

# Notice of Public Meeting

## City Council Meeting

### AGENDA

#### CITY OF FALLS CITY, OREGON

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

Thursday September 13, 2018 6:00 p.m.

Posted on September 7, 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. Public Works has completed work on the Dayton St. footbridge. The bridge is looking great and ready once again for community use.
- b. SOLV river cleanup and Annual Arbor Day Celebration will be on Sep 29 and will take place in conjunction with a volunteer day by Councilor D. Sickles Church. There will be burgers and refreshments served at the community center for volunteers.
- c. School is back in session! With that comes the return of high school sports. The Falls City High School Football and Volleyball schedules are posted on the information board at City Hall.
- d. Public Works Committee Meetings be moved to 7pm in September, October, and November; they will still be on the 3<sup>rd</sup> Thursday of the month at the Community Center.
- e. The next regular Council meeting will be held on October 11, 2018 at 6pm in the Community Center

##### Appointments

- a. None

#### 6. Community & Government Organizations

- a. Polk County Sheriff's August 2018 Falls City Report.....pg. 1
- b. Falls City Fire Report January-August 2018.....pg. 2

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.

- c. Falls City Fire Report August 2018 .....pg. 3
- d. Falls City Public Works Report.....pg. 4

**7. Proclamations & Recognition**

- a. Certificate of Appreciation- Lori Albert .....pg. 5
- b. Certificate of Appreciation- Joseph Creekmore .....pg. 5
- c. Recognition- Jay Epperson .....pg. 5

**8. Communications**

- a. Use of volunteers on public works projects .....pg. 6-7

**9. Consent Agenda**

- a. Approval of the Bills .....pg. 8-18
- b. Approval of August 9, 2018 Council Meeting Minutes ..... pg. 19-22
- c. Approval of August 23, 2018 Council Meeting Minutes..... pg. 23-24

**10. 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.

**11. 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 27-2018 Arbor Day Celebration
  - i. Agenda Report .....pg. 25
  - ii. Resolution 27-2018 .....pg. 26

**12. Tabled Business**

- a. Polk Community Development Revolving Loan Fund
  - i. Will be revisited at October Meeting

**13. Land Use & Planning Actions**

- a. Ordinance 554-2018 CPMA/ZC 18-01 Second Reading
  - i. Agenda Report .....pg. 27
  - ii. Ordinance 554-2018 ..... pg. 28-29

**14. City Manager’s Report**

**15. Mayor and Council Reports**

**16. Adjourn**

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# August 2018 Falls City Stats

Falls City Calls for Service							
Area Check		Crim Mis	1	Misc Crime	4	Susp Activity	2
Arm Person	1	FIR	2	Noise		Susp Person	2
Animal	6	Domestic Dist	4	Menace		Susp Vehicle	2
911 Hangup	2	Elude		EDP	4	Theft	4
Burglary	1	FIR		Ordin Vio		Trauma	
Assist Other Agency	5	Fire/EMS	4	Overdose		traffic assist	
ATL (attempt to locate)	5	Follow up	11	prowler		Traffic Stops	6
City Ordinance		Illegal Park		runaway		Trespass	5
Citizen Contact	4	Liq Vio		sex offense	2	Warrant	
Civil Paper Service	13	Gen Disturb	1	Shots Fired		Welfare Check	8
Crash		Harassment		Stolen Veh		Unclass	6

37

23

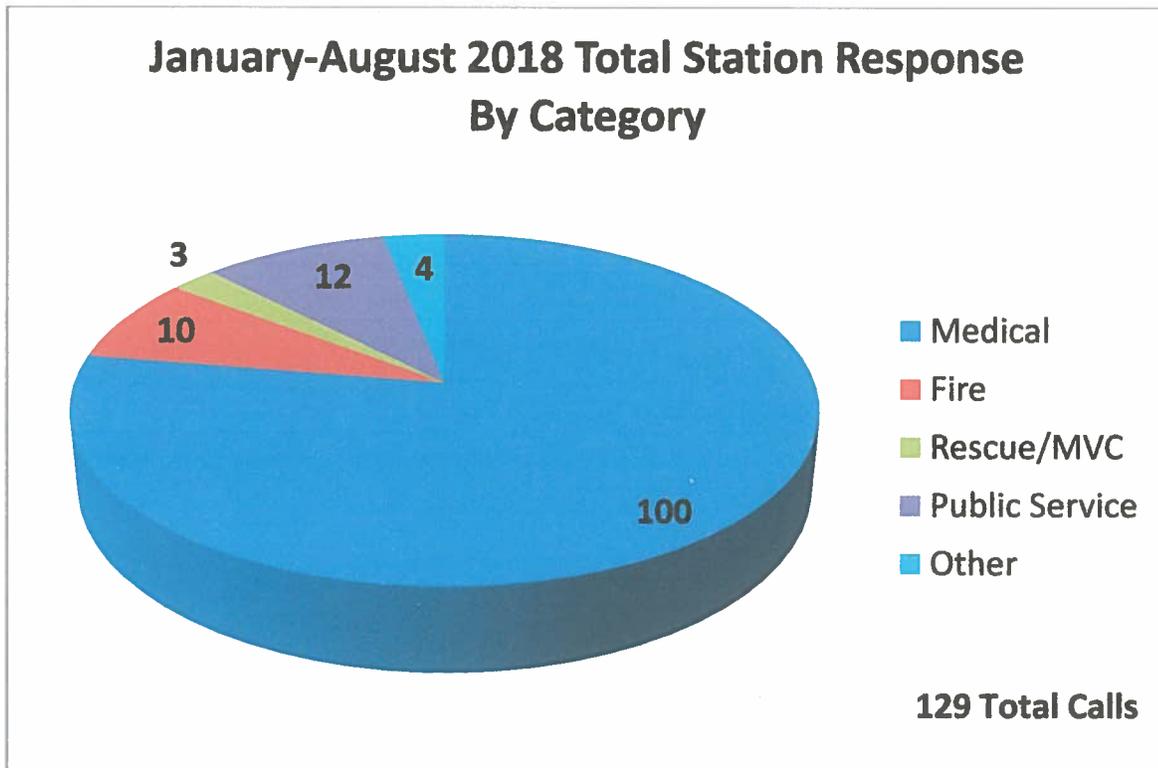
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35

