

**FALLS CITY CITY COUNCIL****MONDAY, JANUARY 8, 2024**

The Falls City City Council met in regular session on Monday, January 8, 2024 at 6:01 p.m. in the Community Center located at 320 N. Main Street

**Council Members Present:**

Council President Amy Houghtaling, Councilor Nick Backus, Councilor Martha Jirovec, Councilor Tony Meier, and Councilor Lori Jean Sickles arrived at 6:22 pm. Councilor Dennis Sickles was excused.

**Staff Present:**

City Manager AJ Foscoli, City Recorder Jeremy Teal

**AGENDA****ACTION****Announcements, Appointments, Appreciations & Proclamations**

Mayor Bailey read a Letter of Appreciation from the Falls City School District for the City's Public Works personnel Jon Creekmore and Larry Inman.

Mayor Bailey thanked the Falls City Fire Department for their quick response to the RV park fire and the Carey Court incident.

**Public Comment**

Mayor Bailey opened the public comments at 6:06 pm

Tracy Young, 68 Prospect, noted she spoke with Manager Foscoli regarding the IGA with Polk County Sheriff and about possible code enforcement officer. She noted in the last 16 years code enforcement hasn't worked and none of the dangerous buildings have been dealt with. She mentioned that including an officer with code enforcement would cost the residents \$14 per household and cure a lot of issues. She read a letter from a concerned citizen regarding Falls City and the issues and freedoms it allows a copy of which will be included in these minutes.

Mayor Bailey closed the public comments at 6:16 pm

**Public Hearing**

- a) Sewer Rate Increase

Mayor Bailey opened the Public Hearing at 6:16 p.m.

**Staff Report**

Mayor Bailey read the public hearing notice in its entirety for the record.

**Council Questions**



There were none.

<p><b>Public Comments</b></p>	<p>Ms. Young asked how much the increase would be. Mr. Foscoli noted the increase would be \$5.</p> <p>Mayor Bailey closed the Public Hearing at 6:18 p.m.</p>
<p><b>Consent Agenda</b></p> <p>a) December 4, 2023 Minutes</p>	<p>It was moved by Council President Houghtaling to approve the Consent Agenda as presented. The motion was duly seconded by Councilor Backus and CARRIED with a vote of 4-0 with Councilors Backus, Jirovec, Meier, LJ Sickles and Council President Houghtaling voting YES.</p>
<p><b>Reports or Comments from Mayor and Council Members</b></p> <p>a) Mayor's Report</p> <p>b) Councilor Comments</p>	<p>Mayor Bailey thanked City Staff and the Committee members for their diligence and hard work. He thanked the Falls City Fire Department for their hard work. He highlighted some 2023 highlights including the groundbreaking at wastewater plant, Pride 2023, the new speed Sign on N Main, the Dangerous Building Ordinance, the completed Skate Park Design, the Pacific Power Grant, the newly approved Resource Center, and a successful citywide clean-up day. He also announced some 2024 goals including public safety, code enforcement, replacing some of the public works equipment, and the homelessness issues. He sincerely appreciates everyone's hard work.</p> <p>Councilor Jirovec reported the auditor conversation went well and the audit was clear. She noted she was in search of a point person for the library fund book mobile. She stated the hope for the bus would be for books, toys, tools, transportation, DVDs, and a mobile hot spot. She mentioned there was a grant available to create an apprenticeship program for high school students to get job skills.</p> <p>Council President Houghtaling noted the February 1 Resource Center Open House in the Community Center. She mentioned they would be looking for feedback on what was needed for the center. She noted she would like to see Veteran services in the center. Councilor Jirovec noted a Meals for Wheels drop off spot would be</p>

