
City of Falls City
City Council Meeting Minutes
Monday January 11, 2021 6:00 PM
COVID-19 Related Conference Call (425)-436-6370, Code #251514

Council Present: Lori Jean Sickles, Tony Meier, Amy Houghtaling, Dennis Sickles, T.J. Bailey

Staff Present: AJ Foscoli, City Manager; Jamie Ward, City Recorder

1. Call to Order and Roll Call

Mayor Gordon called the meeting to order at 6:00 p.m. Clerk Ward took roll call. Councilor Jennifer Drill arrived at 6:03 p.m.

2. Pledge of Allegiance

Mayor Gordon led the pledge.

3. Motion to adopt the entire Agenda.

A motion was made by Councilor T. Meier and seconded by Councilor L. Sickles to adopt the entire agenda with additions including Council President nomination and fire budget documents. Motion carried 6-0-0-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Amy Houghtaling, Dennis Sickles, T.J. Bailey.

4. Announcements, Appointments, Appreciation, Proclamations

- a. 2021 Falls City Photo Contest was announced entries must be submitted by Friday February 26, 2021. Winner will be selected at the March 08, 2021 meeting.

b. Swearing-In(s)

City Manager Foscoli swore in the following to their new terms:

- a. Mayor- Jeremy Gordon

Mayor Gordon swore in the following to their new terms:

- b. Councilor-Dennis Sickles
c. Councilor- Amy Houghtaling
d. Councilor- TJ Bailey

c. Council President

- Councilor Tony Meier nominated TJ Bailey.
➤ Councilor Amy Houghtaling nominated Dennis Sickles.

Council votes

Lori Jean Sickles- TJ Bailey

Jennifer Drill- Neither- Believe that neither one will uphold the duties.

Tony Meier- TJ Bailey

Amy Houghtaling- Dennis Sickles

Dennis Sickles- TJ Bailey

TJ Bailey- Dennis Sickles

TJ Bailey was welcomed as Council President.

5. Community Reports

- a. Falls City Public Works
No Comments

- b. Falls City Fire Report
No Comments

- c. Polk County Sheriff's Report
No Comments

6. Reports

- a. Mayor Gordon asked about any questions regarding his Mayors report (see exhibit A). No comments given.

- b. Councilor A. Houghtaling expressed her excitement to be voted into council. Houghtaling reported that she attended League of Oregon Cities online training and said they were a lot better than they were ten (10) years ago.

Councilor T. Bailey thanked Mayor Gordon on his mayor's report focusing on the wastewater treatment plant update.

Bailey stated that the group of students he has been working with on developing a skate park has begun collecting cans and that money will be deposited in the bank account soon.

- c. City Manager Foscoli focused on the first couple items included in his managers' report (see exhibit B).

7. Consent Agenda

A motion was made by Councilor D. Sickles and seconded by Councilor T. Bailey to approve the Consent agenda items, approval of the December 14, 2020 minutes and bills. Motion carried 5-0-1-0. Ayes: Lori Jean Sickles, Jennifer Drill, Tony Meier, Dennis Sickles, Cliff Lauder, T.J. Bailey. Abstain: Amy Houghtaling,

8. Public Comments & Letter Communications

None

9. New Business

- a. Council accepted OLCC annual renewals for local businesses. Those businesses include Frinks Market, The Breadboard, & The Boondocks.

- b. Five years of adopted Falls City Fire Department Funds budgets were given to council to look at in single document as the city approaches budget season. Mayor Gordon stated a supplemental budget will need to be done when state funds come in from the work done on the Holiday Fire before the end of this fiscal year.

- c. City Manager Foscoli wanted to show council an informal public records request submitted by Councilor Drill (see exhibit C) regarding the wastewater project and to remind council that councilors not only have a duty and responsibility to represent citizens of this this community but to also set an example of how representative government works most

efficiently. Foscoli went on to say the estimated cost of fulfilling the public records request would be in the \$600.00 range if not more.