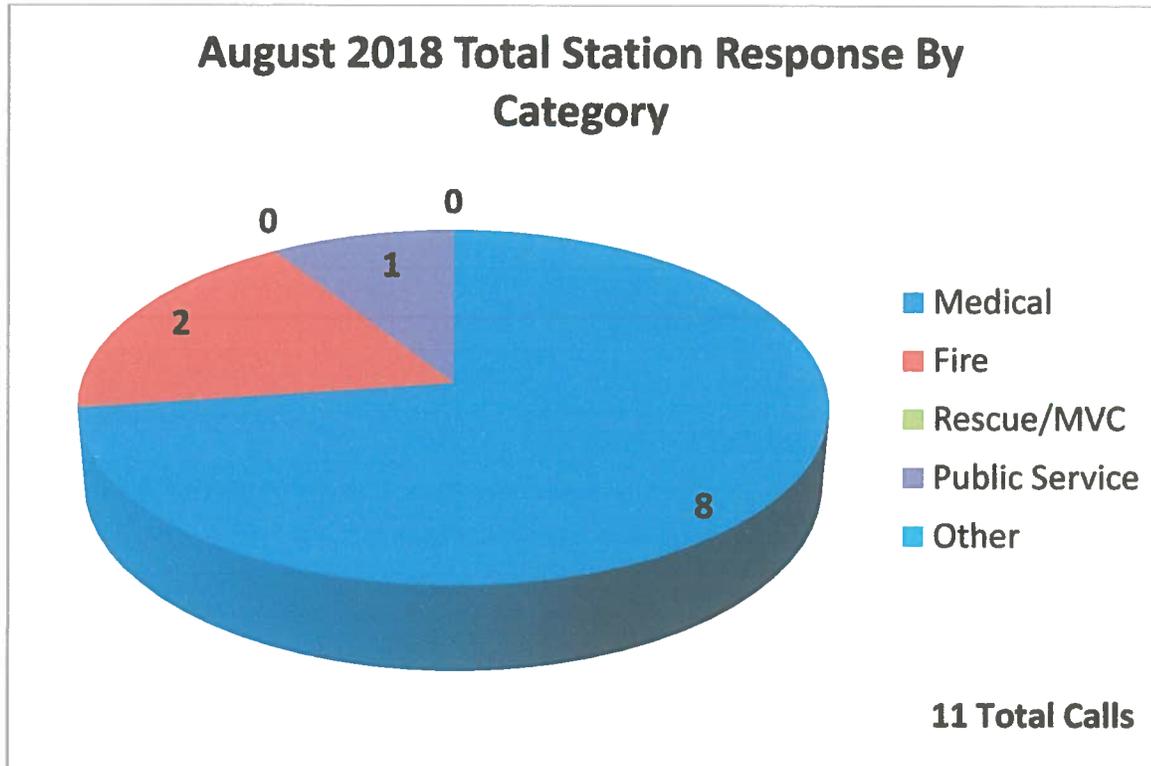
Falls City Calls for Service	105	Of the FC Calls for Service	15	involved crimes
Total Calls for Service (county wide)	2348	FC Cases Cleared by Arrest	8	53.3% clearance
Falls City % of Total Calls	4.5%	Total Arrests in Falls City	4	3.6% of total arrests

Total Service Calls (Polk County)	2348	Crimes Occ	8	(county wide)
Cases Cleared by arrest	112	Juvenile Arrests	2	(Falls City)
Total Arrests (county wide)	111	(only true crimes reported here)		

Month	Medical	Fire	Rescue/MVC	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
<b>Totals</b>	<b>100</b>	<b>10</b>	<b>3</b>	<b>12</b>	<b>4</b>	<b>129</b>	<b>129</b>



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



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**Total August Membership:** 28 volunteers

**August Prevention Activities:**

-2018-08-07 National Night Out: 3 hours, 10 volunteers

-2018-08-18 Back 2 School Bash: 1.5 hours, 3 volunteers

**August Media Coverage:**

2018-08-13 KPTV Fox 12 Oregon: Falls City House Fire

2018-08-15 Itemizer-Observer: "Sunday night fire destroys 108-year-old home"

<http://www.polkio.com/news/2018/aug/15/sunday-night-fire-destroys-108-year-old-home/>

## Public Works Staff Report for August, 2018

Wednesday, 1 Foot bridge project.

Thursday, 2 State reports DEQ, park maintenance, term hedges Community Center.

Friday, 3 Graded step hills with wash boards, WTP maintenance, weed eat around meter boxes.

Saturday, 4 Luckiamute water had main brake, drew down Cites water supply for a short time.

Sunday, 5 Routine water & sewer.

Monday, 6 Thru Wednesday, 8 Dayton Street foot bridge project, Public Works is finish with this project.

Thursday, 9 Old timers picnic, upper park.

Friday, 10 Shop maintenance.

Saturday, 11 & Sunday, 12 Routine water & sewer.

Monday, 13 Locate drain field for school.

Tuesday, 14 Mowed lower Cemetery.

Wednesday, 15 Working on water service, 17 North Main, tank inspection.

Thursday, 16 Tank inspection, physical shut offs.

Friday, 17 Locates, football field, Mitchell, Palmer RD.

Saturday, 18 & Sunday, 19 Routine water & sewer.

Monday, 20 Working with staff at high school for placement of score board.

Tuesday, 21 Tank inspection.

Wednesday, 22 Tank inspection, meter reading, took sample Corvallis.

Thursday, 23 Tank inspection.

Friday, 24 Contractor broke water service Falls City HWY, crew made repair and staff billed.

Saturday, 25 & Sunday, 26 Routine water & sewer.

Monday, 27 Repaired out let on septic tank 5<sup>th</sup>.

Tuesday, 28, Repaired water service leak Second Ave. repair broken hose on back hoe.

Wednesday, 29 Took lead & copper samples down to Corvallis, tank inspection.

Thursday, 30 Back fill septic tank on 5<sup>th</sup>, tank inspection, high consumption rereads.

Friday, 31 Change out stop sign.

## **Script for Awards and Recognition**

1. The City of Falls City would like to recognize the special efforts of Lori Albert. Over the last month Lori has taken it upon herself to seek out replacement lettering for the Falls City Community Center, volunteered unprompted to paint the Sheriff's Office Sub-Station, and as always is a crucial and valuable member of the Falls City Volunteer Fire Department. It is people like Lori giving of themselves without expectation of return who make our City a great place to live. Thank you Lori for all that you have done and continue to do. On behalf of the Citizens of Falls City, the City Council, and City Staff, I present you with this Certificate of Appreciation.
2. Next, the City of Falls City would like to recognize Joseph Creekmore. Joseph provided volunteer painting and cleaning assistance to help restore and recover the Falls City Public Works Office. Joseph is a shining example of how young people can contribute and take ownership in their community. His efforts will be reaped by City Public Works Staff who will soon have an office they'll be proud to call their own. On behalf of the Citizens of Falls City, the City Council, and City Staff, I present you with this Certificate of Appreciation.
3. Finally, the City would like to recognize one of its own. Public Works employee Jay Epperson just completed the training, time in service, and application to become cross-connection certified. This is an important step in Jay's professional development and will increase his already lofty value to the City. It's noteworthy that Jay completed this certification in the minimum time required by law. If you see him around, congratulate him on a job well done. Great work Jay!

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## AGENDA REPORT

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**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** MAC CORTHELL, CITY MANAGER  
**SUBJECT:** USE OF VOLUNTEERS ON PUBLIC WORKS PROJECTS  
**DATE:** SEPTEMBER 13, 2018

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### **SUMMARY**

City Council has requested City Staff research the potential for the use of volunteer labor on public works projects.

