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| FALLS CITY CITY COUNCIL | | MONDAY, FEBRUARY 5, 2024 | |
| The Falls City City Council met in regular session on Monday, February 5, 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, Councilor Dennis Sickles and Councilor Lori Jean Sickles arrived at 6:03 p.m. | | | |
| Staff Present: City Manager AJ Foscoli, City Recorder Jeremy Teal | | | |
| AGENDA | | ACTION | |
| Polk County Presentation | | <p>Commissioner Jeremy Gordon and Ryan Pollard from the Polk County Resource Center presented the Polk County 5-year strategic plan information regarding preventing and addressing homelessness in Polk County. He mentioned the goal was to start weekly street outreach in Falls City as well as continuing the monthly service integration meetings.</p> <p>Debbie Zeitner asked how many people were turned away. Mr. Pollard stated there were 80 beds for tribal members and there were no other shelters in the area.</p> <p>Tina Thompson asked if the person was white could they go to the tribal shelter. Mr. Pollard stated the shelter was for tribal members only.</p> <p>Boyd Lamprecht asked who pays for the shelters. Commissioner Gordon stated there were multiple funding sources including federal and state funding as well as Oregon housing funds. He noted there were very few resources in rural Polk County.</p> <p>Brent DeMoe explained that there were millions of dollars for homelessness. He noted the new resource center in Independence can help with utilities, rent and other services. He stated the resource center in Falls City would be at no cost to the city.</p> <p>Brent DeMoe presented the new resource center information and update. He noted the schedule was to be completed in May and open in June 2024. He stated the goal was to have medical and dental providers in Falls City. He mentioned</p> | |

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| | <p>that among the possibilities would be a community garden, covered areas, and a 30 and 50 amp electrical plug for food trucks in future. He noted they were open to all ideas.</p> |
| <p>Announcements, Appointments, Appreciations & Proclamations</p> | <p>There were no comments.</p> |
| <p>Public Comment</p> | <p>Mayor Bailey opened the public comments at 6:37 p.m.</p> <p>Jim Miner asked about the project on Mitchell and the easement that was given to Polk County for free. Mr. Foscoli stated that Polk County was a recurring partner to the City and lieu of payment for the easement the City would receive road improvements inside the city limits as in kind work.</p> <p>Mr. Miner asked the dollar amount the easement. Mr. Foscoli noted the benefits of the City having a good relationship with the County was worth the easement.</p> <p>Mr. Miner asked if Mr. Foscoli could bring the paperwork he signed donating the easement. Mr. Foscoli noted he could.</p> <p>Councilor Jirovec suggested comparing the Polk County in-kind road improvements with the cost of the easement.</p> <p>Tracy Young reported there was an incident regarding the warming center employee smoking meth in woman's bathroom and the fumigation would cost \$2500 and asked who paid for it. Mayor Bailey explained the partner was contacted and they would be paying for the damage.</p> <p>Patrick "Dusty" McKibben noted the Council claimed his house as a dangerous building, but he explained he had fixed everything inside. He stated he came to Falls City to be left alone.</p> <p>Debbie Zeitner stated the Dayton house was not the only bad house in Falls City. She noted that all of them should be on the agenda.</p> |

Tina Thompson stated the choice to abate 171 Dayton when Ellis Street had been an issue over the last 15 years. She noted the Council was performing nepotism. She noted the decisions were in favor of the ex-mayor and councilors instead of considering the kids. She mentioned that at the last council meeting Council President Houghtaling stated that Jeremy's house almost caught on fire. Council President Houghtaling advised that she never said Jeremy Gordon's name. Ms. Thompson explained that the Council chose to fix something that had only been an issue for 6-8 months instead of 15 years. She noted the house on Ellis Street was dangerous for kids and just caught fire again the previous weekend.

Cory Ellis, School District, stated the City and School District were connected as community partners. He noted a few things had come up with sewer project, but something always happens to delay projects and get in the way. He asked if the City could be collaborative with the School District regarding the football field. He stated football started in a month and they would be in Kings Valley for practice. He mentioned the seismic grant for high school would take place during spring break. He reported that Micke Kidd was charged with talking to the City Manager on a weekly basis to work together and come up with solutions.

Eric Iker noted that 171 Dayton wasn't that bad. He mentioned he grew up in a small town and he wanted to keep the big city away from small towns. He stated he wanted it nice for the kids.

Steve McKee stated the Council doesn't listen to the people and they were only in the position for themselves.

Rick Lamprecht stated he proposed to buy logs off the Mitchell Street project from City and would bring the City a check for \$2900.

