓ CURRENT LEVY CAP – UP TO .45 CENTS PER THOUSAND OF ASSESSED VALUE

Has it worked?

Sheriff's Office and Jail

- ✓ 24/7 Patrols
- ✓ 71% increase in calls vs. before levy
- ✓ Responds to over 24,000 calls per year
- ✓ Over 10,000 calls would not have been answered, but for the levy
- ✓ More Deputies on the road = Our roads are safer
- ✓ School Resource Deputy = Our children are safer
- ✓ Mobile Crisis Response Team = Delivers critical mental health services in the moment
- ✓ More efficient programming and supervision of inmates while in jail

Polk County Inter-Agency Narcotics Team (POINT)

- ✓ Over 9 lbs of Meth & Heroin taken off of the streets
- ✓ Over 200 arrests and convictions
- ✓ 180 major drug dealing cases opened, thus taking hard core drug dealers off of the street
- ✓ 12 illegal weapons seized

District Attorney's Office

Since passage of the levy:

- ✓ Allows over 800 more prosecutions per year, a 66% increase
- ✓ Increase of over 200 (105% increase) DUII arrests and prosecutions
- ✓ 170% increase in drug cases (286 in 2015 vs 773 in 2017)

More Prosecutors allows participation in:

- ✓ Mental Health Court
- ✓ Sexual Abuse Response Team
- ✓ Elder Abuse Team
- ✓ Increasing Victims' Rights

Even with more prosecutions and lengthy prison sentences from the District Attorney's Office, the Polk County Sheriff's Office and the District Attorney's Office continue to focus on crime prevention and ways to reduce recidivism through various programs that would not have been possible without the levy. Those programs include:

- ⇒ Multi-Disciplinary Teams
- ⇒ Threat Assessment Teams
- ⇒ School Deputy program, including crime prevention and education programs for youth
- ⇒ Mobile Crisis Response Team (MCRT)
- ⇒ Mental Health Court ✓
- ⇒ Drug Court ✓
- ⇒ Jail Treatment Program (starting October 2018 ✓)

Polk County is a safer community with the levy in place. Because of the levy, the Polk County Public Safety System is more effectively able to deter and prevent crime, arrest and prosecute criminals while providing a professional level of service; all the while being accountable to the people, we serve.

Has it worked?

YES, it has worked, and is working, and we want the levy to continue serving our community. Please help us keep Polk County safer by supporting the renewal of the levy in May 2019.

PUBLIC SAFETY OPERATING LEVY KEY FACTS:

1. A 5 year Public Safety Levy passed by voters in May 2015 for up to .45 cents per thousand of assessed value for properties in Polk County.
2. This levy allowed for the hiring of 22 Full Time Employees (FTE) between the Sheriff's Office and the District Attorney's Office in addition to the rental of two (2) juvenile detention beds. Below is a breakdown of the hiring within the Sheriff's Office and District Attorney's Office:
 - 12 Patrol Deputies
 - 5 FTE in the Jail (3 Deputies/2 Civilian support staff)
 - 5 FTE in the District Attorney's Office (3 Prosecutors and 2 Legal Support staff)
3. The levy allows for up to .45 cents per thousand to be assessed to properties in all of Polk County. The board of commissioners have applied any timber payments or money received from the Federal Government that was in lieu of O & C Timber Funds or Secure Rural Schools (SRS) funding to reduce the levied amount. (The county has not levied the full amount at any point during the operating levy. Below is a breakdown by budget year of the levied amounts (average of .33 cents per thousand per year):>
 - July 2015 through June 2016 .308* cents per thousand was assessed.
 - July 2016 through June 2017 .319* cents per thousand was assessed.
 - July 2017 through June 2018 .378 cents per thousand was assessed.
 - July 2018 through June 2019 .319* cents per thousand will be assessed

PUBLIC SAFETY LEVY KEY POINTS:

May 15th, 2015

- Voters passed the public safety levy – 56.3 % to 43.6%.
- Sheriff's Office first hire for the public safety levy was on May 16th, 2015.

July 2015

- 3 Deputy District Attorneys were hired

December 2015

- 2 legal support staff were hired in the District Attorney's Office

January 2016

- The Sheriff's Office went from 10 hours per day to 20 hours per day

September 2016

- The Sheriff's Office created the Mobile Crisis Response Team (Mental Health Response Team)
- The Sheriff's Office created a school resource deputy position ^{Falls City?}
- The Sheriff's Office created the only mobile electronic and computer lab in the county, which provides forensic services to all of the law enforcement agencies in Polk County.