### **BACKGROUND**

There is a need to maintain, repair, and update certain Public Works infrastructure (e.g. streets, water lines, sewer lines, etc.). The responsibility for the proper operation and care of that infrastructure rests upon the City and its 3 full-time Public Works staff. With multiple departments requiring the attention of Public Works on scheduled, unscheduled, and phase cycles, staff is often overwhelmed and/or must immediately deal with unexpected failures in the various systems.

The City Manager has consulted with the Public Works Manager and CIS insurance. The City Manager has not yet consulted with the City Attorney due to the costs associated.

Public Works Manager Don Poe:

There is some facility in the use of volunteers on small projects, however the logistics of using volunteers on larger projects makes it non-feasible. Larger projects require a great deal of timing both to minimize the expense of contractors and the time a service or road is unusable. Volunteers usually have limited availability and skill sets with no mechanism to enforce participation. In the case of a large project that may shut down some city services and streets for the duration of the project it is not advisable to utilize volunteers. Doing so could drive up the cost of contractor services and effect the quality of the work.

On smaller projects that don't have strict time windows and don't require significant interaction and organization with contractors, it may be wise to use volunteers. However, the nature of the project will dictate how feasible volunteer work may be.

Adrian at CIS:

There are risks to using volunteers on public works projects. First, no matter what waiver is used there is no way to waive workers comp requirements. In some cases there has been fraud involved with this when an individual has some injury and pretends that it happened on the volunteer job. This leaves the city responsible to compensate that individual through worker's comp.

There are also OSHA requirements for qualifications and the need to determine competence in a given area based on training records. If a volunteer lacks the qualifications or competency in an area it opens the city up to liability in the case of an accident.

City Manager:

There are projects that would be appropriate for volunteers and others that are not. There are risk concerns based on the volunteer and the quality of work. There is also a massive administrative burden to organize and vet volunteers that would likely offset most cost savings on larger projects.

Additionally, the inability to control volunteers is a significant concern. Not only can we not enforce them actually showing up to the job, but their work may be substandard and require remediation which presents additional staff costs.

Finally, on larger projects the city requires contractors to sign indemnification and hold harmless agreements as well as requiring appropriate insurance to fulfill those agreements. The city cannot enforce this with volunteers which creates massive risk for the city that is not present when utilizing contractors.

**RECCOMENDATION**

Leave the use of volunteers on public works projects to the discretion of City Staff based on the nuances of the individual project.

Date	Name	Account	Original Amount
8/7/18	City of Salem	US Bank Checking	-2089.39
8/7/18		911 Fee - Fire Department	1462.57
		911 Fee - Law Enforcement	626.82
			2089.39
8/7/18	Edge Analytical	US Bank Checking	-49
8/7/18		Lab Analysis Services	29
		Lab Analysis Services	20
			49
8/7/18	Ferguson Waterworks	US Bank Checking	-232.61
8/7/18		System Maintenance/Repair	232.61
			232.61
8/7/18	King's Pumping Service	US Bank Checking	-2622
8/7/18		Tank Pumping	2622
			2622
8/1/18	CenturyLink	US Bank Checking	-3.5
8/1/18		Telephone	3.5
			3.5
8/1/18	CIS Trust	US Bank Checking	-34664.82
8/1/18		Liability Insurance	528.99
		Liability Insurance	528.99
		Liability Insurance	1587.97

		Liability Insurance	1057.98
		Liability Insurance	2644.95
		Liability Insurance	4231.93
		Vehicle Insurance	5343.95
		Vehicle Insurance	298.06
		Vehicle Insurance	447.1
		Vehicle Insurance	1266.77
		Vehicle Insurance	74.52
		Property Insurance	509
		Property Insurance	342.67
		Property Insurance	3326.68
		Property Insurance	1663.56
		Property Insurance	4158.35
		Property Insurance	6653.35
		Property Insurance	34664.82
8/1/18	City of Dallas	US Bank Checking	-1171.12
8/1/18		Vehicle Maintenance/Repair	1171.12
			1171.12
8/1/18	Dallas Auto Parts	US Bank Checking	-237.81
8/1/18		Vehicle Maintenance/Repair	47.56
		Equipment Maintenance/Repair	71.34
		Vehicle Maintenance/Repair	95.12
		Vehicle Maintenance/Repair	23.79
			237.81
8/1/18	Edge Analytical	US Bank Checking	-149
8/1/18		Lab Analysis Services	120
		Lab Analysis Services	29
			149

8/1/18	Falls City Fire Association	US Bank Checking	-143.36
8/1/18		Small Tools & Supplies	143.36
8/1/18			143.36
8/1/18	King's Pumping Service	US Bank Checking	-1981.99
8/1/18		Tank Pumping	1981.99
8/1/18			1981.99
8/1/18	Mid Willamette Valley COG	US Bank Checking	-583.25
8/1/18		Council of Governments Planning	583.25
8/1/18			583.25
8/1/18	Petro Card	US Bank Checking	-186
8/1/18		Vehicle Operation	186
8/1/18			186
8/1/18	Pitney Bowes	US Bank Checking	-296.6
8/1/18		Office Supplies	59.32
8/1/18		Office Supplies	88.98
8/1/18		Office Supplies	148.3
8/1/18			296.6
8/1/18	Royal Flush Portables, Inc	US Bank Checking	-270
8/1/18		Professional Services	270
8/1/18			270
8/1/18	Van Well Building Supply	US Bank Checking	-617.75

8/1/18		Maintenance Supplies	617.75
			617.75
8/1/18	Xerox Financial Services	US Bank Checking	-180.75
8/1/18		Copier Lease/Maintenance	117.49
		Copier Lease/Maintenance	18.08
		Copier Lease/Maintenance	18.07
		Copier Lease/Maintenance	27.11
			180.75
8/1/18	AFLAC	US Bank Checking	-133.03
		AFLAC	39.69
		AFLAC	93.34
			133.03
8/6/18	CIS Trust	US Bank Checking	-8587.83
		Health Insurance	2236.3
		Health Insurance	1969.94
		Health Insurance	2985.89
		EBS Trust Life Insurance	45.7
		EBS Trust Life Insurance	1350
			8587.83