Councilor Drill stated that she submitted that request as a citizen and not as a city councilor and really wants to make sure the city is being transparent with all the information regarding the wastewater project. Councilor Drill stated that she would like to see a dedicated page on the website that is easily accessible for the public to get the information they are looking for without having to go through all the previous packets or minutes.

Councilor Bailey brought to council attention the Governing Documents page on the website stating most of that information was on the wastewater master plan.

Mayor Gordon stated that the reason the previous manager removed the tab on the website because details of the project are changing a rapid pace. Mayor Gordon also stated that it is not appropriate for a councilor to ask for administrative tasks outside of council. Mayor Gordon thinks a public facing document is a worthy endeavor but it would also have to be look at by our funding partners such as Business Oregon as well as our city attorney.

Councilor Bailey asked if it would be wise to have a work session regarding the wastewater project to help with creating the website tools.

Paul Dasso, East Ave. Falls City Oregon was given the floor to speak and stated to council that he feels that it would be good for council to read Oregon revised statutes. Stating as a public body we have a legal obligation to furnish information upon a written request and that we do not have the right to deny it. We can state that it will take some time to collect the information, but we must produce the requested information. If we do deny something, we need to do so in writing according of the laws in Oregon.

Mayor Gordon stated the request was not denied and that was assessed a dollar amount.

Council Dennis Sickles stated that councilors are elected to do city business and residents can listen in. Participation in discussion is a privilege that is given but council is not required to do so outside of Public Comments.

Councilor Houghtaling wanted to state that the wastewater and the safe route to schools are huge projects that will take large toll on staff. She wanted to remind council about that and to say that if City Manager Foscoli was feeling overwhelmed.

Mayor Gordon wanted to remind council to bookmark Monday February 01, or Tuesday February 2 for a goal setting workshop.

10. Old Business

a. None

11. Adjourn

No Motion Made

The meeting adjourned at 7:16 pm.



Mayor, Jeremy Gordon

Attested:



City Recorder, Jamie Ward



City of Falls City
299 Mill Street
Falls City, OR 97344
Ph 503.787.3631

OFFICE OF THE MAYOR
JEREMY GORDON

Mayor's Report, January 11, 2021

Welcome

It is with heartfelt hope and optimism that I welcome City staff and members of the City Council to a new year that brings fresh opportunities to move Falls City forward. I am honored to work with all of you for the betterment of our City and to bring into focus our vision and goals toward a collective future that ensures Falls City as a premier place to live, play, and work.

A special note of gratitude goes out to City Councilors TJ Bailey, Dennis Sickles, and Amy Houghtaling for volunteering their time, experience, and passion for the benefit of our unique and historic City. The voters in Falls City have chosen you to represent their interests, to employ your judgement and conscience, and, with the rest of Council and staff, to help lead us toward a brighter future. Thank you for your commitment to service and leadership, and thanks to Councilors Sickles, Drill, and Meier for continuing to serve out your term. I am honored to work with all of you.

The past several months have brought unprecedented challenges to our families, communities, cities, state, and country. A global pandemic, wildfires, economic uncertainty, and personal loss have challenged all of us to some degree. These challenges humble us and drive us to lead. And I urge us to exhibit leadership that is sadly lacking at the federal level. After all, we are here to better our home, Falls City, and to represent our friends and neighbors. We received robust direction from our community during the visioning process and I have no doubt we will fulfill our obligations to the community during our service.

I am grateful for the opportunity to connect with other mayors in Oregon and am especially inspired by leaders such as Jim Trett, Mayor of Detroit, OR, who has helped lead his community through incalculable wildfire devastation. During a recent Oregon Mayors Association online event, Mayor Trett described what it looks and feels like to live in a city that lost 80% of its structures. He described incredible resident-to-resident and regional assistance efforts that are working to rebuild Detroit while the city scrambled to re-route its water intakes to alternate water sources. It was also inspiring to hear how, despite the devastation, residents continued with holiday traditions like the lighting of their annual Christmas tree.

