



City of Falls City

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

PUBLIC NOTICE: City Council Special Meeting

Date: Monday, February 01, 2021 **Time:** 6:00 pm

Location: Telephone, Zoom or in writing

How to Attend and/or Participate:

1. **Call-in:**
 - a. 1-253-215-8782
 - b. Meeting ID: 928 6606 4749
 - c. Passcode: 838060
 - d. You will be muted but may “raise your hand” to indicate you wish to comment. Please visit freeconferencecall.com for a tutorial
2. **Web Application: Zoom**
<https://zoom.us/j/92866064749?pwd=TmJ4VDdzenppeXlpQ0dibHBrSlZWdz09>
 - a. Meeting ID: 928 6606 4749
 - b. Passcode: 838060
 - c. You will be muted, but may “raise your hand” to indicate you wish to comment.
3. **Write-In:** Using regular mail or email.
 - a. info@fallscityoregon.gov; 299 Mill St. Falls City, OR 97344

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.

AGENDA

1. **CALL TO ORDER & ROLL CALL**
Jeremy Gordon, Mayor ___ TJ Bailey ___ Lori Jean Sickles ___
Jennifer Drill ___ Tony Meier ___ Amy Houghtaling ___ Dennis Sickles ___
2. **PLEDGE OF ALLEGIANCE**
3. **MOTION TO ADOPT THE ENTIRE AGENDA**
4. **2021 GOALS REVIEW – CITY MANAGER AJ FOSCOLI**
 - a. **Session Opening**
 - i. Mayor’s Remarks
 - ii. City Manager reviews status of existing goals
 - iii. Evaluate relevant existing goals that will be brought forward in 2021/2022

iv. Establish milestones for goals already in motion

v. Establish anticipated milestones

b. Reflections on the Discussion

c. Session Closing

5. ADJOURN



CITY OF FALLS CITY GOAL-REVIEW WORKSHOP

February 1, 2021

City Council Members in Attendance:

TJ Bailey, Jennifer Drill, Jeremy Gordon (Mayor),
Amy Houghtaling, Tony Meier, Lori-Jean Sickles

Staff in Attendance:

AJ Foscoli, City Manager; Jamie Ward, City Clerk

Others in Attendance:

MISSION STATEMENT

“Create an environment that supports community rural living at its best by mixing family, work, recreation and social opportunities while providing fiscally sound, responsible municipal services.”

PURPOSE – TO ENHANCE THE QUALITY OF LIFE IN FALLS CITY

Falls City Community Center
320 N. Main St
Falls City, OR 97344
(503) 787-3631
www.fallscityoregon.gov



TRANSPORTATION & INFRASTRUCTURE

- » Upgrade Sewer Infrastructure



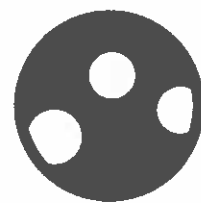
PUBLIC SAFETY & HEALTH

- » Finance City Code Services
- » Implement Beautification Initiatives



ECONOMIC VITALITY

- » Develop Falls City as a Destination & Gateway to Nature



EFFECTIVE & EFFICIENT CITY OPERATION

- » Miscellaneous Goals

Goal #1 – Upgrade Sewer Infrastructure

Milestone	Current Timeframe	Timeframe
Environmental & Engineering Design Complete; Construction Financing Options Known	Feb - June 2020	Feb - June 2020
Community Information & Outreach Conducted; Construction Grants Applied For	July – Dec 2020	July – Dec 2020
Land Fully Acquired	Jan – Jun 2021	
Construction Begun	July – Dec 2021	
Facilities Plan Amendment Done & Adopted	Out Years	

Goal #2 – Finance City Code Services & Implement Beautification Initiatives

Milestone	Current Timeframe	Timeframe
Engage Community in Code Services & Beautification Initiatives	Feb - June 2020	
Determine Feasible Approach(es) to Sustainable Code Services	July – Dec 2020	
Select a Feasible (Desirable & Doable) Approach	Jan – June 2021	
Implement Code Services Program	July – Dec 2021	

Goal #3 – Develop Falls City as a Destination & Gateway to Nature

Milestone	Current Timeframe	Timeframe
Prioritize Existing Development & Recreation Projects	Feb - June 2020	
Plan for City Owned Real Properties	July – Dec 2020	
Progress on Development & Recreation Projects; Disposition of City Owned Real Properties	Jan – June 2021	
Plan Next Phase of Destination & Gateway to Nature Development	July – Dec 2021	