Mayor Bailey closed the public comments at 7:00 p.m.

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| Consent Agenda a) January 9, 2024 Minutes | 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 6-0 with Councilors Backus, Jirovec, Meier, D sickles, LJ Sickles and Council President Houghtaling voting YES. |
| Reports or Comments from Mayor and Council Members a) Mayor's Report b) Councilor Comments c) Historic Landmark Committee Report | <p>Mayor Bailey reported the skate park meetings had to change due to scheduling conflicts and would reconvene soon. He noted the fundraising efforts were in progress and updates would be available in the City newsletter and on the Skate Park Facebook page.</p> <p>Council President Houghtaling thanked the City's public works and fire department for their diligent work with all the weather. She noted that regarding dangerous building there was no one person making decisions on properties and that a lot of factors go into decisions. She mentioned that the Council recognized a lot of properties that need support and that the renters were not the problem.</p> <p>Councilor LJ Sickles noted that Easter was early this year the hunt would be March 30 and the basket filling would be March 29.</p> <p>Council President Houghtaling noted the grant the committee was working on was due for the oral history recording. She mentioned they would hopefully start recording this summer.</p> |
| Reports from City Manager & Staff a) Falls City Fire Report b) Public Works Reports c) City Manager's Report | <p>Mayor Bailey noted 2023 was a very busy year.</p> <p>There were no comments.</p> <p>Mr. Foscoli gave his report regarding the wastewater treatment plant, towing services, the Pacific Power E-Mobility grant, the Mitchell Street project, and the Resource Center project.</p> <p>Mayor Bailey asked who was in need for rides with the new car. Mr. Foscoli suggested acquiring the original survey from Polk County for some direction. Mayor Bailey noted he would sign up</p> |

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| <p>d) City Financial Audit</p> | <p>for a specific day to drive. Council President Houghtaling asked that the City check with insurance before use for transportation.</p> <p>Mr. Foscoli reported that the conclusion was nothing came to attention except three items. He noted the input by Manager Foscoli in Quickbooks was an oversight but there were no losses. He mentioned the Street Fund was a legacy mistake from previous years that needed to be added to a supplemental.</p> <p>Councilor Jirovec reported the City was in a better overall cash position. She noted there was not much shift and no major issues.</p> |
| <p>Resolutions</p> <p>a) Resolution 04-2024 – 171 Dayton Dangerous Building</p> | <p>Mr. Foscoli noted he felt that Mr. McKibben’s rebuttal was needed for clarification. Mayor Bailey stated the Council would go through the findings and then he could speak on those items.</p> <p>Council President Houghtaling asked if the owner would be allowed to rebut the information. Mr. Foscoli noted he reached out and got no response but invited Mr. McKibben to speak.</p> <p>Mr. Foscoli reported the items listed that compiled the building as a dangerous building comply with the City Code. He noted that correspondence with the Polk County building inspector revealed that with the house having no services it deemed it not a “dwelling” and people should not be living there. He stated the definitions of a dangerous building regarding City Code 90.35 sections 2, 15, 18 and 20. He advised that a notice would be posted on the building and one to the owner with a 10-days compliance requirement.</p> <p>Mayor Bailey stated on the record that the Council received a printout of incidents that had transpired at the address.</p> <p>Mr. McKibben invited the Council to come to the house and see all the work he had completed. He noted he would bring the rental agreement down to city hall for Mr. Foscoli.</p> |

Mayor Bailey stated Mr. McKibben had a deadbeat landlord that was failing to provide a safe home for everyone there. He mentioned there was no electricity, no water, no sewer and the landlord needs to get them fixed. He asked Mr. McKibben if he was continuing to pay rent. Mr. McKibben stated he always pays rent.

Mayor Bailey stated the home had no certificate of occupancy due to the age of the home. He noted to Mr. McKibben the plan wasn't to get rid of him but to get everything fixed.

Mr. Foscoli explained that his conversations with the Polk County Building Inspector Blaine Curry outlined that a building with no power, no water, and no sewer doesn't meet the definition of a "dwelling".

Mayor Bailey noted that this process would help with the absent landlord.

Councilor D Sickles stated that the landlord needed to have permits and get things fixed and inspected. Mr. McKibben noted that the landlord pulled a permit for the power but never got it inspected. Councilor D Sickles advised that this was not the City Council doing this to him, but the landlord. He stated Mr. McKibben was paying rent and nothing was getting fixed. Mr. McKibben stated the landlord didn't want to fix anything. Councilor D Sickles noted the City didn't want Mr. McKibben out, just wanted him to have a safe home to live in.