July 2016

- The Sheriff's Office restored 24 hour patrols
- The Polk County Inter Agency Narcotics Team (POINT) was restored
- Sheriff's Office restored two courthouse security positions

July 2017

- All positions promised within the levy filled

**In year 1,2,3 and 4 of the levy, we received a small amount of federal timber payments, which as promised by the board of commissioners, offset the levied amount. Number denoted above are for the entire public safety levy that includes, PCSO, District Attorney and Juvenile Beds.*

Frequently Asked Questions

Why renew 1 year early?

To ensure continuity and not wait until the last moment, which will ensure staff won't be left to wonder and potentially leave for other agencies. We want to protect the large investment that we have all worked at since the passage of the levy in 2015.

How much does the current levy cost?

The original levy was approved to tax up to .45 cents per thousand of assessed value. Which means if you own a \$200k assessed value home, you could pay up to \$90 per year. The average tax assessed has only been .33 cents per thousand (\$66 per year for a \$200k assessed value home).

Will the new levy increase in cost?

No, we would propose that the maximum cost of the new levy remain the same, up to .45 Cents per thousand of assessed property value

How much has been levied thus far?

At no time have the commissioners levied the full amount that has been authorized. On Average: .33 Cents per thousand
1st year - .308 cents, 2nd year - .319 cents, 3rd year - .378 cents, 4th year - .319 cents

How many people did this levy allow to be hired?

The answer is 22. Specifically in the Sheriff's Office - 12 patrol deputies and 5 jail staff. In the District Attorney's Office - 3 prosecutors and 2 legal support staff

How much does it cost to train a new deputy?

The answer is just over \$144, 000 in the first year. This figure represents salary of the new deputy for 1 year, outfitting the new deputy with uniforms and equipment, salary of the field training officers (FTO) during the 12-16 weeks of field training and to backfill the vacant position while the new deputy is at the police academy for 16 weeks.

October 2018 Falls City Stats

Falls City Calls for Service					
	Harassment	Misc Crime	Susp Activity		
Assault					
Area Chk	FIR	Miss Person	Susp Person		1
Animal	Domestic Dist	Menace	Susp Vehicle		1
911 Hangup	Drug	EDP	Theft		
Burglary	FIR	Ordin Vio	Trauma		
Assist Other Agency	Fire/EMS	Overdose	traffic assist		
ATL (attempt to locate)	Follow up	prowler	Traffic Stops		3
City Ordinance	Illegal Park	runaway	Trespass		
Citizen Contact	Liq Vio	sex offense	Warrant		
Civil Paper Service	Gen Disturb	Shots Fired	Welfare Check		2
Crash	Harassment	Stolen Veh	Unclass		1

Falls City Calls for Service	69	Of the FC Calls for Service	7	involved crimes
Total Calls for Service (county wide)	1831	FC Cases Cleared by Arrest	3	42.9%
Falls City % of Total Calls	3.8%	Total Arrests in Falls City	3	2.2%
				of total arrests

Total Service Calls (Polk County)	1738	Junvenile Arrests	4	(county wide)
Cases Cleared by arrest	225	Crimes Occ	58.7%	
Total Arrests (county wide)	132	Junvenile Arrests	0	(Falls City)
	136			(only true crimes reported here)



To: Mayor and Council Members of Falls City, Oregon
From: Kathy Kuebelbeck - Temporary Resident of Falls City, Oregon
Re: Guest RV Parking

I am writing about the city zoning ordinance regarding guest parking an RV/camper on my parent's property. Bruce and Yvonne McCallum are my parents and reside at 550 West Blvd here in Falls City. I have recently moved from Minnesota to help my parents and had planned to purchase an RV/camper that I could use as my temporary home while I am here. My plan is to stay here for 2 years and then move back to Minnesota. Neither myself nor my parent's were fully aware of the ordinance regarding Guest RV/camper parking on private property within the City limits prior to my moving to Falls City. My father is disabled and my mother underwent major surgery a little over a year ago. My sister also resides in my parent's home and is also disabled. They do not have an extra bedroom. Having my own apartment in Dallas is not an option because my parents need me closer. I looked into parking a camper at the RV camp area in Falls City and can not see myself living there.

The ordinance as I understand it, will allow an RV/Camper on someone's private property as a guest for a total of 90 days maximum if approved by the council and a total fee of \$50. Yet, if needed in a hardship situation, the city, with council's approval will allow a temporary manufactured home, which will need to be removed in the event of my parent's selling their property.

The cost of purchasing a manufactured home along with permits, water, electricity and sewage that the city may require, is more than I or my parent's can afford, not to mention the expense and hardship of clearing and leveling land large enough for a manufactured home to be temporarily placed, along with a foundation.

I would be more than willing to pay a monthly permit fee for the length of time that I will be living here. I will be cooking and eating meals in my parent's home along with using their bathroom facilities. At the time of my moving, I had/have every intent on taking the camper with me.

I appreciate your attention on this matter and would also appreciate speaking to the council in person at their next City council meeting.