Goal #4 – Miscellaneous Goals

Goal	Current Timeframe	Timeframe
Establish & Implement System Development Charges	July – Dec 2021	
Recruit & Transition New City Manager Before Mac Separates	July – Dec 2020	Complete
Council Training Attended by All Council Members	Feb – June 2020	

Other Issues of Strategic Importance for 2021

Goal	Timeframe
Strategies for housing at all economic levels (through Polk County housing grants)	
Broadened planning to include a comprehensive citywide capital improvement plan, with strategies that acknowledge & address the lack of financial resources for critical infrastructure	
Parks development	
Road maintenance & repair	

Status Report

Goal 1

Milestone	Status	Notes
Environmental & Engineering Design Complete	On Target	Westech Engineering has designed the Wastewater Treatment plant to 90% supported by the CDBG funding program. The next step is to ensure that all Federal & State organizations that have jurisdiction over environmental impacts, such as NMFS, NOAA, ACOE, DEQ, USDA have aligned their approvals to move on to the funding phase for the construction.
Construction Financing Options Known	Complete	Funding options explored in 2020 and through rate analysis USDA funding for construction was deemed the most financially beneficial based on interest rates and term of loan
Community Information & Outreach Conducted	On Target	Rate analysis (Summer 2020), as well as monthly updates on the project have been ongoing project update presented to Council by project engineer and project manager, as well as monthly updates from City Manager on the project have been ongoing
Construction Grants Applied For	Attention Needed	Due to the federal nexus of environmental oversight, FC staff is currently coordinating with NMFS, NOAA, ACOE, DEQ to identify funding options for the required environmental assessments that will enable FC to apply for USDA funding
Land Fully Acquired	On Target	All Easements have been finalized, purchase option for lagoon site finalized, IGA with School District as condition for easement finalized, property line adjustments are being processed through Polk County, with the help of MWVCOG
Construction Begun	Delayed	Based on current timeline for construction funding package, construction should begin no earlier than Q1 of 2022
Facilities Plan Amendment Done & Adopted		

Goal 2

Milestone	Status	Notes
Engage Community in Code Services & Beautification Initiatives	Delayed	Due to COVID's impact on community engagement, as well as management staff changes, this action is currently being reviewed for implementation
Determine Feasible Approach(es) to Sustainable Code Services	Attention Needed	Funding options for feasible approaches to Code Services were explored in 2020
Select a Feasible (Desirable & Doable) Approach	Attention Needed	Desirable and Doable approach to sustainable Code Services needs attention to review previously proposed options, and explore additional ones
Implement Code Services Program	Delayed	

Goal 3

Milestone	Status	Notes
Prioritize Existing Development & Recreation Projects	Delayed	Due to COVID's impact on tourism, local businesses, as well as management staff changes, this action is currently being reviewed for implementation
Plan for City Owned Real Properties	Delayed	A review of city owned properties is being conducted vis-a-vis their potential use for tourism destination development purposes; conversations with local volunteers are ongoing about the use/re-use of city owned properties
Progress on Development & Recreation Projects	On Target	Progress is being made in the creation of promotional information to engage community members and the tourism public at large about Fc's various tourism assets
Disposition of City Owned Real Properties	Attention Needed	Once the ongoing review of city owned properties is complete, discussion on the potential uses of these properties for tourism destination development will need to be scheduled
Plan Next Phase of Destination & Gateway to Nature Development	On Target	In line with the ongoing creation of promotional information to engage community members and the tourism public at large about Fc's various tourism assets, collaborative progress has been made with regional timber partners about the promotion of Valley of the Giants as a tourism destination

Miscellaneous Goals

Goal	Status	Notes
Establish & Implement System Development Charges	On Target	
Recruit & Transition New City Manager Before Mac Separates	Complete	David Clyne, as interim manager assisted the city in hiring a permanent city manager
Council Training Attended by All Council Members	Complete	Training to full Council provided by City Attorney, Ross Williamson, Councilor Houghtaling has undergone LOC's council training

Strategic Issues

Issues	Status	Notes
Strategies for housing at all economic levels (through Polk County housing grants)	On Target	Exploring possibilities for housing at all economic levels with regional partners
Broadened planning to include a comprehensive citywide capital improvement plan, with strategies that acknowledge & address the lack of financial resources for critical infrastructure	On Target	Under review
Parks development	On Target	Conversations with local volunteers are ongoing about the use/re-use of city parks
Road maintenance & repair	On Target	Under review

STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: CITY MANAGER, MAC CORTHELL
SUBJECT: CODE SERVICES PROGRAM DISCUSSION
DATE: SEPTEMBER 9, 2019

SUMMARY

Discussion re: Code Services.

