



Falls City Oregon City Council Meeting

Monday, June 5, 2023 at 6:00 pm

Meeting Location

320 N Main St • Falls City, OR 97344

How to Attend and/or Participate

1. In Person: 320 N Main St. Falls City, OR 97344
2. Call-in: a. 1-253-215-8782 b. Passcode: 878 7406 4319
You will be muted but may “raise your hand” to indicate you wish to comment.
3. Web Application: Zoom Webinar <https://us06web.zoom.us/j/87874064319>
You will be muted but may “raise your hand” to indicate you wish to comment during Public Comments.
4. Write-In: Using regular mail or email. a. info@fallscityoregon.gov; 299 Mill St. Falls City, OR 97344

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1. CALL TO ORDER & ROLL CALL

Mayor TJ Bailey, Council President Houghtaling, Councilor Nick Backus, Councilor Martha Jirovec, Councilor Tony Meier, Councilor Dennis Sickles, Councilor Lori Jean Sickles

2. PLEDGE OF ALLEGIANCE

3. ANNOUNCEMENTS, APPOINTMENTS, APPRECIATIONS, & PROCLAMATIONS

4. PUBLIC COMMENTS & LETTER COMMUNICATIONS

In order to encourage an environment of openness, courtesy and respect for differing points of view, please refrain from behavior that is disruptive to the meeting such as making loud noises, clapping, shouting, booing, or any other activity that disrupts the orderly conduct of the meeting. Abusive language will not be tolerated.

Please limit your commentary to 3 minutes or less.

5. CONSENT AGENDA

a. May 1, 2023 Minutes

Attachments:

- **Minutes** (2023.05.01_Council_Minutes.pdf)

b. Noise Application

Attachments:

- **Mountain Gospel Church** (Noise_Permit_-_Mountain_Gospel.pdf)

6. REPORTS OR COMMENTS FROM MAYOR AND COUNCIL MEMBERS

a. Mayor's Report

b. Councilor Comments

7. REPORTS FROM CITY MANAGER & STAFF

a. Falls City Fire Report

Attachments:

- **April Report** (FD_April_Report.pdf)

b. Polk County Sheriff's Report

Attachments:

- **April Report** (SD_April_Calls.pdf)

c. Falls City Public Works Report

Attachments:

- **April Report** (April_PW_report_2023.pdf)
- **May Report** (2023.05_PW_Report.pdf)

d. City Manager's Report

Attachments:

- **Manager's Report** (2023.06.05_Monthly_Manager_s_Report.pdf)

e. Abatement of Nuisance

Attachments:

- **Staff Report** (2023.6.5_SR_Abatement_of_Nuisance_at_171_Dayton.pdf)
- **Notice of Abatement** (2023.6.5_Exhibit_A_NOTICE_to_ABATE_NUISANCE_at_171_Dayton.pdf)
- **Photos** (2023.6.5_Exhibit_B_Fire_Debris_at_171_Dayton.pdf)

8. RESOLUTIONS

a. Resolution 04-2023 - Budget & State Reveue

Attachments:

- **Staff Report** (Res_04-2023_SR_Budget___State_Rev.pdf)
- **Resolution 04-2023** (Res_04-2023_Budget___State_Rev.pdf)
- **May 17, 2023 Budget Committee Minutes** (2023.05.17_Budget_Minutes.pdf)

9. GOOD OF THE ORDER

10. ADJOURN

Posted for Public at the City Hall Bulletin Board, Community Center, & Falls City Website

Contact: Jeremy Teal, City Recorder (jteal@fallscityoregon.gov 503.787.3631) | Agenda published on 06/01/2023 at
1:08 PM

FALLS CITY CITY COUNCIL		MONDAY, MAY 1, 2023
The Falls City City Council met in regular session on Monday, May 1, 2023 at 6:01 p.m. in the Community Center located at 320 N. Main Street		
Council Members Present: Councilor Nick Backus, Councilor Martha Jirovec, Councilor Tony Meier, and Councilor Lori Jean Sickles. Councilor Dennis Sickles arrived at 6:04 pm. Council President Amy Houghtaling was excused.		
Staff Present: City Manager AJ Foscoli, City Recorder Jeremy Teal		
AGENDA		ACTION
Announcements, Appointments, Appreciations & Proclamations		Mayor Bailey thanked the Falls City Fire Department, the Dallas Fire Department, SW Polk Fire Department, Salem Fire Department, and the Polk County Fire District #1 for their heroic work on Saturday, April 29 th with the fires in Falls City and presented each department with a Certificate of Appreciation from the City.
Public Comment		Mayor Bailey opened the Public Comments at 6:07 p.m. Dana Schowalter, 180 Dayton, thanked the fire departments for their quick response and for saving her home. She also thanked Mayor Bailey for all his help spraying the neighboring buildings help save it. Mayor Bailey closed the Public Comments at 6:10 p.m.
Public Hearing a) Variance 22-03 – 210 Terrace Staff Report Applicant Report Public Comments		Mayor Bailey opened the public hearing at 6:13 pm Mr. Whyte presented the staff report regarding 210 Terrace and the 10-foot setback variance for Mr. Martinez. Mr. Martinez agreed with Mr. Whyte’s staff report and had nothing to add. Scott Jarmer, 315 Fairview, noted he had reviewed the packet showing the setback and add that Mr. Martinez plans would be an incredible improvement to the community and neighborhood.