Feel free to contact me
email: klkuebelbeck@gmail.com
phone number: 320-221-3818

Mac Corthell

From: no-reply@parastorage.com
Sent: Friday, November 02, 2018 11:25 AM
To: mayorungricht@fallscityoregon.gov
Subject: New message via your website, from grannygadget@gmail.com

- **You have a new message:**
- Via: <https://www.fallscityoregon.gov/>
- **Message Details:**
 -
 - **Name** wanda duncan
 - **Email** grannygadget@gmail.com
 - **Subject** road pavement.
 - **Message** Dear falls city council members, I have been living here since 1990. there is 0.1 mile of pavement that needs to be finished from the front of my property to the city limits. it is a very busy road and lots of dust .my X husband got someone to pave from the old RR X to where it is now but they ran out of pavement right in the front of my house .that was about 1996 or 97. i have been waiting for 28 years to get pavement here, i had no Breathing problems then but now i have copd. and i would love to have some pavement at least to the end of sheldon to the ciyu limits. i am 80 yrs old .and i hope to see this in my lifetime. would love to set out front in the summertime and enjoy the summertime ,what i have left. thank you for reading this, i hope. i have contacted you a few years ago but had no reply. thank you. wanda Duncan 244 sheldon falls city, or. 97344
- **Sent on:** 2 November, 2018
- Thank you!

Mac Corthell

From: no-reply@parastorage.com
Sent: Saturday, November 03, 2018 10:54 AM
To: mayorungricht@fallscityoregon.gov
Subject: New message via your website, from bjvoyager@gmail.com

- **You have a new message:**

- Via: <https://www.fallscityoregon.gov/>

- **Message Details:**

-

- **Name** Rose Bajorins

- **Email** bjvoyager@gmail.com

- **Subject** input for possible city improvements

- **Message** Rose Bajorins 8:35 AM (2 hours ago) to citymanager Hi Mac, Hope all is well. Rose here. In response to your request for citizen input: Recently I have become very interested in the possibilities the SB 1051 legislation by the state might hold for the city of Falls City. That regulation, in the event you have not heard about it, (attachment enclosed) requires cities of more than 2000 people to allow accessory dwelling units (ADU's) on private property with a minimum of unnecessary regulation. This is being done to alleviate the housing crisis we are seeing through out the state. Not that the city is required to do so by state statute, but I think it would bring needed housing into our city, hopefully improving the availability of housing at an affordable cost, benefiting both property owners, future tenants, and the city (in potentially being able to asses more development fees and utilities; and having less of a problem with code enforcement.) At the very least it would help regulate and bring into the light what is already being done against code. If there were a better way, perhaps people would take advantage of it. I believe, taking as an example what is being done at the RV park as in their generally poor delivery of services; owners of our rather large in town lots, might want to use a little of their excess space to benefit themselves and those in need of decent housing, and I emphasize decent. Neighbors rights to the peaceful enjoyment of their premises would also have to be protected. I am also attaching a work sheet from the city of Bandon's planning department, in the hopes it might be of some help and interest, as I have attended one of their meetings. This is an example of how one city is progressing through the requirements. I don't know of any law that would stop Falls City from instituting some of these actions, as I know we have a lot of the same problems as larger jurisdictions do. I may not be adequately informed as to all of the road blocks to instituting this, but I present this in good faith as a suggestion to the council on how to make our city a better place to live. Also I would be more willing to serve on the planning commission, or a future one, and help bring one together to help institute and develop some of these guidelines. I think that proceeding along the lines of development of ADU's might create more interest in serving on the various commissions. Sincerely yours, Rose Bajorins (former FC code enforcement officer).

- **Sent on:** 3 November, 2018

- Thank you!