	Date	Memo	Account	Class	Amount
Itemizer Observer	8/8/18	28160	Accounts Payable		-17
Total Itemizer Observer	8/8/18	inv 28160 401 Lombard Zone Change 1	Professional Services	01 GENERAL FUNI	17
L & L Equipment	8/8/18	0142724	Accounts Payable		0
Total L & L Equipment	8/8/18	50% Water 0142724	Vehicle Maintenance/R/20 WATER OPERA		-71.1
Net Assets Corporation	8/8/18	30% Se	Vehicle Maintenance/R/13 SEWER FUND		35.55
Total L & L Equipment	8/8/18	15% St	Vehicle Maintenance/R/11 STREET FUND		21.33
Net Assets Corporation	8/8/18	5% P	Vehicle Maintenance/R/01 GENERAL FUNI		10.66
Total Net Assets Corporation	8/8/18	66-201807 July 18			3.56
Office Craft	8/8/18	66-201807 July 18	Accounts Payable		0
Total Office Craft	8/8/18	AR10145	Professional Services	01 GENERAL FUNI	-13
Polk County Sheriff's Office	8/8/18	AR10145	Accounts Payable		13
Total Polk County Sheriff's Office	8/8/18	1st Quarter 18-19 INV#71289	Copier Lease/Maintena01 GENERAL FUNI		0
Verizon Wireless	8/8/18	71289	Accounts Payable		-258.79
Total Verizon Wireless	8/8/18	9811540467; Jun24-Jul23 2018	Intergovernmental Serv01 GENERAL FUNI		258.79
West Coast Cross Connection	8/8/18	9811540467; Jun24-Jul23 2018	Accounts Payable		0
Total West Coast Cross Connection	8/8/18	9811540467; Jun24-Jul23 2018	Telephone	13 SEWER FUND	-64.93
Williamson & Aebi, LLP	8/8/18	9811540467; Jun24-Jul23 2018	Telephone	20 WATER OPERA	32.43
Total Williamson & Aebi, LLP	8/8/18	inv #1 July Backflows	Telephone	20 WATER OPERA	32.5
	8/8/18	inv #1 July Backflows	Accounts Payable		0
	8/8/18	35% Gen-Ad July	Accounts Payable		-585
	8/8/18	5% Gen- Muni Ct	Backflow Tests	20 WATER OPERA	585
	8/8/18	10% St	Accounts Payable		0
			Professional Services	01 GENERAL FUNI	-562.4
			Professional Services	01 GENERAL FUNI	196.84
			Professional Services	11 STREET FUND	28.12
			Professional Services		56.24

Total Williamson & Aebi, LLP	8/8/18 15% Se	Professional Services	13 SEWER FUND	84.36
Xerox Corporation	8/8/18 35% W	Professional Services	20 WATER OPERA	196.84
				0
Total Xerox Corporation	8/8/18 093847983 (June 2018)	Accounts Payable		-137.77
	8/8/18 65% 093847983 (June 2018)	Maintenance Supplies	01 GENERAL FUNI	89.55
	8/8/18 35%	Maintenance Supplies	20 WATER OPERA	48.22
				0
				0
Mary Sykes	8/9/18	Accounts Payable		-759.86
	Reimbursement for PA System; FM Global Grant	Equipment	01 GENERAL FUNI	759.86
Total Mary Sykes				
AA Towing & Auto Wrecking	8/15/18 inv 248168 Fire Truck Tow	Accounts Payable		-700
	8/15/18 inv 248168 Fire Truck Tow	Vehicle Maintenance/R/01 GENERAL FUNI		700
				0
Total AA Towing & Auto Wrecking				
CenturyLink	8/15/18 Multiple Accounts	Accounts Payable		-458.72
	8/15/18 Ad- 5037873631286B; Telephones/Internet- July	Telephone	01 GENERAL FUNI	194.35
	8/15/18 W- 5037874719562B	Telephone	20 WATER OPERA	77.05
	8/15/18 F- 5037873767965B	Telephone	01 GENERAL FUNI	187.32
				0
Total CenturyLink				
Consumers Power Inc	8/15/18 Account # 1155301	Accounts Payable		-143.03
	8/15/18 July Power WTP	Power/Heat	20 WATER OPERA	143.03
				0
Total Consumers Power Inc				
Custom Machining	6/14/18 Inv 11513	Accounts Payable		-227
	6/14/18 Inv 11513 Bearing remove and replace	Equipment Maintenananc	11 STREET FUND	227
	8/15/18 Inv 11513	Accounts Payable		-227
	8/15/18 Inv 11513 Bearing remove and replace	Equipment Maintenananc	11 STREET FUND	227
				0
Total Custom Machining				
Edge Analytical	8/15/18 18-26326, 18-29192	Accounts Payable		-234
	8/15/18 18-26326	Lab Analysis Services	20 WATER OPERA	205
	8/15/18 18-29192	Lab Analysis Services	20 WATER OPERA	29
				0
Total Edge Analytical				

Knife River	7/23/18 Inv. 1922718	Accounts Payable	-436.4
Total Knife River	7/23/18 1922718 Cord Patch	Streets Maintenance/R:11 STREET FUND	436.4
L & L Equipment	8/15/18 0142724	Accounts Payable	0
	8/15/18 50% Water 0142724	Vehicle Maintenance/R:20 WATER OPERA	-71.1
	8/15/18 30% Se	Vehicle Maintenance/R:13 SEWER FUND	35.55
	8/15/18 15% St	Vehicle Maintenance/R:11 STREET FUND	21.33
	8/15/18 5% P	Vehicle Maintenance/R:01 GENERAL FUNI	10.66
Total L & L Equipment			3.56
Speer Hoyt LLC	8/15/18 INV: 47856	Accounts Payable	0
	8/15/18 INV: 47856	Attorney/Special Counc 71 WAGNER RES.	-1045
Total Speer Hoyt LLC			1045
The Restorer Inc.	8/15/18 Repair Seats in 04 Chevy	Accounts Payable	0
	8/15/18 40%Repair seats in 04 Chevy	Vehicle Maintenance/R:20 WATER OPERA	-370
	8/15/18 25%	Vehicle Maintenance/R:13 SEWER FUND	148
	8/15/18 20%	Vehicle Maintenance/R:11 STREET FUND	92.5
	8/15/18 10%	Vehicle Maintenance/R:01 GENERAL FUNI	74
	8/15/18 5%	Vehicle Maintenance/R:01 GENERAL FUNI	37
Total The Restorer Inc.			18.5
US Bank Visa	8/15/18 Acct 1146: August CC Bill	Accounts Payable	0
	8/15/18 Mac's Per-Diem and Gas during OCCMA Conference Education/Training/Due 01 GENERAL FUNI		-206.83
	8/15/18 Office Supplies Office Depot	Office Supplies	55.7
	8/15/18 Duty Phone Replacement	Office Supplies	121.13
Total US Bank Visa			30
			0
			0
Brattain International Trucks	8/27/18 Eng 125 Wiring Repair	Accounts Payable	-1259.3
	8/27/18 Eng 125 Wiring Repair	Equipment Maintenananc 82 FIRE EQUIPME	1259.3
Total Brattain International Trucks			0
CIS Trust	8/27/18 Workers Comp Qtr 2-4	Accounts Payable	-10168.85
	8/27/18 7% Workers Comp Qtr 2-4	Worker's Comp Insuran 11 STREET FUND	711.61
	8/27/18 18%	Worker's Comp Insuran 20 WATER OPERA	1829.86