<p>Applicant Rebuttal</p>	<p>Abigail Richardson, 236 Fairview, stated that Mr. Martinez had done an excellent job clearing the lot. She noted that what he would be doing would bring value to the community.</p> <p>Nathan Cook, 319 Fairview, stated he was in support of Mr. Martinez and what he would do would be good for the neighborhood.</p> <p>Mr. Martinez thanked everyone for their support.</p> <p>Mayor Bailey closed the public hearing at 6:23 pm</p> <p>It was moved by Councilor Backus to approve Variance 2022-03 based on the findings in response to the applicable approval criteria and exhibits to the record, with the one condition as identified in the staff report. The motion was duly seconded by Councilor Meier. The motion was carried with ROLL CALL vote of 5-0 with Councilors Backus, Jirovec, Meier, D Sickles, and LJ Sickles voting YES.</p>
<p>Consent Agenda a) April 10, 2023 Minutes</p>	<p>It was moved by Councilor Meier to approve the Consent Agenda as presented. The motion was duly seconded by Councilor D Sickles and CARRIED with a vote of 5-0 with Councilors Backus, Jirovec, Meier, D Sickles, and LJ Sickles voting YES.</p>
<p>Reports or Comments from Mayor and Council Members b) Mayor's Report</p>	<p>Mayor Bailey thanked the Polk County Sheriff for their response to the fires on Saturday. He thanked all the volunteers who helped put up all the Mental Health Awareness flags on Main Street. He noted that on May 2 from 6-8 p.m. would be the QPR suicide training and on May 20 4-8 p.m. would be the Happy Dance on Main Street. He gave a brief update on the Skate park stating that all the survey information was updated and sent to the ramp company to add to the community members ideas and then will be brought back out for a final vote. He mentioned he was writing grants for funding for skate park. He advised that a dangerous building ordinance</p>

<p>c) Councilor Comments</p>	<p>was in the works to alleviate dangerous situations in the community.</p> <p>Councilor LJ Sickles thanked the fire departments for their quick response and a job well done. Councilor Jirovec reported the Thrives plant sale and cleanup at LCB would be May 20. She noted the State Fire Marshall sent her huge packets of info and activities and would possibly bring it to the next event. She mentioned the School, Thrives, and Polk County were working on extra fun for the event. She noted the Visioning meetings were coming and mentioned she was working on a grant to support a years worth of activities and events at the LCB and Community center.</p>
<p>Reports from City Manager & Staff a) City Manager Report</p>	<p>Mr. Foscoli gave his report regarding the wastewater project bids coming back, LCB, Code enforcement, towing, safe routes to school project, community center roof leak, and excessive domestic sewer pumping.</p> <p>Councilor Jirovec reported the auditor suggested purchasing the new Quickbooks for the new fiscal year. She noted there would be a supplemental in June and another supplemental after the new fiscal year in September or October.</p> <p>Mayor Bailey reported there was a motorhome making the rounds around town and was currently parked down by RV park and by the church off South Main. He noted the City garage sale would be on Saturday May 27 and the clean up day would be June 3.</p>
<p>Resolutions a) Resolution 03-2023</p>	<p>Mr. Foscoli explained the estimate from Westech was 5.7 million and the lowest bidder at 5.25 million.</p> <p>Councilor Jirovec asked who checked references with the accepted bidders. Mr. Foscoli noted Westech had done the due diligence on all the bidders and all had excellent reviews.</p> <p>Councilor D Sickles asked if Westech would monitor and spearhead the project. Mr. Foscoli</p>