	Date	Memo	Account	Class	Amount
Campbell Communications Co.					
Total Campbell Communications Co.	10/09/2018	Inv OCT0218	Accounts Payable		-220.00
CIS Trust	10/09/2018	Community Center Letters	Community Center Maint/Repairs	01 GENERAL FUND:01.01 Administrative	220.00
					0.00
Total CIS Trust	10/09/2018	Inc FLC-12018-01	Accounts Payable		-566.51
Dallas Auto Parts	10/09/2018	Partial Yr Veh Insurance for Fire Tahoe	Vehicle Insurance	01 GENERAL FUND:01.07 Fire Departme	566.51
					0.00
	10/09/2018	Acct #3020; Svc Charge Waived by Conway	Accounts Payable		-388.45
	10/09/2018	Nitrile Gloves	Small Tools & Supplies	13 SEWER FUND	23.98
	10/09/2018	Public Works Truck	Vehicle Maintenance/Repair	20 WATER OPERATING FUND	51.74
	10/09/2018	Small Tools	Small Tools & Supplies	11 STREET FUND	35.31
	10/09/2018	Grader Parts	Equipment Maintenance/Repair	11 STREET FUND	44.17
	10/09/2018	Grader Battery (stolen, Polk Co S.O. #18-2042)	Equipment Maintenance/Repair	11 STREET FUND	233.25
					0.00
Total Dallas Auto Parts					
Edge Analytical					
Total Edge Analytical	10/09/2018	18-35587	Accounts Payable		-120.00
	10/09/2018	Lab Fees	Lab Analysis Services	13 SEWER FUND	120.00
					0.00
Total Edge Analytical					
Falls City School District #57					
Total Falls City School District #57	10/09/2018	inv# 1819002	Accounts Payable		-8,048.96
King's Pumping Service	10/09/2018	7/1/18-8/31/18 Library Costs	Professional Services	71 WAGNER RES. LIBRARY FUND 80%	8,048.96
					0.00
Total Falls City School District #57					
King's Pumping Service					
Total King's Pumping Service	10/09/2018	Inv 15-262 & 15-263	Accounts Payable		-928.38
Les Schwab	10/09/2018	Tank Pumping 15-262, 263	Tank Pumping	13 SEWER FUND	928.38
					0.00
Total King's Pumping Service					
Les Schwab					
Total Les Schwab	10/09/2018	inv 21600330818	Accounts Payable		-42.00
Mountain Valley Monitoring	10/09/2018	Grader Flat Repair	Equipment Maintenance/Repair	11 STREET FUND	42.00
					0.00
Total Les Schwab					
Mountain Valley Monitoring					
Total Mountain Valley Monitoring	10/09/2018	INV#2346	Accounts Payable		-90.00
Net Assets Corporation	10/09/2018	Security Monitoring Oct-Dec 2018	Professional Services	01 GENERAL FUND:01.01 Administrative	45.00
	10/09/2018	Security Monitoring	Professional Services	01 GENERAL FUND:01.07 Fire Departme	45.00
					0.00
Total Mountain Valley Monitoring					
Net Assets Corporation					
Total Net Assets Corporation	10/09/2018	66-201807 July 18	Accounts Payable		-13.00
Office Craft	10/09/2018	66-201809 Sept 2018	Professional Services	01 GENERAL FUND:01.01 Administrative	13.00
					0.00
Total Net Assets Corporation					
Office Craft					
Total Office Craft	10/09/2018	Inv AR10393	Accounts Payable		-33.84
Pitney Bowes	10/09/2018	Copier Maintenance	Copier Lease/Maintenance	01 GENERAL FUND:01.01 Administrative	33.84
					0.00
Total Office Craft					
Pitney Bowes					
Total Pitney Bowes	10/09/2018	Inv 3307262442	Accounts Payable		-196.80
	10/09/2018	20% Postage	Office Supplies	01 GENERAL FUND:01.01 Administrative	39.36

City of Falls City
City Council Regular Meeting Minutes
October, 11 2018 7:00 PM.
Meeting Location: 320 N Main Street, Falls City, Oregon 97344

Council Present: Jennifer Drill, Tony Meier, Cliff Lauder, Charlie Flynn

Staff Present: Renata Wakely, COG City Planner, Mac Corthell, City Manager, JoHanna Birr, City Clerk, Rachel Inman Assistant City Clerk

1. Call to Order Mayor Gordon called the meeting to order at 7:05 pm.

2. Roll Call

Clerk Inman took roll call.

Councilor L. Sickles excused, Councilor D. Sickles excused

3. Pledge of Allegiance

Mayor Gordon led the pledge.

4. 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 4-0-0. Ayes: Jennifer Drill, Tony Meier, Cliff Lauder, Charlie Flynn

A. Consent Agenda

A motion was made by Councilor Meier and seconded by Councilor Flynn to adopt the consent agenda. Motion carried 4-0-0. Ayes: Jennifer Drill, Tony Meier, Cliff Lauder, Charlie Flynn

5. Announcements

A. Public Works Committee Meeting in November will be at 7:00 pm on the 3rd Thursday of the month at the Community Center.

B. The next regular Council meeting will be held on November 8, 2018 at 7pm in the Community Center.

6. Community & Government Organizations

No comments.

7. Proclamations and Recognition

Erma Ferguson, a long-standing citizen and contributor to Falls City has passed away. Mayor Gordon presented a Certificate of Appreciation before Council for her exceptional service to Falls City as a community member, council member and a volunteer.

8. Communications

Rachel Burke of Parry Road read a letter of her concerns with the industrial permit on County property. The applicant uses a jet engine to dry coal for an alternative "cleaner" fuel business and there are constant booms going off. It is on timber property with no fire hydrants on Parry Rd. The City has no jurisdiction as this is on County Property. Chief Young would like to survey the land as first responders if anything was to happen. Ms. Burks wanted everyone to be aware of

what is going on. It is unclear if a permit has been issued. She thinks this should be in an industrial area. The applicant wants to respond to community comments and any objections before the director makes any decision which can be appealed. Mayor Gordon advised any complaints should be based on how the director made the decision. Mayor Gordon also thanked Ms. Burks for keeping us informed.