Total CIS Trust City of Dallas	8/27/18 10%	Worker's Comp Insuran 13 SEWER FUND	1016.89
	8/27/18 61%	Worker's Comp Insuran 01 GENERAL FUNI	6201.17
	8/27/18 0.5%	Worker's Comp Insuran 01 GENERAL FUNI	50.83
	8/27/18 1%	Worker's Comp Insuran 01 GENERAL FUNI	104.34
Total City of Dallas Custom Machining	8/27/18 2.5%	Worker's Comp Insuran 01 GENERAL FUNI	254.15
	8/27/18 INV 02624 Street Sweeping July	Accounts Payable	-300
	8/27/18 INV 02624 Street Sweeping July	Contractual Services 11 STREET FUND	300
			0
Total Custom Machining Edge Analytical	8/15/18 Inv 11513	Accounts Payable	-227
	8/15/18 Inv 11513 Bearing remove and replace	Equipment Maintenan 11 STREET FUND	227
	8/27/18 18-28254, 18-30527, 18-31164	Accounts Payable	-347
	8/27/18 18-28524, 30527,	Lab Analysis Services 55 SEWER MASTE	318
Total Edge Analytical Ferguson Waterworks	8/27/18 18-31164	Lab Analysis Services 20 WATER OPERA	29
	8/27/18 Account: 50936   Invoice: 0676710-1	Accounts Payable	-257.2
	8/27/18 0676710-1	System Maintenance/R/20 WATER OPERA	257.2
Total Ferguson Waterworks Global Pure Water			0
	8/27/18 FC2018- Filters	Accounts Payable	-100
	8/27/18 FC 2018 Filters for Water Purifier	Equipment Maintenan 82 FIRE EQUIPME	100
Total Global Pure Water Knife River			0
	7/23/18 Inv. 1922718	Accounts Payable	-436.4
	7/23/18 1922718 Cord Patch	Streets Maintenance/R/ 11 STREET FUND	436.4
Total Knife River Mid Willamette Valley COG	8/27/18 1819076	Accounts Payable	-1484
	8/27/18 1819076- July Planning	Council of Government: 01 GENERAL FUNI	1484
			0
Total Mid Willamette Valley COG Oregon Government Ethics Commission	8/27/18 inv AIE07962 Yearly Invoice	Accounts Payable	-380.09
	8/27/18 inv AIE07962 Yearly Invoice	Intergovernmental Serv 01 GENERAL FUNI	380.09

Total Oregon Government Ethics Commission  
Pacific Power

8/27/18 multiple accounts, 21091561-006 2, July	Accounts Payable		-1646.19
8/27/18 July	Power/Heat	01 GENERAL FUNI	106.47
8/27/18 multiple accounts, 21091561-006 2, July	Power/Heat	13 SEWER FUND	267.66
8/27/18 multiple accounts, 21091561-006 2, July	Power/Heat	01 GENERAL FUNI	153.92
8/27/18 multiple accounts, 21091561-006 2, July	Power/Heat	01 GENERAL FUNI	429.29
8/27/18 multiple accounts, 21091561-006 2, July	Street Lights	11 STREET FUND	639.95
8/27/18 multiple accounts, 21091561-006 2, July	Power/Heat	20 WATER OPERA	48.9
			0

Total Pacific Power  
Petro Card

8/27/18 C350219 7/11/18-8/15/18	Accounts Payable		-676.17
8/27/18 35% C350219 7/11/18-8/15/18	Vehicle Operation	20 WATER OPERA	236.66
8/27/18 40%	Vehicle Operation	13 SEWER FUND	270.48
8/27/18 15%	Vehicle Operation	11 STREET FUND	101.43
8/27/18 10%	Vehicle Operation	01 GENERAL FUNI	67.6
			0

Total Petro Card  
Pitney Bowes

8/27/18 July	Accounts Payable		-257.58
8/27/18 Postage 20% July	Office Supplies	01 GENERAL FUNI	51.5
8/27/18 40%	Office Supplies	13 SEWER FUND	103.04
8/27/18 40%	Office Supplies	20 WATER OPERA	103.04
			0

Total Pitney Bowes  
Royal Flush Portables, Inc

8/27/18 A-21638	Accounts Payable		-270
8/27/18 A-21638	Professional Services	01 GENERAL FUNI	270
			0

Total Royal Flush Portables, Inc  
Xerox Financial Services

8/27/18 inv 1272925	Accounts Payable		-180.75
8/27/18 lease May 45%, inv 1272925	Copier Lease/Maintena	01 GENERAL FUNI	81.34
8/27/18 lease 5%	Copier Lease/Maintena	11 STREET FUND	9.03
8/27/18 lease 25%	Copier Lease/Maintena	13 SEWER FUND	45.19
8/27/18 lease 25%	Copier Lease/Maintena	20 WATER OPERA	45.19
			0
			0

Total Xerox Financial Services

MINOP

9/4/18 A331216-IN	Accounts Payable		-523.81
9/4/18 A331216-IN	Vehicle Operation	11 STREET FUND	104.75

Total MNOP  
 Verizon Wireless

9/4/18 A331216-IN	Vehicle Operation	13 SEWER FUND	183.36
9/4/18 A331216-IN	Vehicle Operation	20 WATER OPERA	209.5
9/4/18 A331216-IN	Vehicle Operation	01 GENERAL FUNI	26.2
			0

Total Verizon Wireless  
 West Coast Cross Connection

9/4/18 9813392325	Accounts Payable		-58.84
9/4/18 9813392325	Telephone	13 SEWER FUND	29.42
9/4/18 9813392325	Telephone	20 WATER OPERA	29.42
			0

Total West Coast Cross Connection  
 CenturyLink

9/4/18 Inv #2 August Backflows	Accounts Payable	20 WATER OPERA	-3645
9/4/18 Inv #2 August Backflows	Backflow Tests		3645
			0

Total CenturyLink

9/4/18 Account 82671280	Accounts Payable		-8.84
9/4/18 Ad- 5037873631286B; Long Distance Aug	Telephone	01 GENERAL FUNI	8.84
			0

Falls City Fire Association

9/4/18 July-Sep 18	Accounts Payable		-2626.5
9/4/18 Jan-Jun 18 Augmentation	Point System	01 GENERAL FUNI	1335
9/4/18 July	Point System	01 GENERAL FUNI	430.5
9/4/18 Aug	Point System	01 GENERAL FUNI	430.5
9/4/18 Sep	Point System	01 GENERAL FUNI	430.5
			0

Total Falls City Fire Association  
 Grove, Mueller & Swank, PC

9/4/18 Inv. 87640	Accounts Payable		-2000
9/4/18 17-18 Audit	Audit Fees	01 GENERAL FUNI	2000
			0

Total Grove, Mueller & Swank, PC  
 King's Pumping Service

9/4/18 15094, 15095, 15112, 15113	Accounts Payable		-2126.5
9/4/18 15094	Tank Pumping	13 SEWER FUND	584.5
9/4/18 15095	Tank Pumping	13 SEWER FUND	641.5
9/4/18 15112	Tank Pumping	13 SEWER FUND	450.25
9/4/18 15113	Tank Pumping	13 SEWER FUND	450.25
			0

Total King's Pumping Service  
 Van Well Building Supply

9/4/18 August Statement	Accounts Payable		-675.96
9/4/18 Dayton St Bridge	Maintenance Supplies	11 STREET FUND	276.38

Total Van Well Building Supply

9/4/18 Dayton St Bridge  
9/4/18 SO Sub Station

Maintenance Supplies 01 GENERAL FUNI  
Maintenance Supplies 01 GENERAL FUNI

276.38  
123.2  
0  
0

City of Falls City  
City Council Regular Meeting Minutes  
August 9, 2018 6:00 PM  
Meeting Location: 320 N Main Street, Falls City, Oregon 97344

**Council Present:** Lori Jean Sickles, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn

**Staff Present:** Mac Corthell, City Manager; JoHanna Birr, City Clerk; Rachel Inman, Assistant City Clerk; Don Poe, Public Works Supervisor.