Councilor Jirovec noted to call the resource center and have a tenant landlord dispute. Mr. McKibben noted that after the fire he just didn't want to get kicked out. Councilor Jirovec stated the owner was the one in trouble and it was all about the owner taking responsibility.

Mr. McKibben asked what the plan was. Mr. Foscoli stated the process stipulates that if the owner doesn't do the abatement the City can do the abatement and charge the landlord. He advised that the City needed to be able to

contact Mr. McKibben so he could help with information and with inspections.

Mr. McKibben asked if the landlord had contacted the City. Mr. Foscoli stated not lately.

Mayor Bailey asked Mr. McKibben if he had paid rent. Mr. McKibben answered every month for the last five years. Councilor Backus asked if Mr. McKibben had a rental agreement. Mr. McKibben answered yes and that he would bring it to City Hall. Mayor Bailey asked what Mr. McKibben paid in rent every month. Mr. McKibben answered \$1000 a month. Mayor Bailey thanked Mr. McKibben for coming in and helping us with this.



Councilor D Sickles asked the effort it takes to contact the landlord. Mr. Foscoli stated contact was very intermittent with the landlord. He noted the City had several addresses for him and we send anything to all addresses to try and get to him. Councilor D Sickles stated it sounded like Mr. Foscoli was doing his due diligence in contacting the landlord and with no answer.

Councilor Backus stated someone from the City should go check out the house and see his progress. He noted his biggest concern was getting Mr. McKibben kicked out because of retaliation on the tenant from the landlord.

Council President Houghtaling stated she met monthly with the service integration commission and had referred a lot of tenants to them. She noted Mr. McKibben needed to be willing to accept the help. Mr. Foscoli noted that he had been reluctant in the past. He mentioned one of the services could be legal help.

Councilor Meier asked if the resolution could be put off until next meeting to give Mr. McKibben a list of things to do and check on services and give him a chance to comply. Mayor Bailey advised that the resolution needed to go through to get the tenant the support they need to deal with the landlord.

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| | <p>Councilor D Sickles asked what happened after 10 days. Mayor Bailey stated there would be liens put on the property. Mr. Foscoli advised that as long as the process was open with no certificate of occupancy and no authority to remove Mr. McKibben the property would receive lien upon lien and fines upon fines.</p> <p>It was moved by Council President Houghtaling to approve Resolution 04-2024. The motion was duly seconded by Councilor D Sickles. The motion was carried with a ROLL CALL vote of 6-0 with Councilors Backus, Jirovec, Meier, D Sickles, LJ Sickles, and Council President Houghtaling voting YES.</p> <p>Mayor Bailey stated the Council needed to make sure the tenant gets the resources he needs. Council President Houghtaling noted she would get Mr. McKibben the information after the service integration meeting.</p> |
| <p>Ordinances a) Ordinance 565-2024 - Garbage</p> | <p>Mr. Teal reported that Mr. Gilbert came to the City and needed help with people rummaging in trash cans at the fire department and the schools. The ordinance was taken from the City of Salem and approved by Mr. Gilbert and Superintendent Cory Ellis.</p> <p>Mayor Bailey declared Ordinance 565-2024 to have passed its first reading.</p> |
| <p>Good of the Order</p> | <p>Councilor Jirovec advised that the board game night at the LCB was a success. She noted that 15 people attended and there were a lot of games. She mentioned she was Looking forward to stitching night. She stated that due to the tree cutting for the Mitchell Street project she got some wood for the sign at the LCB and it was a nice piece of cedar for carving. She asked if the carving was over \$500 if the City would help. Ms. Thompson stated if she could get the wood she would carve it.</p> <p>Councilor D Sickles noted the basketball season for the high school teams was wrapping up and</p> |

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| | <p>both teams were playing in district playoffs games at home.</p> <p>Councilor Backus thanked Councilor Jirovec for all her hard work on the budget.</p> <p>Mayor Bailey stated the Council needed to set a date for goal setting. Council President Houghtaling asked if the City clerk could send out a doodle poll. Mr. Teal agreed.</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 8:28 p.m.</p> <p>Mayor Bailey closed the Executive Session at 8:43 p.m.</p> |
| <p>Adjourn</p> | <p>There being no further business the meeting was adjourned at 8:43 p.m.</p> |
| <p>Read and approved this <u>4</u> day of <u>March</u> 2024.</p> <p>Mayor: <u></u></p> <p>ATTEST:</p> <p>City Recorder: <u></u></p> | |