I witnessed the same sort of resiliency and optimism in Falls City this holiday season. Unprecedented donations helped feed over 400 meals during the community Thanksgiving meal and deliver over 170 gifts to kids for Christmas. Both events shattered records from previous years. With stories of resilience like these, and exemplary displays of community spirit during difficult times, I am confident that our staff, City Council, and residents will rise to any challenge.

It is with this spirit of optimism and resiliency that I offer the following...

Meeting Norms, and Shared Professional Development

In recent years, the Falls City government has strived to transition its norms by moving the arena of policy deliberations more exclusively to public meetings rather than through outside ad hoc conversations with fellow councilors and staff. This shift highlights the importance of conducting professional, normative, substantive, and properly paced public meetings for decision making.

While no deliberative body earns perfect marks in all categories, the previous Council strived to improve itself by undergoing several professional development trainings to better understand respective roles, responsibilities and liabilities, and generally, how to conduct itself with the public good in mind while allowing for multiple perspectives to be heard and considered. Toward this spirit of betterment, following are a few suggestions for Council to consider as we head into 2021:

- *Refresh Council Goals with Manager Foscoli and our new City Councilor*
- *Share what we've learned:* I would like to invite Council members to consider proposing shared learning opportunities for the Council to schedule during 2021. It is often the case that one or some of us attends trainings and workshops that may benefit the full group. For example, Councilor Houghtaling recently attended the LOC Elected Essentials Training and is encouraged to share aspects of the training that might be helpful for the full Council and staff to learn or review.

Also, I recently attended the Oregon Mayors Association Annual Conference and learned a great deal about the history of race in Oregon and suggestions for fostering a more equitable and inclusive city. Around issues of diversity and inclusion, I would like to schedule discussions and trainings around race, lgbtq+ issues, rural hardships, and other topics concerning diversity and inclusion in Falls City. I have no doubt we can rise above contentious rhetoric and learn together about how we can make Falls City more welcoming for all.

These topics are not exhaustive. Please feel free to add agenda items for discussion, reflection, or review on any topic of mutual learning. Not all agenda items need to lead to decisions related to city business! We are a diverse group of leaders and can benefit from

one another's knowledge and experience.

- **Review Council Rules:** The City Charter *requires* the council to adopt rules by resolution to govern its meetings. The existing rules have not been reviewed for some time. The purpose of the review would be to come to common understanding of the rules and their spirit, and to make any appropriate amendments. I suggest we consider adding a work session to a regular or special meeting and take an hour or two to review and possibly update the council rules.
 - The following excerpt from Roberts Rules of Order (11th edition) summarizes the overarching goals of public meetings well. The principles underlying parliamentary law ought to establish rules “based on a regard for the rights of the majority, the minority, individual members, absentees, and of all these together.” In short, decisions must be made by a majority, all views must be heard, including minority views in ways that do not monopolize meetings or obstruct decision-making, and there should be clear procedures governing decision-making and collective support and action regarding council decisions.
- **Video Conferenced Meetings and Public Participation during Pandemic:** By a unanimous decision during the October 12, 2020 City Council meeting, the Council authorized staff to utilize CARES Act funds to purchase IT equipment to conduct online public meetings safely and professionally. We should be operational in time for our February regular Council meeting. This technology will surely allow considerably more public access to our meetings during the pandemic than what has been available. The public will be able to watch the meetings (or call in) from their home computers and devices, address the council from the council chambers, and view recorded videos of meetings at a later date. It is critical that we stay safe and keep the public safe while expanding accessibility to public meetings. This technology will continue to be beneficial after the pandemic to those who are unable to participate in person. We should consider starting a YouTube channel to broadcast and archive our meetings for broader public access. A big thanks to City Recorder Ward and Jason Kisler from the City of Independence for their work.
- **Council/staff professional working relationships:** It is incumbent on the City Council to retain quality staff and to ensure their success. I have asked the city manager to let the mayor and/or council president know if any councilors direct staff outside of public meetings or engage in other concerning behavior. Remember, suggestions to staff and the manager should only be made during public meetings so that fellow councilors can weigh in and consider any potential decisions as a group. Individual councilors and mayors have no authority other than that prescribed in the city charter, ordinances, and council rules.