	<p>noted that Westech would be the engineering project managers, and the COG would be the financial managers.</p> <p>It was moved by Councilor D Sickles to adopt the contract award authorization as presented in the resolution. The motion was duly seconded by Councilor Meier and CARRIED with a roll call vote of 5-0 with Councilors Backus, Jirovec, Meier, D Sickles, and LJ Sickles voting YES.</p>
<p>Good of the Order</p>	<p>Councilor Meier gave a brief report of the Public Works Committee regarding the Main Street parking and the excessive sewer pumping.</p> <p>Mr. Foscoli noted that the committees reports were not in the agenda due to the Council meetings being moved to the first of the month and the committees may need to address their meeting days.</p> <p>Mayor Bailey suggested an intergovernmental agreement with the Polk County Sheriff to help with summer coming and potential of unwanted loud music.</p> <p>There was a discussion regarding recreational immunity and the possibility of liability insurance acquired by the park renter.</p>
<p>Adjourn</p>	<p>There being no further business the meeting was adjourned at 7:21 p.m.</p>
<p>Read and approved this ____ day of _____ 2023.</p> <p>Mayor: _____</p> <p>ATTEST:</p> <p>City Recorder: _____</p>	



Staff Use Only
Application/Permit Number
(Last Name & Date// Season of Event)

NOISE Application & Permit

Mountain Gospel Fellowship Church ⁵⁰³⁻⁵⁰⁸⁻²⁹⁹⁴ Contact Amy Mitch-
 Applicant Full Name Phone Number
PO Box 59 jasmetzler@hotmail.com
 Applicant Mailing Address Email
Falls City, OR 97346 Is applicant at least 18 years old (circle)? Yes No
 City, State, Zip

Application Type (Check One):

- Class A- For a single day activity 24 hours or less in duration and taking place within the hours of 7am and 10pm.
 - Complete application must be provided to City Hall at least 7 days prior to the City Council Meeting at which it will be heard;
 - To be complete the application must be completely filled out, and accompanied by the required \$20 fee;
- Class B- For an activity lasting more than 24 hours in duration; OR an event taking place, in any part, between the hours of 10pm and 7am.
 - Complete application must be provided to City Hall at least 7 days prior to the City Council Meeting at which it will be heard;
 - To be complete the application must be completely filled out, accompanied by the required \$40 fee, and accompanied by the required proof of notice from Resolution 22-2019:

NOTICE REQUIREMENT FOR CLASS B PERMIT APPLICATIONS

Class B. Notice and Affidavit Required.

1. The applicant shall provide written notice to neighbors of the proposed noise:
 - a. On a form provided by the City;
 - b. Fully filled out by the applicant;
 - c. The notice may be mailed to the property address, or hand delivered;
 - i. Mailed notices must be sent at least 10 days prior to the City Council Meeting at which the application will be heard;
 - ii. Hand delivered notices must be delivered at least 7 days prior to the City Council Meeting at which the noise permit will be heard.
 - d. Notice must be provided to any person residing, or any owner of a business, within 400 feet of the property line of the location where the sound will be emitted.
2. The applicant shall provide the City of Falls City with proof of the written notice:
 - a. On a form provided by the City;
 - b. Fully filled out by the applicant;
 - c. The applicant must sign and date the bottom of the list in the presence of City Hall Staff, or have it notarized.

1. Date(s), Begin/End Time(s), and Location of the noise (Class B permits may have multiple dates; reasonable description will be accepted (e.g. 2nd Friday of each month, the 19th of each month...)?

11am - outdoor church service in church parking lot

3pm - 10pm(?) Extreme Tour Bands perform in church parking lot

2. Type of event for which permit is sought?

see above → call on July 9, 2023
Sunday

3. The physical characteristics of the sound involved?

music, speakers


4. Any other supporting information?

same as prior years

All Permits are subject to the following conditions, unless waived, modified, or augmented by the City Council or their designee in writing.

1. All noise in excess of the city noise ordinance must cease on the date, and at the time approved by the City Council.
2. Maximum Decibel Levels:
 - a. 100db in Commercial/Residential, Public Agency Institutional, Industrial, and Forestry Zones;
 - b. 90db in the Residential Zone.
3. No foul language, cursing, references to violence or abuse, sexual references, innuendo, and no discriminatory language is allowed under this permit.
 - a. Permit holders shall keep a copy of the permit at the event or activity for which the permit was sought.

The undersigned applicant, or authorized agent certifies that all information contained in this application is correct and accurate, and that they do have such knowledge, and agrees to comply with all permit conditions and Falls City Ordinances at all times.


Signature of Applicant or Authorized Agent

5-28-2023
Date

**Call Volume for Falls City Volunteer Fire Dept. 2023 Calls
(JANUARY-DECEMBER)**

2023 MONTH	MEDICAL	PUBLIC ASSIST	MV A	STRUCTURE FIRE	GRASS BRUSH TREE FIRE	POWER LINE	SW CALLS FCFD RESPOND ON	SW ASSISTED FCFD CALLS	MO. TOTAL CALLS
JAN	6	1	0	0	0	1	0	0	8
FEB	6	0	1 SW	0	2	0	0	1 med 1 mva	9
MAR	7	0	0	2	0	0	0	1 fire	9
APR	11	0	0	4	0	0	0	2 fire	17
MAY									
JUNE									
JULY									
AUG									
SEPT									
OCT									
NOV									
DEC									
YR TOTALS To Date	30	1	1	6	2	1	0	5	43

Fire Department Report for April 2023 Council Meeting:

Our new Brush Truck is coming along, we are looking forward to getting it when it is done.