City Manager Corthell addressed the Council regarding the DEQ Corrective Action and stated the actions and responses we took adequately demonstrated that the City completed the Corrective Action requested.

The Charter Rate increase notice is informational and written within the contract.

9. Consent Agenda

A motion was made by Councilor Meier and seconded by Councilor Flynn to adopt the approval of October 09, 2018 minutes. Motion carried 4-0-0. Ayes: Jennifer Drill, Tony Meier, Cliff Lauder, Charlie Flynn

10. Public Comments

None

11. New Business

None

12. Tabled Business

Polk Community Development Revolving Fund

Mayor Gordon stated Rita Grady is not available tonight to speak and Councilor Drill suggested the council discuss any questions before a decision is made. Mayor Gordon wants to hold off on making decision and table it to November. It will not have an impact on the City and the deadline for the CDFI (Community Development Financial Institution) application was extended. Mayor Gordon suggested having another informational gathering. City Manager Corthell, a council member and Mayor Gordon could make sure the City could all work with the same set of facts. Councilor Drill thanked City Manager Corthell for his report as it was very well put together and she stated she was prepared to make a decision. Councilor Drill also stated that Polk County was not aware what Polk CDC was doing and is not contributing anything at this time. They have not been asked to join but they have the majority of the funds. Councilor Flynn stated he is against it because the city deserves much better representation for themselves. Councilor Flynn had the impression if you do not have sewer you cannot get the loan and is worried it cuts out half the city. Mayor Gordon suggested a possible meeting with a Councilor to accompany City Manager Corthell to CDC. City Manager Corthell said he will try to set up a work session if the council had any other questions.

A motion was made by Councilor Meier and seconded by Councilor Lauder to table the CDC discussion until the next Council Meeting November 08, 2018. Motion carried 4-0-0. Ayes: Jennifer Drill, Tony Meier, Cliff Lauder, Charlie Flynn

13. Land Use and Planning Site Design Review 2018-01 (18-06)

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 Drill and seconded by Councilor Meier that the City Council of the City of Falls City acts in place of the Planning Commission. Motion carried 4-0-0. Ayes: Jennifer Drill, Tony Meier, Cliff Lauder, Charlie Flynn.

Mayor Gordon read the script for Partition Application (1-B) Public Meetings aloud:

Now we will proceed with the application. The application review will be conducted separately, but I will introduce the procedures for this application once. We will start each application by receiving a staff report. When the staff report has been presented, Council can ask questions of staff and deliberate on the application.

Renata Wakely COG city planner presented the site design review application (SRD 18-01). This is a proposal to construct a new gymnasium structure (measuring approximately 9,600 square feet in size) on Public Assembly /Institutional (PAI) zoned property located on the north of the existing Falls City Elementary School (across Prospect Street). The subject property measure approximately 1.72 acres.

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.

The City has criteria for site development review application staff has determined because this is a new development or expansion on an existing property. Exhibit A1 is a copy of Polk County Assessor map, A2 is a summary report from the Assessor office, Exhibit B is the site plan and application, Exhibit C is comments from Public Works and Fire Department. There are nine

criteria for a site review design. The application has to meet, improve or condition the criteria to improve and meet the recommended criteria.

1. Conformance with the general development standards contained in this Ordinance including:
 - a. Streets
 - b. Off-street parking
 - c. Public facilities, including storm drainage, and utility lines
 - d. Signs
 - e. Site and landscaping design
2. Characteristics of adjoining and surrounding uses.
3. Drainage and erosion control needs.
4. Public health factors
5. Parking, traffic safety, and connectivity of internal circulation to existing and proposed streets, bikeways and pedestrian facilities.
6. Provision for adequate noise and/or visual buffering from non-compliance uses.
7. Retention of existing natural features on site.
8. Problems that may arise due to development within potential hazard areas.
9. Access: As part of the design review process, the City may impose the following conditions on a new or expanding development:
 - a. Limit or prohibit access to local streets which principally serve residential uses.
 - b. Require a traffic impact analysis.
 - c. Require the dedication of additional right-of-way and/or street improvements where necessary to meet City street standards.