City Committee Engagement/Ad hoc Committees

There has been some confusion among members of this body and committees as to the role of Falls City advisory committees established by ordinance. I commit to doing a better job of suggesting that Council refer certain topics to committees, when appropriate, and please do the

same. If Council is having trouble making a decision, or would like more time to think about an issue, then it might be a good time to ask a particular committee for their recommendation. It would also be helpful to receive updates from Councilmembers who are also committee members during our regular Council meetings. Hearing about concerns from committees will strengthen our connection to the public and improve our deliberative process. I will add this item for discussion at some point in 2021.

Falls City Wastewater Project Milestones:

Some of us have been serving for several years and have been involved at each step along the process to realize Council's long-standing #1 goal: to design and construct a new wastewater system. It is important that we give this issue the time and attention it deserves as the pace of decisions has and is ramping up. Below is a list of wastewater project partners and an overview of the "why" the City is undergoing the project, as well as a chronological list of milestones related to the project for those who are newer to Council, rejoining Council, or would like a quick reference. Please add aspects of this issue to the agenda if you'd like to discuss in more depth. All information was pulled from the City website (Wastewater Facilities Plan – great reading!), including past meeting packets.

Partners:

City of Falls City, Mid-Willamette Valley Council of Governments, WesTech Engineering, Speer-Hoyt Legal, Oregon Dept. of Environmental Quality, Business Oregon IFA, USDA, NOAA, area Tribes, Dept. of Forestry, Polk County, etc.

Why replace the current system?

- The current treatment facilities are aging (35+years old).
- The current facilities are undersized.
- The drain field is used for High School football games and other school activities thereby threatening public health.
- Fair Oaks pump station is aging, failing, and costly to maintain and operate.
- The City must comply with DEQ requirements and prepare for the future.

Recommended Improvements

- Construct new lagoon treatment system (2-cell) east of the City
- Decommission and remove existing treatment plant facilities, excluding drain field unless ordered by DEQ (per IGA with School District)
- Construct new pump station and pipeline to move wastewater to new treatment plant site
- Construct gravity sewer and abandon fair oaks pump station

WASTEWATER CHRONOLOGY/MILESTONES

- ***Mid-1980's:*** Current STEP (Septic Tank Effluent Pump), STEG (System Tank Effluent Gravity), and RGF (Recirculating Gravel Filter) wastewater system constructed in 2 phases