We had a much busier month in April, double the medic calls and lots of structure fires. The last one on Dayton was a serious fire. Your Volunteers worked hard and saved as much as they could and had it contained early on. We had a great mutual aid response from our neighbors with engines and crews from Dallas, Polk 1, SW Polk, and even an engine from Salem. All worked together well and did a great job!

Our new project with the OSFM office to obtain (free) funds to purchase and support our Emergency Evacuation Program for Falls City is slowly progressing. Sharon had invoiced the OSFM for the funds, that should arrive soon. We are anxious to get started on our evacuation routes, address signage, community wild land fire awareness class and other exciting events to come. We plan to offer free first aid kits, fire extinguishers, ready go starter kits and more. Stay tuned. :-)

Thank you for your continued support and all of your hard work for our community!

Prepared by Sharon Volk Greve, Assistant Chief, Falls City Fire (503) 871-5140

April 2023 Falls City Stats

Falls City Calls for Service							
Animal	1	Check Welfare	5	Follow-Up	1	Shots	1
Assist Other Agency	4	Crime (misc)	1	GSW	1	Stolen Veh.	1
Assault	1	Disturbance	2	Harassment	2	Susp. Activity	2
Burglary	2	Domestic Dstrb	1	Noise	1	Test Police CAD	1
Citizen Contact	3	Driving Comp.	1	Ordinance Vio.	1	Theft	2
Civil	12	Fire/EMS	7	Premise Check	1	Traffic Stop	2

Falls City Calls for Service Total Calls for Service (county wide) Falls City % of Total Calls	56 1610 3.5%
Of the FC Calls for Service FC Cases Cleared by Arrest Total Arrests in Falls City	9 2 5
	involved crimes 22.2% clearance 9.8% of total arrests

Total Service Calls (Polk County) Cases Cleared by arrest Total Arrests (county wide)	1610 124 66 51
Crimes Occ 53.2%	3 1 (only true crimes reported here)
	(county wide) (Falls City)

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Public Works Report April of 2023

Administration

Normal operations.

Water Division

Normal operations.

Sewer Division

UV treatment turned off on the 30th.

Streets Division

Normal operations.

Parks & Cemeteries Division

Normal operations.

Non-Sewer Wastewater Division (TMDL)

Normal operations.



**Public Works Report
May of 2023.**

Administration

Normal operations.

Water Division

*Water main break on Clark street on the 17th.
Switched over to Teal creek intake on the 31st.*

Sewer Division

Normal operations.

Streets Division

Normal operations.

Parks & Cemeteries Division

Normal operations.

Non-Sewer Wastewater Division (TMDL)

Normal operations.



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

City Manager's Report June 5, 2023

Introduction

Thanks to our great budget committee and its amazing volunteers, we have successfully navigated the budget process for Fiscal Year 2023-2024. A huge thanks goes to Councilor Jirovec, who not only served as the Budget Officer this year, but guided me through this process in order to ensure that the auditor's recommendations on how to improve the city's protocols were followed effectively. With that milestone achieved, we can now turn our focus to the matter of construction of our replacement Wastewater Treatment Plant. Now that the city has signed contracts for the project, we will be meeting with Strider Construction very soon for a pre-construction meeting to identify all of the milestones of the project, to be able to share with the community.

Wastewater Project – We will be meeting with Strider Construction in the next couple of weeks for a pre-construction meeting to identify all of the milestones of the build-out. We are concurrently working with the property owner whose land borders the lagoon site and has given us an outflow easement to the Little Luckiamute to ensure that they have proper fencing during and post-construction. Staff in its efforts to continue to lobby both state and county organizations to bring that loan amount down as much as possible, has been notified by DEQ, our permanent funding loan agency, that the loan forgiveness amount by DEQ has been increased. If the City completes the project as scoped, the loan will be awarded 50% principal forgiveness or \$1,000,000 whichever is less, depending on the final loan amount. The DEQ financing officer working with the city increased the eligible amount for the city from \$1.5 million to \$2 million to allow the city to benefit from the maximum principal loan forgiveness IF the project has any cost overruns. Ultimately, this will mean that at its maximum, the city will only incur \$1 million of indebtedness, which is \$.5 million less than estimated. This will most likely have a positive impact on rates, so once the project is complete in 2 years, there will be a reassessment to the sewer rate increase schedule, likely yielding slightly lower rates than anticipated.