Mayor Gordon called the meeting to order at 6:00 pm.

**A. Roll Call**

Clerk Birr took roll call.

**B. Pledge of Allegiance**

Mayor Gordon led the pledge.

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

A motion was made by Councilor Meier and seconded by Councilor Lauder to adopt the entire agenda. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn

**D. Consent Agenda**

A motion was made by Councilor D. Sickles and seconded by Councilor Lauder to adopt the consent agenda. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn

**E. Public Comments**

Pat McConnell voiced her dismay in a clerical error and a misapplied payment on her utility and being escorted out of City Hall for over aggressive behavior aimed staff. Ms. McConnell relayed consequent communication with staff and a letter of correction sent to her both by fax and regular mail.

**F. New Business**

**A. Public Hearing ZC/CPMA 18-01 401 Lombard St.**

A motion was made by Councilor Lauder and seconded by Councilor Meier for Council to act as Planning Commission. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn

Public Hearing opened at 6:14 pm.

Mayor Gordon read the public hearing script. Councilor L. Sickles recused herself. Renata Wakely of Council of Governments presented the staff report highlighting the criteria. 401 Lombard no longer serves a PAI use and would be better suited as CR. This would allow flow from Industrial to residential in the area. Letters of notification were sent to affected landowners 10 days prior. No written testimony has been submitted to date.

Staff found the zone change meets all criteria.

Donna Graham, Realtor with Windermere and applicant noted the zone change would be an asset to the city as PAI has very limited uses.

Gary Firestone of Salem and interested buyer agreed there is no demand for the current zone designation.

Elliot Firestone of Portland handed out a Board Memo from the State of Oregon Building Code Division on the subject of Tiny House Reach Code to Council for consideration. (Exhibit A)

Laura Britton of Falls City owns property near 401 Lombard St. and is not opposed to the suggested zoning of CR but does have concerns for her tenants at 280 Lombard. Another nearby neighbor is in violation of code and makes noise with machinery and such.

Public Hearing closed at 6:41pm.

A motion was made by Councilor Lauder and seconded by Councilor D. Sickles that the City Council of Falls City adopt the findings in the staff report and approve the requested Comprehensive Plan Map Amendment and Zone Change as recommended by staff. Motion carried 6-0-1. Ayes: Mayor Gordon, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles Abstain: Lori Jean Sickles

#### **B. Resolution 20-2018 adjust Appropriations for 2018-2019 Budget Cycle**

A motion was made by Councilor Drill and seconded by Councilor Meier that the City Council of Falls City adopt resolution 20-2018, A RESOLUTION TO ADJUST APPROPRIATIONS FOR THE 2018-2019 ANNUAL BUDGET. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn

Council took a 5-minute break at 7:42 and reconvened at 7:47.

#### **C. Resolution 21-2018 Citizen Notice of Code Services**

A letter was prepared according to Council Goals to advise residents of the operable Code Services Department at the city. The letter is seeking voluntary compliance in advance of using compliance mechanisms.

Steve Birr, Falls City Code Services Officer was introduced to Council. Mr. Birr addressed Council and gave a brief biography of his qualifications and insight Mr. Birr is a retired Lieutenant from City of Salem law enforcement and has 36 years of experience. He is also retired Coast Guard of 33 years. Mr. Birr holds every certificate offered by DPSST and an Executive Certificate. He has attended the FBI National Academy. Mr. Corthell feels the City can have a fruitful and positive Code program with Mr. Birr's level of experience, restraint and ability to diffuse situations.

The City may need to make adjustment to update the Municipal Code in the area of Nuisances. Mr. Birr pointed out that some portions are archaic or ridiculous such as not allowing pigs in town however, a person may own a black bear in town. Code Enforcement being complaint driven has few major draw backs such as citizens fearing repercussion. This makes it difficult to address violations. Salem is able to address a violation as they see them taking responsibility for complaints off of the citizens and onto the City.

Two properties are on the way to compliance. If not, they will be processed at the expense of the landowner. Councilor Lauder would like to have the clean town everyone wants to see. Street and City appeal are huge for property value. Mr. Birr asked for patience from Council, as the program gets underway. 15 days may not be enough for some folks, as their properties certainly did not get so bad in just 15 days.

A motion was made by Councilor Drill and seconded by Councilor Lauder that the City Council of Falls City adopt RESOLUTION ADOPTING AND ENDORSING A LETTER NOTIFYING THE COMMUNITY THAT THE CODE SERVICES

PROGRAM HAS BEGUN AND PROVIDING OPPORTUNITY TO VOLUNTARILY COMPLY WITH CITY CODE. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn

**D. Resolution 22-2018 HUDA Section 3 Plan**

This resolution is required as a condition of the wastewater grant for HUD monies exceeding \$200,000.00. Section 3 Plan encourages monies to be used to place bids with minority and underrepresented business owners.

A motion was made by Councilor Drill and seconded by Councilor Meier that the City Council of the City of Falls City adopt resolution 29-2018, A RESOLUTION ADOPTING A PLAN TO COMPLY WITH SECTION 3 OF THE HOUSING AND URBAN DEVELOPMENT ACT OF 1968 AS AMENDED. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn

**E. Resolution 23-2018 Limited English Proficiency Plan**

When a population reaches a 5% inability to read, write or speak English is triggered, postings must be in one other language. This is determined by the Federal Census. The policy must be in place but only triggered when it reaches 5%.

A motion was made by Councilor Lauder and seconded by Councilor D. Sickles adopt resolution 23-2018. A RESOLUTION ADOPTING A LIMITED ENGLISH PROFICIENCY LANGUAGE ACCESS PLAN. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn

**F. Work Session- Polk Community Development Corporation Revolving Fund Dissolution**

Rita Grady, founder of Polk CDC is soliciting Polk County and all participating cities therein, including Falls City, to transition their revolving loan fund money to a larger county wide "regional revolving loan fund." The purpose of this session is for the City Council to discuss this request and develop any questions that may aid in their final decision.

In the early 1980's Polk CDC, a non-governmental non-profit entity was created in part to pursue grant funds for each city that would be used to fund low-interest loans to low-income persons for housing needs. Polk CDC was very successful in its endeavor and built the fund up to \$2.1 million by 2002. In the late 1980's, Polk CDC expanded its services to offer grant management services and develop housing for low-moderate income families, seniors, veterans, persons with disabilities and persons with other special needs.

Today, the Falls City fund built by Polk CDC has reached approximately \$542k with \$92k currently in cash, and the remaining \$450k in loans.

Polk CDC has requested all participating cities in Polk County, and the County to transfer these funds into one pool of money that would make the fund eligible for substantially larger federal grant monies to not only increase its capacity to make low-interest housing loans, but to also expand the use of the fund for business development in oppressed areas.