- **November 8, 2012:** City Council voted to focus majority of planning effort toward a two-cell lagoon system primarily to:
 1. Move effluent disposal away from the High School football field,
 2. minimize the financial impact to users by maximizing available grant funds, and,
 3. to ensure efficient expandability for future capacity increases (the current lagoon site purchase options includes 17 acres with room to build additional lagoons in the future).
- **December, 2013:** Adoption of a CDBG-funded Wastewater Facilities Plan which amplified the need to replace the existing system, is required for funding assistance, and was approved by the City and DEQ. The facility plan highlights several instances of saturation episodes on the football field surface, DEQ denial of the City's request for full time stream discharge, identification of the system operating outside DEQ on-site design standards, etc. At the time of the facilities plan, the system was designed to limit capacity at 37,500 gallons per day of flow. During wet weather months, the actual flow had been recorded at almost double the RGF capacity according to on-site rules, largely due to infiltration and inflow (I/I). The Wastewater Facilities Plan can be accessed on the City website and has been discussed with Council and the Public Works Committee at length.
- **May 25, 2018:** Executed agreement signed for CDBG Project Grant Program, City of Falls City Wastewater Improvement Project No. P17004. The initial total of the reward was \$330,000 for engineering work (265k), grant administration (25k), environmental review (20k), rate study (15k), and land use costs (5k). Several amendments to this agreement have been executed as costs, line item dollar amounts, and timelines have changed, as is typical of projects like these. Design work began soon after approval. The City Council approved Westech to conduct the design engineering.
- **March 8, 2019:** Predesign Report approved by DEQ
- **March 11, 2019:** NPDES (National Pollutant Discharge Elimination System) permit amendment submitted to DEQ
- **April 6, 2019:** mayor/city manager public presentation on wastewater project as part of Falls City Visioning Project (requested by attendees/public)
- **June, 2019:** Falls City Wastewater Townhall – panel included the city manager, mayor, Chris Brugato (engineer), Tim McFetridge (DEQ), and Renata Wakeley (project manager/COG). Event was very well attended with significant public input and conversation.
- **April 16, 2020:** NPDES permit renewal/discharge increase approved by DEQ
- **June 22, 2020:** City Council adopted Resolution 16-2020 increasing sewer rates to better build reserves for financing of new sewer system. Steve Donovan presented rate study to the City Council.
- **July 7, 2020:** Falls City wastewater project construction one-stop meeting w/ USDA, DEQ, COG, Business Oregon, etc.
- **July 28, 2020:** One stop/wastewater construction funding options presented to City Council. City Council motioned and voted unanimously to pursue USDA/CDBG funding option for project (approx. \$3.2 million in construction costs plus soft costs totaling \$4.0 million)
- **December 14, 2020:** Final easement and IGA signed by City and FC School District, thus completing all necessary easements for project.

- **Ongoing:** Wetlands delineation, biological survey (NOAA), USDA-required preliminary engineering report, cultural resource survey, etc. etc.

Clearly, the wastewater project is a very complicated and tenuous undertaking, particularly for our staff. Timelines, budgets, staff time, and partnership maintenance and communication are all vital to its success. I cannot express enough my gratitude for the hard work of Renata Wakeley and John Schmidt from the COG, Mac Corthell, Chris Brugato from Westech, Arthur Chaput from Business Oregon, Jamie Ward, AJ Foscoli, the Polk County Commissioners, and others for their dedication to this project, and thus, the future success of Falls City.

Thank you, all, and I look forward to a prosperous 2021!

Sincerely,



Jeremy Gordon



City of Falls City
299 Mill Street
Falls City, OR 97344
Ph 503.787.3631

City Manager's Report January 11, 2021

Introduction

A new year has started and as with most people, my hope is that this year will be better than the last. Since our last meeting, we've had some successes and a couple of challenges, but the grace and dignity with which both have been handled by staff has given me great confidence in what can be accomplished if we all work together.

Wastewater Project – I have been attending the regular meetings with the multi-organizational team putting together the ultimate application for financing through USDA-RD. As specified in the previous city manager's report, we're working through the logistics of securing a grant award to cover the likely costs of the Cultural Resource Survey.

The extension of our deadline and modification of the contract for completion of work under the CDBG Grant with the State of Oregon will allow us more time to cover the cost of the Biological Assessment required by USDA. As this will result in the need for a biological opinion from the Federal government, we are proceeding with that understanding and do not see an earlier start date for completing this phase prior to summer of 2021.

We have finalized our proposed easement with the FCSD, as well as the Intergovernmental Agreement that are necessary for the continuation of the project's design phase.

Safe Routes to School Award – Falls City signed the contract with ODOT for the Safe Routes to School grant. This will ensure that greatly needed improvements to our sidewalks, intersections and paths between the high school and the elementary schools will be funded. As part match for the Safe Routes to School grant, previous Small City Allotment grants for 2019 and 2020 funds were used, so the impact to the city's budget will be minimal.