Luckiamute Community Building – With the help of Polk County partners a Business Resource Fair was brought to the Luckiamute Community Building so as to extend business support opportunities to our local companies on Friday, May 12th. Though no individuals took advantage of this opportunity, it's important to continue to work and promote what assistance there is for our local businesses. We hope that in the future, there will be more buy in from folks in Falls City for this type of event. Our current tenants have been working on helping to

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.

make the space usable for a variety of activities, such as the resource fair and there is a plan to use the space for healthcare related activities as well, so we are confident the facility will become a focus of downtown activities in the coming months and years.

Code Enforcement & Municipal Court – Polk County Sheriff’s Office has recently hired someone for the Community Service Deputy position so we are confident that there will be a resumption of towing of vehicles that are illegally parked within city limits. In addition, we have reached out to the contract Code Enforcement officer for Polk County to see if he’d be interested in assisting Falls City with their needs. This conversation is at the beginning stages and staff will report on any progress at the next council meeting.

Towing Services – In order to have more leverage to deter extended parking, reviewing a permit-only parking zone program on Main Street was brought up to the March & April council meetings which then instructed the City Manager to liaise with the Public Works Committee on what can be done on N. Main Street. The committee deliberated at their March meeting over what a permit-only parking program would look like on N. Main Street. There were several proposals and one motion to change part of N. Main to “No Parking”. The committee did not meet in May to come up with a final set of guidelines to present to the City Council for review so their decisions will be reported to the City Council after their June meeting. In addition, a towing company has offered to start a pilot program in Falls City to tow away abandoned vehicles. Based on the value of the vehicle, this service would either cost a minor fee, be free or remunerate the owner a small amount for the vehicle release. Their proposal was to go before Public Works at the May meeting, so it will now go before them at the June meeting.

Safe Routes to School Project – The Safe Routes to School project’s contract engineers have finished their designs and have submitted estimates for the project based on 2023 materials and labor costs. Unfortunately, the project as originally scoped is coming in at roughly 100% over the initial grant submission to ODOT, and this will pose a challenge in the bidding process. Staff has contacted ODOT to inquire what the alternatives are for the funding if the current costs far exceed the granted total. We are hoping to get positive news regarding additional funding, or allowing for change to the original scope of the project to be in line with the available funding.

Community Center Roof Leaks – No update.

Excessive Domestic Sewer Pumping – The Public Works Committee deliberated at their March & April meeting over how to deal with excessive domestic sewer pumpings. The discussion revolved around enacting fees which would be equitable and not penalize residents who are on shared tanks. The committee brought several proposals to the next meeting and discussed the merits of each. The committee did not meet in May, but will be meeting again in June to identify which motions to present to the City Council for consideration.

Sincerely,



Clerk's Report

City Hall

- **All City Garage Sale** went well with 14 garage sales
- **City Clean Up Day** went well with over 35 pickup locations

Public Works

- **Speed signs** will be installed
- **Speed test** will be conducted this spring by the County
- **Rumble strips** are ready to install as soon as warmer weather is consistent
- **Old Grader liquidation** – continuing work with State Surplus

Luckiamute Community Building

- **Exterior cameras** are ready to install

STAFF REPORT

TO: HONORABLE MAYOR, AND CITY COUNCIL
FROM: CITY MANAGER, AJ FOSCOLI
SUBJECT: ABATEMENT OF NUISANCE AT 171 DAYTON STREET
DATE: 6/5/2023

BACKGROUND

Over the years, the city has had several complaints come in due to the disrepair at 171 Dayton Street, in addition to alleged illegal drug activity. Since the city of Falls City does not have a police force, none of these complaints have ever been followed up on due to the lack of an enforcement agency. On April 29th however, a fire occurred on the detached garage at the property that resulted in damage to two neighboring properties. The fire completely destroyed the detached garage and even impacted the main building's rear, and though more than a month has passed, the debris from said fire has not been cleaned up. The State's Fire Marshall did a preliminary investigation, but as they did not have permission from all of the occupants, including individuals who are not on the lease, he was unable to enter the property to make a comprehensive assessment. The Polk County Building Inspector, for his part, made a determination that the building cannot be considered a "dwelling" because there are no services to the property (no water, sewer, power). Though he also noticed that there was fire damage to the main building, he was not able to make a determination about the structural integrity of the building without a design professional's opinion. Since the house is over 100 years old, there is no Certificate of Occupancy on record, so the Polk County Building Inspector has no authority to rescind one in order to have any tenant or squatters to leave.

SUMMARY

The current condition of the property is a verifiable nuisance to the community based on the fact that debris from the fire has not been cleaned up, though more than a month has passed since the fire. The Falls City Municipal Code clearly states that debris from fire or construction must be removed at the owner's expense within 14 days.

FINANCIAL IMPLICATIONS

Any costs associated with the removal of debris incurred by the city shall be paid for by the property owner or a lien for the same amount shall be placed on the property.