City staff is recommending part of this approval the City requires the additional 5 feet of right-of-way on the subject property. The primary access to the property is the South access on Prospect Street. City staff is not recommending but you can require sidewalks along Fair Oaks that would be justified with the Falls City Zoning Development (FCZD). The sidewalks along Fair Oaks are not required the primary access is on Prospect Street. It is not recommended to condition that Fair Oaks will be improved. The applicant site plan indicates a future vehicle access parking from Fair Oaks which is not in this process of the application. The site plan is available to City water and sewer and recommendation condition of approval the applicants will connect to city water and sewer in accordance with the Falls City Public Works Design Standards and FCZDO 3.211.12 Utilities and shall require review and approval by the City Public Works Director and City Engineer (Recommendation 8). Staff is recommending a condition of approval for compliance with FCZDO 2.202 be required for the City review and approval as part of and prior to building/structural permit approval on the property, including information supporting the vehicle parking space requirements of FCZDO 2.202.B.7. The applicants will be required to show plans for sufficient parking on-site parking to prior to building/structural permit approval. Councilor Drill asked what the vision of the structure is. The applicant responded by stating the vision for this structure is an indoor play area for P.E. and eventually a middle school gym for volleyball and basketball games. Once seats and benches are done the access on Fair Oaks would be done. Councilor Drill thinks sidewalks would make a nice addition and safety for people coming and going from structure and wants to include sidewalks as a condition. The applicant thanked Renata for being here and keeping in touch and answering questions. They wished they had more people there to answer more question.

Staff recommended the approval of the requested site design review (SDR-2018-01) and adopts the findings in the staff report with the conditions of approval in section V and two additions eight and nine. At the time of a proposed new access off Fair Oaks an access permit and an improvement of Fair Oaks Street to the collectors' street standards for paving and sidewalk shall be required.

A motion was made by Councilor Drill and seconded by Councilor Flynn to approve the site design review (SDR-2018-01) the Motion carried 4-0-0. Ayes: Jennifer Drill, Tony Meier, Cliff Lauder, Charlie Flynn.

14. City Manager Report

None

15. Mayor and Council Reports

None

16. Adjourn

The meeting adjourned at 8:58 pm.

_____ Mayor, Jeremy Gordon

Attested: _____ Assistant City Clerk, Rachel Inman

AGENDA REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: MAC CORTHELL, CITY MANAGER
SUBJECT: RESOLUTION 28-2018 A RESOLUTION EXTENDING WORKER'S COMPENSATION COVERAGE TO VOLUNTEERS OF THE CITY OF FALLS CITY.
DATE: 11/8/18

SUMMARY

The City must update its volunteer Worker's Compensation resolution to reflect current coverage needs.

BACKGROUND

Each year CIS conducts an annual audit either in-person, or a self-audit. This year's self-audit revealed discrepancies between the actual coverage needs and those reflected in our current volunteer Worker's Compensation election.

This resolution will remove inactive Committees, ambulance drivers, and court mandated workers. Any of these coverages can be re-established with two weeks written notice to CIS of a need for coverage.

PREVIOUS COUNCIL ACTION

Passed Resolution 22-2017 extending worker's compensation to certain volunteers.
Passed Resolution 23-2017 extending worker's compensation to the City Manager when volunteering.

ALTERNATIVES/FINANCIAL IMPLICATIONS

Worker's Compensation coverage for volunteers is allowed under ORS 656.031 and makes Worker's Compensation the exclusive remedy for a volunteer who is injured as a result of volunteer activities. This mitigates the direct liability the city would face without it if a volunteer is injured while volunteering.

STAFF RECOMMENDATION

Adopt the resolution.

EXHIBITS

Resolution 28-2018.

PROPOSED MOTION

I move that the City Council of the City of Falls City adopt resolution 28-2018, A RESOLUTION EXTENDING WORKER'S COMPENSATION COVERAGE TO VOLUNTEERS OF THE CITY OF FALLS CITY.

RESOLUTION 28-2018

A RESOLUTION EXTENDING WORKER'S COMPENSATION COVERAGE TO VOLUNTEERS OF THE CITY OF FALLS CITY.

Findings:

1. The City of Falls City utilizes volunteers in several areas Municipal Government activities; and
2. Volunteers sometimes experience injuries while volunteering; and
3. ORS 656.031 extends Worker's Compensation coverage to some volunteers; and
4. The City of Falls City is insured with City County Insurance Services (CIS); and
5. CIS requires a resolution defining what volunteers the City utilizes in order to provide them with Worker's Compensation Insurance; and
6. The City of Falls City's volunteer definitions are out of date.