<p>c) Council President Election</p> <p>d) Public Works Report</p> <p>e) Historic Landmark Committee Report</p>	<p>helpful. Mr. Gilbert suggested a loading dock of some sort.</p> <p>Council President Houghtaling noted that herself, Mayor Bailey, and Mr. Foscoli met regarding dangerous buildings in town.</p> <p>Councilor Meier mentioned a small car was parked in front of the old doctor's office and the back end of the car was sticking out in the road. Council President Houghtaling noted the parking lines all needed to be painted to help people with parking in town.</p> <p>It was moved by Councilor LJ Sickles to nominate Amy Houghtaling as Council President. It was duly seconded by Council Meier and CARRIED with a vote of 5-0 with Councilors Backus, Jirovec, Meier, LJ Sickles and Council President Houghtaling voting YES.</p> <p>There were no comments.</p> <p>Councilor Backus stated the committee discussed oral history and the next meeting would be Wednesday, December 10 at 6 pm.</p>
<p><b>Reports from City Manager &amp; Staff</b></p> <p>a) Falls City Fire Report</p> <p>b) Public Works Reports</p> <p>c) City Manager's Report</p>	<p>Interim Chief Gilbert read the election results for the Fire Department and asked that the Council approve the appointments.</p> <p>It was moved by Councilor LJ Sickles to approve the appointments for the Fire Department Association and Fire Chief. The motion was duly seconded by Councilor Backus and CARRIED with a vote of 5-0 with Councilors Backus, Jirovec, Meier, LJ Sickles and Council President Houghtaling voting YES.</p> <p>There were no comments.</p> <p>Mr. Foscoli gave his report regarding the wastewater treatment plant and Strider hitting lines at the school and noted they would be paying for them. He mentioned the No Parking signs had been put up on N Main and would need better weather for pole placement to erect the others. He reported the Pacific Power E-</p>

	<p>Mobility Grant electric vehicle was acquired with the help of Synergize Motors in Dallas. He noted the city was learning all about it and would be open to the community. Mayor Bailey noted he would be willing to do weekends to help people get groceries and prescriptions.</p> <p>Mayor Bailey stated the speed test from the Sheriff noted the hours of the highest rate of speed through town. He noted a little help from the sheriff's office during those times would be helpful.</p> <p>Tina Thompson noted that the road in front of the grade school, Prospect, was dangerous with speeders. Mayor Bailey stated he would email the parent club members and Sheriff Garton regarding that situation.</p>
<p><b>Resolutions</b></p> <p>a) Resolution 01-2024 – Sewer Rate Increase</p> <p>b) Resolution 02-2024 – RARE Application</p> <p>c) Resolution 03-2024 - Falls City 2023-2024 Budget Adjustment 1</p>	<p>Mr. Foscoli reported the grants and other funds for the wastewater treatment plant would not cover the entire cost and a \$5 increase in sewer rates annually would cover the remainder.</p> <p>It was moved by Councilor Jirovec to approve Resolution 01-2024. The motion was duly seconded by Councilor LJ Sickles. The motion was carried with a ROLL CALL vote of 5-0 with Councilors Backus, Jirovec, Meier, LJ Sickles, and Council President Houghtaling voting YES.</p> <p>Mr. Foscoli reported that DEQ would provide financial assistance for small communities to help with the TMDL reporting.</p> <p>It was moved by Council President Houghtaling to approve Resolution 02-2024. The motion was duly seconded by Councilor Meier. The motion was carried with a ROLL CALL vote of 5-0 with Councilors Backus, Jirovec, Meier, LJ Sickles, and Council President Houghtaling voting YES.</p> <p>Mr. Foscoli reported the supplement had a few changes with adding the Weyerhaeuser grant back into the budget. He noted that Green Haven RV park had certain lot designation that was added as well as the wastewater grant that included the contract numbers for more clarity.</p>

	<p>He mentioned the Insurance rate increases were also added.</p> <p>Mr. Foscoli thanked Councilor Jirovec for her work with the budget.</p> <p>It was moved by Council President Houghtaling to approve Resolution 03-2024. The motion was duly seconded by Councilor Backus. The motion was carried with a vote of 5-0 with Councilors Backus, Jirovec, Meier, LJ Sickles, and Council President Houghtaling voting YES.</p>
<p>Good of the Order</p>	<p>Council President Houghtaling noted the Fire Department Toys for Tots fulfilled applications that didn't get turned in time. She stated the operation was quite impressive and incredible.</p> <p>Councilor Jirovec reported the Resilience grant would be available next week and could apply for a loading dock at the resource center and possibly pay for other half of RARE student. She noted that the activities at the LCB the 4<sup>th</sup> Wednesday would be board games, the 3<sup>rd</sup> Tuesday would be knitting and stitching. She mentioned there would be a Valentines' Day and Mother's day card creating sessions, and she noted she was looking for Yoga sessions for balance and flexibility classes.</p> <p>Mayor Bailey stated the TOTS actually went to the schools and interacted with kids while handing out presents. He thanked the fire department and noted it was great seeing the Falls City fire department at Walmart. He mentioned the dangerous building ordinance was in place to look at houses and identified 4 main categories of code violations. He noted the abatement process was the next step and to bring information back to Council.</p> <p>Council President Houghtaling asked city staff to prepare a resolution and declare 171 Dayton a dangerous building based on numbers 2, 15, 18, and 20.</p> <p>Ms. Thompson suggested Ellis Street be added to the list. Council President Houghtaling stated the process was robust and the notifications process</p>