At present, Independence, Dallas, and Polk County have pledged to transfer their (much larger) funds.

There is no guarantee currently that Falls City would receive a proportionate share, or any share, of the monies gotten through the larger fund. Notably, Polk CDC has never undertaken a low-income housing development in Falls City throughout it's more than 30 year history, but seems to have done so for each other city in Polk County.

After lengthy discussion, Council requested a list of their questions with responses from Rita Grady of the Polk CDC. Staff will organize the list for the next regular Council meeting.

**G. Correspondence, Comments and Ex-Officio Reports**

**A. Mayor's Report**

Mayor Gordon announced that a non-city community event went well and had many visitors from far and wide.

Councilor Drill thanked Public Works and the City for repairing the Dayton St. Foot Bridge.

**A. Manager's Report**

Mr. Corthell introduced Rachel Inman, the City's new Assistant City Clerk. Ms. Inman is a local resident who will assist with utilities and various projects. Ms. Inman is picking up her duties quickly. The City has been treading water since before May of this year. Now Ms. Birr can make time to work on compliance issues and other projects placed on the back burner. Mr. Birr has taken a large portion of work on.

**B. Council Announcements**

Councilor Drill thanked Don Poe and Public Works and the city for repairing Dayton St. Bridge.

D. Sickles said the zoning for the High School is incorrect and was changed in 2003-2005. The school wanted to put housing units on part of the property. This never happened. The Residential Zoning should be converted to Public Assembly Institutional or PAI.

A motion was made by Councilor L. Sickles and seconded by Councilor Flynn to waive land use variance fees for FCHS's proposed scoreboard. Motion carried 6-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Cliff Lauder, Dennis Sickles, Charlie Flynn

**Sheriff's Report**

None

**C. Adjourn**

The meeting adjourned at 8.23 pm.

\_\_\_\_\_ Mayor, Jeremy Gordon

Attested: \_\_\_\_\_ City Clerk, JoHanna Birr

City of Falls City  
City Council Regular Meeting Minutes  
August 23, 2018 6:00 PM  
Meeting Location: 320 N Main Street, Falls City, Oregon 97344

**Council Present:** Lori Jean Sickles, Jennifer Drill, Tony Meier, Charlie Flynn

**Staff Present:** Mac Corthell, City Manager; JoHanna Birr, City Clerk; Rachel Inman, Assistant City Clerk

Mayor Gordon called the meeting to order at 6:02 pm.

**A. Roll Call**

Clerk Birr took roll call. Cliff Lauder was absent. Dennis Sickles was an excused absence.

**B. Pledge of Allegiance**

Mayor Gordon led the pledge.

**C. 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: Lori Jean Sickles, Jennifer Drill, Tony Meier, Charlie Flynn

**D. Public Comments**

None

**E. New Business**

**A. Resolution 24-2018 Wagner Public Library Closure**

Mayor Gordon read the public hearing script in its entirety.

Public Hearing opened at 6:04pm.

None.

Public Hearing closed at 6:47pm.

A motion was made by Councilor Meier and seconded by Councilor Lauder that the City Council of Falls City adopt resolution 24-2018, A RESOLUTION TO TERMINATE THE INGOVERNMENTAL AGREEMENT WITH FALLS CITY SCHOOL DISTRICT ADOPTED IN RESOLUTION 17-2014 AND PERMANENTLY CLOSE THE WAGNER PUBLIC LIBRARY. Motion carried 4-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Charlie Flynn

**B. Resolution 25-2018 Disposition of Library Books**

After brief discussion it was decided to have a volunteer review the books for any pertinent to the history and development of the area including Valsetz and Falls City for the City to retain.

A motion was made by Councilor Flynn and seconded by Councilor Drill to amend the motion to include historical matter relevant to Falls City. Council added it should include Valsetz as well.

A motion was made by Councilor Flynn and seconded by Councilor L. Sickles that the City Council of Falls City adopt Resolution 25-2018, A RESOLUTION TO DISPOSE OF WAGNER PUBLIC LIBRARY BOOKS, and that in addition to the resolution, whereas some books have meaning of special or historical significance to the City and or Valsetz, should be retained by the City. Motion carried 4-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Charlie Flynn

**E. Ordinance 553-2018, and Ordinance Assigning an Address Number for a Residential Structure 138 Carey Court**

A motion was made by Councilor Flynn and seconded by Councilor Drill that the City Council of the City of Falls City adopt Ordinance 533-2018, AN ORDINANCE ASSIGNING AN ADDRESS NUMBER FOR A RESIDENTCE; AND DECLARING AN EMERGENCY. Motion carried 4-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Charlie Flynn

**C. Ordinance 554-2018 CPMA/ZC 18-01 1<sup>st</sup> Reading**

This Ordinance would authorize an amendment in the Comprehensive Plan Maps for 401 Lombard to change from PAI to C/R and provide for uses that are more permissible.

A motion was made by Councilor Drill and seconded by Councilor Meier that the City Council of Falls City read the Ordinance 554-2018 for the **first time** by title only. "ORDINANCE 554-2018 AN ORDINANCE AMENDING THE CITY OF FALLS CITY ZONING MAP, RELATED TO APPLICATION FILE NO. ZC 18-01." Motion carried 4-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Charlie Flynn

**D. Resolution 26-2018 CDBG Engineering Contract**

A motion was made by Councilor Drill and seconded by Councilor Meier that the City Council of the City of Falls City adopt resolution 26-2018, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF FALLS CITY AND WESTECH ENGINEERING TO PERFORM ENGINEERING SERVICES FOR THE CDBG WASTEWATER SYSTEM IMPROVEMENT GRANT. Motion carried 4-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Charlie Flynn

**F. CDBG Wastewater Update**

**G. Correspondence, Comments and Ex-Officio Reports**

**A. Mayor's Report**

Lynn Bailey of the FCSD is heading a program to sponsor a student with encouraging notes etcetera. This is also on the Falls City Community Facebook page with information to sign up.

**B. Council Announcements**

**Sheriff's Report**

July 2018 Falls City Stats were provided as a hand out to City Council. (Exhibit A) Council commented on the rise in activity during July. The question was raised could the difference be seasonal. Mr. Corthell confirmed warmer months are higher due to more outside activity.

**C. Adjourn**

The meeting adjourned at 6:34 pm.

\_\_\_\_\_ Mayor, Jeremy Gordon

Attested: \_\_\_\_\_ City Clerk, JoHanna Birr

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## AGENDA REPORT

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**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** JOHANNA BIRR, CITY CLERK  
**SUBJECT:** RESOLUTION 27-2018 DECLARING SUPPORT OF ARBOR DAY AND SETTING A DATE TO CELEBRATE ARBOR DAY IN 2018.  
**DATE:** 09/10/2018

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### **SUMMARY**

An Arbor Day celebration is one of the steps in the completing the Tree City USA application renewal requirements. Many cities celebrate at different times of the year. Arbor Day/SOLVe could not be met as usual on the second Saturday of September.

The Parks and Recreation Committee have requested a change to our current resolution 24-2016 establishing Falls City's Arbor Day celebration as the second Saturday in September.