NOW THEREFORE, the Common Council of the City of Falls City resolves as follows:

The City of Falls City Elects the Following:

Section 1. Public Safety Volunteers

An assumed monthly wage of \$1,500.00 will be used for public safety volunteers in the following volunteer positions:

- a. Firefighter
- b. Fire Apparatus Driver
- c. Emergency Medical Personnel

Section 2. Volunteer boards, commissions, and councils

An aggregate assumed annual wage of \$2,500.00 will be used for per each volunteer board, commission, or council for the performance of administrative duties. The covered bodies are:

- a. City Council
- b. Public Works Committee
- c. Parks and Recreation Committee
- d. Budget Committee

Section 3. Manual Labor by Elected Officials

An assumed monthly wage of \$800.00 per month will be used for elected officials performing non-administrative duties. Listed duties include:

- a. Flagging
- b. Assisting Public Works
- c. Assist with City Wide Spring Clean
- d. Inspect Street Signs
- e. Clean up of historic buildings
- f. Assist in code enforcement cleanup

Section 4. Non-public safety volunteers

All volunteer classes listed below will track their hours and use Oregon Minimum Wage as the assumed wage per hour. CIS will assign the appropriate classification code according to type of volunteer work being performed.

- a. Parks and Recreation
- b. Public Works
- c. Park Host
- d. City Manager

Section 5. Public Events

Volunteers at the following events will track their hours and use Oregon Minimum Wage as the assumed wage per hour for Worker's Compensation purposes.

- a. City Wide Spring Clean Up
- b. 3rd of July Celebration
- c. Annual Easter Egg Hunt
- d. Annual SOLVE Cleanup Event

Section 6. Other Volunteers

Volunteer exposures not addressed here will have Worker's Compensation coverage if, prior to the onset of work, the City of Falls City:

- a. Provides at least two weeks advance written notice to CIS underwriting requesting the coverage; and
- b. CIS approves the coverage and date of coverage; and
- c. CIS provides written confirmation of the coverage.

Section 7. Maintenance of Rosters

The City of Falls City agrees to maintain rosters for all volunteers including volunteer name, date of service, and hours of service. The roster will be available at the time of a claim or audit to verify coverage.

Section 8. Repeal

All resolutions extending Worker's Compensation coverage to volunteers adopted prior to this resolution are hereby repealed.

ADOPTED BY THE FALLS CITY COUNCIL ON THIS 8th day of November, 2018.

Vote: AYE_____ NAY_____ ABSTAIN_____ ABSENT_____

Date

Jeremy Gordon, Mayor

Attest:

Date

JoHanna Birr, City Clerk

AGENDA REPORT

TO: MAYOR AND COUNCIL
FROM: STEVE BIRR, CODE SERVICES OFFICER
SUBJECT: APPLICATION FOR RECREATIONAL VEHICLE PERMIT
DATE: 11/01/18

SUMMARY

Falls City Zoning and Development Code provides for a permitting process for temporary use of a Recreation Vehicle as a guest quarters with a 30-day permit. City Council reviewed this code section in 2014 and by motion allowed staff to administratively issue up to two extensions for an RV permit for a total of 90 days stay. The code required that City Council be notified prior to the issuance of the second 30-day temporary permit.

Robert Anderson submitted two applications for a Recreational Vehicle Permit on 09/06/18 for 456 Pine St. The first application date range was 09/06/18 to 10/04/18. The date range for the second permit is to 11/05/18. Staff has issued a permit with a date range of 10/15/18 to 11/05/18. Because this is the second month of occupancy, the 10/15/18 to 11/05/18 permit is considered the second permit with notice to Council.

Should Mr. Anderson request a third permit for the date range of 11/06/18 to 12/06/18, staff will issue the permit accompanied by a letter stating that the temporary RV guest quarters must be moved off the property by 12/07/18.

BACKGROUND

FALLS CITY ZONING AND DEVELOPMENT CODE

2.200.05 *USE OF RECREATIONAL VEHICLES AS GUEST QUARTERS*

Usage of a Recreational Vehicle as temporary guest quarters in conjunction with a dwelling on the same lot shall be permitted providing such Recreational Vehicle remains dependent upon the primary dwelling for either, or both, kitchen and bathroom facilities and is not used for residential purposes. There shall be a time limit of 30 days for such usage, after which a temporary permit must be obtained for each succeeding 30-day period. A permit for the succeeding 30-day period(s) must be obtained by the 31st day. The City Council shall be notified prior to the issuance of the second temporary permit.

PREVIOUS COUNCIL ACTION

September 17, 2014 City Council Motion:

A motion was made by Councilor Ungricht and seconded by Councilor L. Sickles that staff could administratively issue up to two extensions for an RV permit for a total of 90 days stay. Motion

carried 5-1-0. Ayes: Lori Jean Sickles, Terry Ungricht, John Volkmann, Dennis Sickles, Julee Bishop. Nay: Barbara Spencer

ALTERNATIVES/FINANCIAL IMPLICATIONS

N/A

STAFF RECOMMENDATION

N/A

EXHIBIT

N/A

PROPOSED MOTION

N/A

AGENDA REPORT

TO: CITY COUNCIL
FROM: CITY MANAGER, MAC CORTHELL
SUBJECT: POLK COMMUNITY DEVELOPMENT CORPORATION REVOLVING FUND
DATE: NOVEMBER 8, 2018

SUMMARY

Polk Community Development Corporation is asking for a pledge of funds from the City of Falls City. This pledge would be combined with any pledges from the other cities in Polk County (except W. Salem), and the County government, to start a Community Development Financial Institution.