BACKGROUND

Listed as goal #4 of the City's January 29, 2018 Goal Setting session, Code Services has been a hot button issue for some time now. City Staff, both before and during my time, has endeavored to address this goal in a plethora of ways.

Existing City Staff has attempted to serve in a Code Officer's role, the City has hired severely unqualified individuals on an informal and untrained basis, and the City has hired extremely qualified personnel, but can't pay them enough to continue in the role.

Through disorganization, incompetence, and a lack of professionalism these various (failed) approaches have caused numerous issues ranging from severe risk, to creating a confrontational environment at City Hall, to wasted funding, to burnout.

The last operational program we had in place was manned by a retired Salem Police Lieutenant. Never was there a more qualified individual, but of course the menial pay and short hours were not enough to overcome the mostly negative outlook of the position that has been created.

Lieutenant Birr shared some parting concerns with the Council. I am outlining those below and listing some of my own:

1. Safety- There is no backup here, and the Sheriff's Office is often too busy to assist. Being that we lack a law enforcement service of our own, this will be difficult to overcome.
2. Civil Rights- Inherent to law enforcement is an actor proceeding, under color of government, to impose themselves on displeased citizens. This carries with it the risk of a 42 USC section 1983 Civil Rights claim. These are for violations of civil rights such as unlawful searching under the 4th amendment.
3. Complaint Driven- Lieutenant Birr found some neighbors would use code complaints to prolong a feud, or just poke a neighbor they don't care for. It also was an issue that he'd be dealing with a branch hanging down in one yard while another that is a total "junk yard" was left alone. He also noted it was often used for retribution.

4. Purpose- Lieutenant Birr reported that at the 8 hours a week he had to work, it was almost futile to even try to make a difference.
5. Costs- The cost to mitigate all of these concerns and produce a viable program have not been fully calculated.
 - a. However, to outfit and train a Code Officer would likely be in the range of \$75k-\$100k.
 - b. To maintain a Code Officer at part-time would be difficult due to the drive time and general need for more income. Once a person is trained and experienced in this field they are marketable elsewhere. If we cannot give full-time hours we must enter an IGA to split an officer.
 - c. To maintain a 20 hour (split) Code Officer would be in the neighborhood of \$35k plus equipment maintenance and repair.

PROPOSAL

There are 3 options for consideration:

1. Raise funds for Code Services through a Fee on the Water Bill;
2. Attempt to raise funds for Code Services through a levy;
3. Adopt a pilot code services program as proposed below.

*Note- Options 1 and 2 can be used to enter an IGA with another municipality, or to hire, train, and outfit our own officer.

Pilot Program Proposal 1:

1. Complaint Intake
 - a. Complaints must be written and turned-in to City Hall by mail, email, in-person (exception for disabilities that prevent written communication).
 - b. Staff Logs complaint and all relevant information in Code Services Index.
2. City Staff Action
 - a. Staff mails/posts a Notification letter to alleged violator stating allegation and allowing for a 30 day window to cure, submit a plan to cure within 90 days, or deny/disregard.
 - b. After 30 days, denials and fails to respond will be investigated by viewing.
 - i. If no violation is observed the case is closed;
 - ii. If violation is observed a citation is prepared.
 - c. Plans to cure will be investigated in the same fashion after 90 days.
3. Citations
 - a. Will be issued for denials/failures to respond when investigation reveals the violation is present.
 - b. Will be issued for plans to cure when investigation reveals the violation is present after the plan window.
 - c. Will be issued by the Polk County Sheriff's Office
4. Court
 - a. Will be attended by the City Manager as representative for the City
 - b. Failures to Appear will be allowed a "show cause" opportunity, then found in default.
5. Staff Needs

- a. Staff will need Council to back a “Paper Only” process in which citizens subject to code enforcement action will only be allowed to communicate with City Staff via written instrument (unless a significant disability prevents it).
- b. Staff will need the Council to approve a “prioritization schedule” allowing staff a basis by which to prioritize complaints.

FINANCIAL IMPACT

The third option, pilot program, will allow Staff to fulfill the Code Services role within current budgetary constraints.

STAFF RECOMMENDATION

Direct Staff to pursue one of the following:

1. Cancel Code Services for the present; seek funding through a tax levy for a half to $\frac{3}{4}$ time Code Services Officer. Engage other entities for potential partnership on a Code Services Officer.
2. Add a Code Services Fee to the Water Bill to support a $\frac{1}{2}$ time Code Services Officer. Engage other entities for potential partnership on a Code Services Officer.
3. Alternatively, allow staff to pursue the pilot program, but grant the requested support in order to make it effective.