STAFF RECOMMENDATION

Instruct the City Manager to move forward with the Abatement Notice process.

PROPOSED MOTION

I move that the City Council declare that a nuisance exists at 171 Dayton Street, Falls City, Oregon in violation of the municipal code, by accumulation of fire debris which has not been removed after 14 days, and direct staff to issue an Abatement Notice under FCMC 90.45, and having issued such notice to post and mail that notice as specified in the code.

ATTACHMENTS

Exhibit A – Notice to Abate Nuisance

Exhibit B – Fire Debris Photos

Exhibit A

**NOTICE TO ABATE NUISANCE
Dated June 5, 2023**

After reviewing information presented in a public meeting, by Motion dated June 5, 2023 the City Council of Falls City, Oregon determined that a nuisance, as described in FCMC Section 90.09 exists.

The Notice to Abate is given under FCMC Sec. 90.45.

1. The real property upon which the nuisance exists is 171 Dayton Street, Falls City, Oregon.
2. You are hereby directed to abate the nuisance within ten days from the date of this notice.
3. The nuisance is: ACCUMULATION OF OBJECTS. (A) It is unlawful for any person to place, leave, store, dump, or permit the accumulation on any open lot or other premises any lumber, yard debris, boxes, barrels, bricks, stones, scrap metal, motor vehicle bodies or parts, or similar materials, rubbish or any articles of junk that are not removed within 14 days and that affect the health, safety, or welfare of the city. The debris from the fire of April 29, 2023, has not been removed within 14 days of accumulation.
4. If the nuisance is not removed within 10 days from the date of this notes, the City may abate the nuisance and the cost of abatement shall become a lien against the property.
5. The owner of the property or other person in charge of the property my protest the abatement by giving written notice to the City Manager within 10 days from the date of this notice.

CITY MANAGER

NOTICE POSTED ON THE PREMISES ON JUNE ____, 2023 AT _____ O’CLOCK AM/PM
AND MAILED BY REGISTERED OR CERTIFIED MAIL, POSTAGE PREPAID, TO THE OWNER
AND/OR PERSON IN CHARGE OF THE PROPERTY ON JUNE ____, 2023 AT _____
O’CLOCK AM/PM BY THE UNDERSIGNED WHO CERTIFIES HAVING DONE SO.

BY:

Exhibit B



Exhibit B



Exhibit B



Exhibit B



AGENDA REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: CITY MANAGER & BUDGET OFFICER, AJ FOSCOLI
SUBJECT: RESOLUTION 04-2023 ADOPT THE BUDGET, ELECT STATE REVENUE SHARING, MAKE APPROPRIATIONS, & LEVY TAXES
DATE: JUNE 5, 2023

SUMMARY

Adoption of the budget, appropriation of expenditures, adoption of tax levies, and election to accept state revenue sharing.

BACKGROUND

Oregon Local Budget Law requires cities to conduct certain hearings and take certain actions to adopt the annual budget.

1. The Budget Committee must approve the budget at a public meeting, and must conduct the following hearings/approvals at least once:
 - a. A Public hearing for questions and comments on the budget;
 - b. A Public hearing on revenue sharing with opportunity for written and/or oral testimony regarding use of the funds and offset against taxes;
 - a. Approve the proposed Budget;
 - b. Approve each Ad Valorem Tax Rate or Amount;
 - c. Each of the foregoing must be reflected in the BC meeting minutes.

*The Budget Committee met on May 17, 2023, conducted the appropriate hearings/approvals, and approved the proposed budget outlined in resolution 04-2023.

PREVIOUS COUNCIL ACTION

On May 17, 2023, the Budget Committee members approved the proposed budget, appropriations, taxes and state revenue sharing. Public hearings were held on the budget and state revenue sharing as required by law.

ALTERNATIVES/FINANCIAL IMPLICATIONS

Failure to adopt a budget before July 1, 2023, would render the City unable to operate.

STAFF RECOMMENDATION

Staff recommends the City Council adopt the Fiscal year 2023-2024 budget and appropriations, elect to receive state revenue sharing, and impose ad valorem taxes as recommended by the Budget Committee, and reflected in resolution 04-2023.

PROPOSED MOTION

I move the City Council of the City of Falls City adopt resolution 04-2023, A RESOLUTION ADOPTING THE BUDGET, MAKING APPROPRIATIONS, LEVYING TAXES, AND ELECTING TO RECEIVE STATE REVENUES FOR FISCAL YEAR 2023-2024

EXHIBIT

- A) Resolution 04-2023 Fiscal Year 2023-2024 Budget
- B) Budget Committee Meeting Minutes for May 17, 2023 (To be approved at the June 5, 2023, City Council Meeting).