BACKGROUND

Polk CDC sought and received grant funds reserved to Low-Income home improvements in the City of Falls City. That money was loaned out to Falls City citizens and as it was repaid it became de-federalized. This allows the City of Falls City to use the funds in other areas as it sees fit. To this point Falls City has left nearly all of the funds in the Falls City revolving loan fund account managed by Polk CDC and used only for low interest loans for low income Falls City residents to undertake needed home improvements. Currently, the City of Falls City Revolving loan fund account is worth over \$500k, \$90k of which is in cash and the remainder is in low interest loans.

The Cities of Dallas, Monmouth, and Independence have pledged unknown portions of their remaining revolving funds to Polk CDC for use in pursuing the CDFI. These cities have smaller revolving loan fund accounts than Falls City due to them taking funds out for use on Community Development in their City.

If/when Polk CDC is able to establish a CDFI, their capabilities to aid in community development county wide will be greatly increased. Small business loans, full mortgages, and low-income housing projects are a few of the additional services that will be available.

There is some concern that the lack of viable infrastructure in Falls City will limit the opportunities Polk CDC can provide to our city if they are able to form a CDFI.

PREVIOUS COUNCIL ACTION

Work Sessions in August and October of 2018.

ALTERNATIVES

Maintain the status quo. Falls City keeps its revolving fund account and Polk CDC continues to manage it. No change in Falls City's revolving loan fund account.

Pledge some portion of Falls City's revolving loan fund account to the creation of the CDFI. Falls City keeps control of the funds not pledged and can continue to use them as a revolving loan fund managed by Polk CDC, and/or withdraw some or all of them for other community development projects in Falls City. The pledged funds will no longer be Falls City's.

Pledge all of Falls City's revolving loan fund account to the creation of the CDFI. Falls City's revolving fund will be dissolved and all monies will become property of Polk CDC.

FINANCIAL IMPLICATIONS

Any funds pledged will become property of Polk CDC. Any funds not pledged will remain in the Falls City Revolving Loan Fund Account managed by Polk CDC. Funds not pledged can be withdrawn (to the extent they are in cash form and not loaned out) by the City for use in its own Community Development.

STAFF RECOMMENDATION

N/A

ATTACHMENTS

None.

EXECUTIVE SESSION SCRIPT

The City Council of Falls City will now meet in executive session pursuant to ORS 192.660(2)(i), which allows the Commission to meet in executive session to review and evaluate the performance of an officer, employee, or staff member if the person does not request an open meeting.

Representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience are asked to leave the room. Representatives of the news media are specifically directed not to report on or otherwise disclose any of the deliberations or anything said about these subjects during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session. At the end of the executive session, we will return to open session and welcome the audience back into the room.



EXECUTIVE SESSION

CONFIDENTIAL MATERIAL
ATTACHED

MEETING DATE: November 8th, 2018

LOCATION – CITY OF FALLS CITY COMMUNITY CENTER

THIS MEETING IS CALLED TO ORDER UNDER AUTHORITY OF:

- 192.660(2)(a)-EMPLOYMENT OF PUBLIC OFFICERS, EMPLOYEES AND AGENTS
- 192.660(2)(b)-DISCIPLINE OF PUBLIC OFFICERS AND EMPLOYEES
- 192.660(2)(d)-LABOR NEGOTIATIONS
- 192.660(2)(e)-REAL PROPERTY TRANSACTIONS
- 192.660(2)(f)-EXEMPT PUBLIC RECORDS
- 192.660(2)(g)-TRADE NEGOTIATIONS
- 192.660(2)(h)-LEGAL COUNSEL
- 192.660(2)(i)-EMPLOYEE EVALUATION
- 192.660(2)(j)-PUBLIC INVESTMENTS

NO INFORMATION FROM THIS SESSION SHALL BE DISCLOSED BY THE NEWS MEDIA.

CALLED TO ORDER AT: _____ ADJOURNED AT: _____

ATTENDED BY: _____

SPECIFIC ISSUE DISCUSSED: _____



EXECUTIVE SESSION

CONFIDENTIAL MATERIAL
ATTACHED

MEETING DATE: November 8th, 2018

LOCATION – CITY OF FALLS CITY COMMUNITY CENTER

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- 192.660(2)(f)-EXEMPT PUBLIC RECORDS
- 192.660(2)(g)-TRADE NEGOTIATIONS
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- 192.660(2)(i)-EMPLOYEE EVALUATION
- 192.660(2)(j)-PUBLIC INVESTMENTS

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ATTENDED BY: _____

SPECIFIC ISSUE DISCUSSED: _____