IT Project – Work is nearly complete on this effort. As previously stated in an earlier city manager's report, the contractor has been on site and was scheduled to finish the proposed audio/visual upgrades for the Community Center by December 21, but due to scheduling conflicts, that has been postponed until January 12. This will allow for council meetings to be fully virtual from February, as the need persists due to COVID restrictions. The goal remains to sufficiently encumber the project funding on this to be able to gain reimbursement through Federal CARES funds.

Note: If you have questions/concerns, please respond to me individually by email, phone, or in person. This way we avoid violating any public meetings laws with a "reply all" response, or multiple councilors discussing on the same thread

Doctor's Office Renovation – Work on this project was completed within budget on Dec. 9. With the assistance of an economic development partner in the region (tentatively scheduled for Jan. 13), we will be putting together a photo gallery showing the before and after for marketing purposes to be ready by the next council meeting. Our hope is to market this property to an anchor tenant in order to support the community's entrepreneurs and home businesses with the remainder of the building.

Commission & Committee Engagement– The city's various commissions and committees in 2020 have had their regular function disrupted by social distancing rules, as well as turnover in membership. Going forward, I'd like to encourage councilmembers to help enlist interested citizens to submit applications for membership. This will help the commissions and committees in fulfilling each of their missions as we are better prepared in 2021 to conduct business safely with our new AV equipment in the community center. At present, the committees with the biggest need for participation are:

Historic Landmark Commission
Parks & Recreation Committee
Budget Review Committee

Council Goals 2021-2022 – As part of my due diligence in researching the city manager's position, I looked over the city council's goals for 2020-2021. Since coming on board, I have been working on all of these goals, making incremental progress on some, and more robust progress on others. I believe that though these goals are both important and transformational for Falls City, it is important to review them at the beginning of each year to ascertain if the priorities are still valid given everything that happens over the course of 12 months. In 2020's case, many things that are usually once-in-a-lifetime events have occurred, so I'd love to schedule a workshop to at least fine-tune the timelines of the 2020-2021 goals so that they are current to the best of our ability. Ideally, we would schedule the workshop before the next city council meeting, so that we could share our work with the community in February. As this is just a "fine-tuning", as opposed to a "reassessing", I'd like to have all of you bring your notes about how you feel each of the goals is progressing, and input on their timelines, especially for those that are more likely to take multiple years to achieve.

Sincerely,



AJ Foscoli

Note: If you have questions/concerns, please respond to me individually by email, phone, or in person. This way we avoid violating any public meetings laws with a "reply all" response, or multiple councilors discussing on the same thread.

Exhibit C
Attachment A
Received 01/05/2021

REQUEST FOR DISCLOSURE OF PUBLIC RECORDS

PURSUANT TO OREGON REVISED STATUTES:
ORS 192.311 ORS 192.314

12/22/2020

Requester:
Jennifer Drill
136 Cary CT. Falls City, OR 97344

City of Falls City
299 Mill Street
Falls City, OR 97344-0310

Attn. City Manager

I request that Falls City and its employees provide a copy or copies of the following records:
Subject: Falls City Sewer Project


1. All engineering drawings relating to the demolition and modification and restoration of existing city sewer system grounds and equipment.
2. All engineering drawings relating to new sewer system, survey and site preparation.
3. All engineering drawings relating to new sewer system construction and equipment installation.
4. All invoices, contracts, payment receipts and related engineering communications, including but not limited to; quotes, reports, recommendations, equipment lists, maintenance requirements, recommended maintenance schedules, either from engineering firms or associated vendors.

Due to Covid 19 limitations I (we) wish to have these records posted on a Falls City website tab dedicated to the Falls City Sewer project.

Short of public transparency, I (we) wish to arrange an opportunity for personal inspection of the requested records and arrange to receive copies of said records.



SEAN DASSO 
LEANN DASSO 

 PAUL F. DASSO
22