### **BACKGROUND**

TCUSA participation was strongly advised by the Department of Environmental Quality (DEQ) and would allow the City to comply in five (5) areas of mandatory DEQ Total Maximum Daily Load(TMDL) requirements for restoring and protecting water quality; Temperature- Solar, Bacteria-Stormwater run-off, Mercury-Erosion and sedimentation. Trees provide shade for cooler temperatures, filtration of heavy metals in the soil and reduce damage to our waterways caused by runoff, erosion and sedimentation.

### **PREVIOUS COUNCIL ACTION**

Council approved Resolution 17-2017 establishing the second Saturday in September as Falls City's Arbor Day celebration in conjunction with the annual SOLVe event.

Council approved Parks and Receptions request of participation January 2014. No further action was taken by the Parks and Receptions Committee until November of 2016. Committee moved to act as Tree Board and proceed with a Tree City USA application.

### **ALTERNATIVES/FINANCIAL IMPLICATIONS**

There would be no financial impact to the city. There would however be significant lack of compliance efforts with annual reporting to the Department of Environmental Quality.

### **STAFF RECOMMENDATION**

Staff recommends adopting Resolution 27-2018.

### **EXHIBIT A- Resolution 27-2018**

### **PROPOSED MOTION**

I move that the City Council of the City of Falls City adopt resolution 27-2018, **A RESOLUTION DECLARING SUPPORT OF ARBOR DAY AND SETTING AN ANNUAL DATE TO CELEBRATE ARBOR DAY IN 2018.**

**RESOLUTION 27-2018**

**A RESOLUTION DECLARING SUPPORT OF ARBOR DAY AND SETTING AN ANNUAL DATE TO CELEBRATE ARBOR DAY IN 2018.**

Findings:

1. The Falls City Park and recreation committee has requested Council support to celebrate Arbor Day; and
2. The Falls City Park and Recreation Committee recommends to Council to celebrate Arbor Day on September 29, 2018; and
3. The Falls City Park and Recreation Committee is willing to take on the responsibilities of organizing the community to celebrate Arbor Day.

Recitals:

**Whereas**, in 1872 Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

**Whereas**, this holiday, called Arbor Day was first observed with the planting of more than a million trees in Nebraska; and

**Whereas**, Arbor Day is now observed throughout the nation and the world; and

**Whereas**, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products; and

**Whereas**, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

**Whereas**, wherever they are planted, trees are a source of joy and renewal.

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

Section 1. The City of Falls City Council hereby proclaims that the 29<sup>th</sup> day of September 2018 will be the Official Arbor Day celebration.

Section 2. This Resolution was duly PASSED and ADOPTED by the Falls City Council this Thirteenth (13) day of September 2018 and takes effect upon signing by the Mayor.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jeremy Gordon, Mayor

Attest:

\_\_\_\_\_  
Date

\_\_\_\_\_  
JoHanna Birr, City Clerk

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## AGENDA REPORT

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**TO:** CITY COUNCIL  
**FROM:** CITY MANAGER, MAC CORTHELL  
**SUBJECT:** ORDINANCE NO. 554-2018 AN ORDINANCE AMENDING THE CITY OF FALLS CITY ZONING MAP, RELATED TO APPLICATION FILE NO. ZC 18-01.  
**DATE:** SEPTEMBER 13, 2018

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### SUMMARY

Consider motion for first reading of Ordinance

### PROCESS FOR ADOPTION

8/23/18 – Motion to read Ordinance for first time by title only- **COMPLETE**

9/13/18 – Motion to read Ordinance for a second time by title only

Motion to Adopt Ordinance

10/13/18 – Motion will take affect if adopted

### BACKGROUND

See Staff Report for ZC 18-01

### PREVIOUS COUNCIL ACTION

Voted to approve the zone change and comp plan map amendment on 8/9/18.

First reading of Ordinance on 8/23/18.

### ALTERNATIVES/FINANCIAL IMPLICATIONS

N/A

### STAFF RECOMMENDATION

Staff recommends the City Council read Ordinance 554-2018 by title only and adopt the ordinance.

### EXHIBIT

ORDINANCE NO. 554-2018 AN ORDINANCE AMENDING THE CITY OF FALLS CITY ZONING MAP, RELATED TO APPLICATION FILE NO. ZC 18-01.

### PROPOSED MOTIONS

1. I move the City Council of the City of Falls City read Ordinance 554-2018 for the **second time** by title only. "ORDINANCE NO. 554-2018 AN ORDINANCE AMENDING THE CITY OF FALLS CITY ZONING MAP, RELATED TO APPLICATION FILE NO. ZC 18-01."

2. I move the City Council of the City of Falls City adopt ordinance 554-2018, AN ORDINANCE AMENDING THE CITY OF FALLS CITY ZONING MAP, RELATED TO APPLICATION FILE NO. ZC 18-01.

**ORDINANCE NO. 554-2018**

**AN ORDINANCE AMENDING THE CITY OF FALLS CITY ZONING AND COMPREHENSIVE PLAN MAPS, RELATED TO APPLICATION FILE NO. CPMA/ZC 18-01**

**FINDINGS:** On May 7, 2018, the Oregon Conference Education Association submitted an application (18-10/ZC18-01) for a zone change and comprehensive plan map amendment for Polk County Assessor Map 8.6.21CB Tax Lot 5701 (401 Lombard St. Falls City, Oregon 97344), from Public Assembly/Institutional (PAI) to Commercial/Residential (CR); and

**FINDINGS:** Staff reviewed the application and found that the applicant satisfied all criteria for a zone map change and comprehensive plan map amendment under the Falls City Zoning and Development Ordinance (FCZDO) and all other applicable laws; and

**FINDINGS:** On August 9, 2018 the City Council conducted a public hearing on the matter at which time interested parties were given full opportunity to be present and heard on the proposed zone change and comprehensive plan map amendment; and

**FINDINGS:** Proper notice of the public hearing was given to the public pursuant to applicable state statutes and the FCZDO; and

**FINDINGS:** A change to the zoning map and amendment to the comprehensive plan map will allow Commercial/Residential (CR) permitted and conditional uses compliant with the FCZDO; and

**FINDINGS:** The subject property is located within the city limits of Falls City; and

**FINDINGS:** The agent of the owner of the subject property signed the Land Use Application for the zone change and comprehensive plan map amendment; and

**FINDINGS:** On August 9, 2018 at the close of the public hearing, the City Council voted to approve the request.

**NOW, THEREFORE, THE CITY OF FALLS CITY ORDAINS AS FOLLOWS:**

**SECTION 1.** The City Council of the City of Falls City hereby adopts the findings in support of this designation and rezone, as set forth in the above recitals and as detailed in the attached Exhibit A.

**SECTION 2.** The zoning for the subject property is hereby changed from Public Assembly/Institutional (PAI) to Commercial/Residential (CR).

**SECTION 3.** This Ordinance will go into full force and effect 30 days after its adoption.

FIRST READ by the Common Council of the City of Falls City this 23<sup>rd</sup> day of August, 2018.