RESOLUTION 04-2023

A RESOLUTION ADOPTING THE BUDGET, MAKING APPROPRIATIONS, LEVYING TAXES, AND ELECTING TO RECEIVE STATE REVENUES FOR FISCAL YEAR 2023-2024.

Whereas, The City of Falls City is governed by Oregon Local Budgeting Law; and

Whereas, Oregon Local Budgeting Law requires the governing body of a municipality to adopt a budget, make appropriations, levy taxes, and elect state revenue sharing; and

Whereas, The City of Falls City Budget Committee heard questions and comments on the budget, and held a public hearing on use of State revenue sharing funds; and

Whereas, The City of Falls City Budget Committee approved the proposed budget, appropriations, taxes, and state revenue sharing on May 17, 2023.

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

Section 1. Pursuant to ORS 221.770, the City hereby elects to receive state revenues for fiscal year 2023-2024.

Section 2. The City Council adopts the approved budget now on file at City Hall, 299 Mill Street Falls City, Oregon 97344, in the sum of **\$6,962,579**.

Section 4. The City of Falls City hereby imposes the taxes provided for in the adopted budget at the rate of \$2.9202 per \$1,000 of assessed value for operations and that these taxes are hereby imposed and categorized for tax year 2023-2024 upon the assessed value of all taxable property within the district.

Section 5. The City of Falls City hereby imposes the taxes provided for in the adopted budget at the rate of \$1.000 per \$1,000 of assessed value for Fire operations and equipment, and that these taxes are hereby imposed and categorized for tax year 2023-2024 upon the assessed value of all taxable property within the district.

Section 6. The taxes imposed in Sections 4 and 5 of this resolution are subject to Measure 5 compression as follows:

Subject to General Government Limitation	Excluded from Limitation
Permanent Rate Levy \$2.9202 per \$1,000	\$0
Fire Equipment and Operations Levy \$1.000 per \$1,000	\$0

Section 7. The amounts for the fiscal year beginning July 1, 2023, for all the purposes shown are hereby appropriated as follows:

General Fund

Administration -----	\$272,136
Fire-----	\$87,800
Parks & Cemeteries -----	\$9,000
Council-----	\$3,00

Code Enforcement & Court-----\$36,400
 Other/ Debt----- \$2,500
 Contingency----- \$613,728

Shared Services Fund

Materials & Services----- \$0
 Capital Outlay----- \$0
 Contingency----- \$0

Streets Fund

Personnel Services -----\$22,000
 Materials and Services-----\$29,500
 Capital----- \$520,000
 Contingency----- \$78,500

Sewer Fund

Personnel Services ----- \$106,675
 Materials and Services-----\$37,500
 Capital----- \$2,500,000
 Contingency----- \$86,825

Water Fund

Personnel Services ----- \$109,577
 Materials and Services-----\$93,500
 Capital----- \$1,061,800
 Contingency----- \$711,623

Fire Levy Fund

Materials and Services----- \$0
 Capital----- \$32,000
 Contingency----- \$43,000

Utility Reserve Fund

Capital----- \$300,000
 Contingency----- \$100,000

Polk Community Development Fund

Materials & Services----- \$0

Wagner Library 80% Fund

Materials & Services----- \$0
 Contingency----- \$92,215

Luckiamute Community Building Fund

Materials & Services----- \$8,800
 Contingency----- \$4,200

TOTAL APPROPRIATIONS \$ 6,962,579
TOTAL RESERVED/UNAPPROPRIATED \$ 0
TOTAL ADOPTED BUDGET \$ 6,962,579

Vote:

AYE _____ NAY _____ ABSTAIN _____ ABSENT _____

Attest:

TJ Bailey, Mayor

Jeremy Teal, City Recorder

FALLS CITY BUDGET COMMITTEE		WEDNESDAY, MAY 17, 2023
The Falls City Budget Committee met on Wednesday, May 17, 2023 at 6:04 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, Councilor Lori Jean Sickles. Councilor Dennis Sickles was excused.		
Budget Committee Members Present: Jeremy Gordon, Guy Mack, Leanne Merrill, Chris Walls. Jason Evans and Art Houghtaling were excused.		
Staff Present: City Manager AJ Foscoli, City Recorder Jeremy Teal		
AGENDA		ACTION
Departmental Overviews		Mr. Foscoli gave a brief overview of the changes addressed at the first budget meeting reflected in the current pages presented.
General Fund		Mr. Foscoli reported that the property taxes had been adjusted and an additional supplemental would be implemented for accuracy. Councilor Jirovec reviewed the beginning fund balance and applied the 2020-21 audit number. She noted an inter fund transfer to Streets would help cover the deficit due to the transfers not happening over the last two years. She mentioned she made sure as changes have happened that everything was captured. She noted there would be an additional supplemental in September or October.
Administration		Mr. Foscoli noted that .5 of his FTE was split between Water and Sewer leaving 1.5 in Admin.
City Council		Mr. Foscoli stated this fund was for any project or training the Councilors or Mayor would like to attend.
Parks & Cemeteries		Mr. Foscoli noted there was no FTE for Parks as there is no income to support one.
Code Services		Mr. Foscoli noted the .20 FTE was a place holder for a potential employee if one could be found.
Fire Department & Levy		Mr. Foscoli noted the Fire Chief stipend was the only FTE for the Fire Department. Councilor Jirovec mentioned the levy next year