	<p>to the owner and occupants was time consuming. She noted the city didn't have the resources or staff to work on more than one property at a time. She noted that she agreed that Ellis needed to be on the list.</p> <p>Mayor Bailey noted the dangerous building in effect and with limited staff the complaints will be handled one at a time. He mentioned that residents should take all complaints to City Hall and start the process.</p> <p>Ms. Thompson suggested calling for volunteers to set up a committee to help abate some of these properties. Mr. Gilbert asked if a list of resident addresses prioritizing abatement would be included in the group's agenda. He also voiced more concerns with the dangerous properties in in a case of a fire, as he noted that he would have to draw the line and decide what to protect in an emergency. Ms. Thompson suggested that the Fire Department perspective would be valuable.</p> <p>Mayor Bailey asked if the Council could set up a work session on this subject.</p>
<p>Executive Session          ORS 192.600.2.a: The governing body of a public body may hold an executive session to consider the employment of a public officer, employee, staff member or individual agent.</p>	<p>Mayor Bailey opened the Executive Session at 7:43 p.m.</p> <p>Mayor Bailey closed the Executive Session at 8:05 p.m.</p>
<p>Adjourn</p>	<p>There being no further business the meeting was adjourned at 8:05 p.m.</p>
<p>Read and approved this <u>5</u> day of <u>February</u> 2024.</p> <p>Mayor: <u></u></p> <p>ATTEST:</p> <p>City Recorder: <u></u></p>	

To whom it may concern:

Private property rights are fundamental to American democracy, and they rightly command particular respect in rural towns such as Falls City. I'd imagine one of the major reasons people enjoy living here, aside from the beautiful surroundings, is the freedom to enjoy one's land without excessive government interference.

However, it's also recognized under American constitutional law that communities have the right to draw the line and set some boundaries to protect the properties of other landowners. It's no secret that some properties in Falls City have crossed that line, often brazenly and without regard to the town's welfare.

It'd be unfair to compare these properties to landfills, since those are at least regulated to preserve human health and environmental safety. Not only are massive amounts of garbage strewn across certain properties in town, but they're also populated with the burned-out wrecks of structures and vehicles. An example of this can be seen at 171 Ellis Street.

For neighboring landowners, the damage to property values from these eyesores is obvious, but that's not the only harm they inflict on our community.

Oftentimes, the garbage piles up so high that the occupants simply set fire to it, subjecting everyone else in town to noxious fumes. The smell of burning plastic at these times is pervasive, which is known to contain cancer-causing dioxins from which other residents cannot escape. Litter from these garbage-strewn properties also blows onto neighboring lands during our frequent high winds, and there's no doubt that punctured containers of motor oil, pesticides and other dangerous chemicals are seeping into the community's groundwater.

Nobody wants to impose the standards of some upscale homeowner's association onto Falls City, with code enforcers going around measuring the length of lawns and confiscating people's roosters. However, it's reasonable for the town's residents not to be subjected to toxic fumes and unsanitary conditions that spill onto their properties and markedly reduce their home values.

Beyond the immediate environmental and health risks posed by the trash heaps and fire wreckage on certain properties, they also undermine the livability of Falls City more broadly.

How can the city's administrators expect people to comply with permitting requirements and other codes, when some landowners are allowed to blatantly violate most every standard without any consequence?

I'd argue there is a balance to be struck between keeping Falls City a town that respects property rights and a place where people don't have to worry about being exposed to grossly unhygienic and hazardous conditions.

Right now, however, the city is sending the message that anything goes, which will only encourage more serious violations.

Respectfully,

Concerned Falls City landowners