	<p>would pay for new brush truck. She noted all monthly utility and business funds would be under the Fire budget and not out of the Levy. She stated the utilities came out of the Levy and \$15,000 would be added to the Fire Budget from the General Fund contingency line item.</p> <p>Mayor Bailey noted the General Fund contingency fund would be \$613,728 after the removal of the \$15,000. Councilor Jirovec confirmed and noted the Fire Budget would increase to \$87,800</p>
Other Debt	There were no comments.
Streets	<p>Mr. Foscoli noted the beginning balance would be -\$403,000 but with the inter-fund transfer would zero out the account. He mentioned that the Safe Routes to School project work begin in July.</p> <p>Ms. Merrill asked about the .125 FTE Mr. Foscoli noted that was a part-time worker that does street grading.</p>
Sewer	<p>Mr. Foscoli explained the wastewater project was directly reflected in the budget. He noted that pre-construction meetings were being scheduled with Strider and Westech.</p> <p>Councilor Jirovec noted the FTE shift was accounting for .25 for the City Manager.</p>
Water	Mr. Foscoli reported there would be a 2.3 Million water project in Falls City and only 1 million would be a loan to the City. He noted the City would be getting the street read water meters in the project
Utility Reserve	Mr. Foscoli noted that various water, sewer and street projects could be accomplished with this fund. He stated the Football field repair was paid from this fund.
Community Development Revolving Loan Fund	There were no comments.
Wagner Library Fund	There were no comments.
Luckiamute Community Building Fund	There were no comments.
Shared Services	There were no comments.

Corrections to the Budget for Approval

Water
Correct FTE in Water budget from 1.9 to 1.5 FTE

General Fund
Pulling \$15,000 from General Fund contingency to allow for Utilities in Fire Budget.

Fire
Allocating \$15,000 from General Fund to Utilities in Fire Budget changing total fire budget to \$87,800

PUBLIC HEARINGS

This public hearing is an opportunity for any member of the public to comment on or make requests regarding how State Revenue Sharing Funds will be spent in the 2023-2024 Fiscal Year beginning July 1, 2023. State Revenue Sharing funds are a share of certain revenues of the State Oregon that shall be apportioned among and distributed to the cities of this state for general purposes.

Chair Gordon opened the public hearing at 6:47 pm.

Public Comments:

Chair Gordon closed the public hearing at 6:48 pm.

This public hearing is an opportunity for any member of the public to comment on or make requests regarding how State Revenue Sharing Funds will be spent in the 2023-2024 Fiscal Year beginning July 1, 2023. State Revenue Sharing funds are a share of certain revenues of the State Oregon that shall be apportioned among and distributed to the cities of this state for general purposes.

Chair Gordon opened the public hearing at 6:48 pm.

Public Comments:

There were no public comments.

There were no public comments.

<p>I will close the public hearing for State revenue sharing at 6:48 pm.</p>	<p>It was moved by Councilor Meier that the Budget Committee of the City of Falls City approve property taxes for the 2023-2024 Fiscal year at the rate of \$2.9202 per \$1,000 of assessed value for operating purposes in the General Fund. The motion was duly seconded by Mr. Mack and CARRIED with a unanimous vote of 9-0.</p> <p>It was moved by Councilor Backus that the Budget Committee of the City of Falls City approve the Fire Department equipment/operations levy of \$1.00 per \$1,000.00 of assessed value if approved by the voters. The motion was duly seconded by Councilor Meier and CARRIED with a unanimous vote of 9-0.</p> <p>It was moved by Ms. Merrill that the Budget Committee for the City of Falls City approve the proposed budget for the 2023-2024 Fiscal year in the amount of \$1,024,864. The motion was duly seconded by Mr. Mack and CARRIED with a unanimous vote of 9-0.</p> <p>Mr. Foscoli thanked Councilor Jirovec for all her diligent work and leadership with the entire budget process</p>
<p>Adjourn</p>	<p>There being no further business the meeting was adjourned at 6:54 p.m.</p>
<p>Read and approved this ____ day of _____ 2023.</p> <p style="text-align: right;">Mayor: _____</p> <p>ATTEST:</p> <p>City Recorder: _____</p>	