



Falls City Oregon City Council Meeting

Monday, June 3, 2024 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. Meeting ID: 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 6, 2024 Minutes

Attachments:

- **Minutes** (2024.05.06_Council_Minutes.pdf)

6. REPORTS OR COMMENTS FROM MAYOR AND COUNCIL MEMBERS

a. Mayor's Report

b. Councilor Comments

c. Public Works Committee Report

Attachments:

- **May 16, 2024 Minutes** (PW_Minutes.pdf)

7. REPORTS FROM CITY MANAGER & STAFF

a. Falls City Fire Report

Attachments:

- **May Report** (Fire_Report.pdf)

b. City Manager's Report

Attachments:

- **June Report** (2024.06.03_Monthly_Manager_s_Report.pdf)

c. 2024-2025 Budget

Attachments:

- **24-25 Budget** (000_24-25_Budget_Revised.pdf)
- **Resolution 10-2024** (Res_10-2024_Budget___State_Rev.pdf)

8. RESOLUTIONS

a. Resolution 08-2024

Attachments:

- **Staff Report** (2024.06.03_1_SR_Dangerous_Building_Resolution_for_169_Ellis_St.pdf)
- **Res 08-2024** (2024.06.03_Exhibit_A_Resolution_08-2024_-_169_Ellis_St_DB.pdf)
- **Exhibit B** (2024.06.03_Exhibit_B_NOTICE_to_ABATE_DANGEROUS_BUILDING_at_169_Ellis.pdf)
- **Exhibit C** (2024.06.03_Exhibit_C_Definition_of_Dangerous_Building.pdf)
- **Exhibit D** (2024.06.03_Exhibit_D_Dangerous_Building_Ordinance_FC_Municipal_Code_90.45-90.99.pdf)

9. ORDINANCES

a. Ordinance 566-2024

Attachments:

- **Staff Report** (BFO_-_2024.05.06_SR_Reinstatement_of_BackFlow_Device_Ordinance_to_Match_State_Statute.pdf)
- **Ord 566-2024** (BFO_-_Ordinance_566-2024_Cross_Connection_Program.pdf)

10. GOOD OF THE ORDER

11. ADJOURN

Posted for Public at the City Hall Bulletin Board, Community Center, Falls City Website, Frink's General Store, Falls City Market, LCB Bulletin Board, Post Office, and City Facebook page

Contact: Jeremy Teal, City Recorder (jteal@fallscityoregon.gov 503.787.3631) | Agenda published on 05/31/2024 at 2:45 PM

FALLS CITY CITY COUNCIL		MONDAY, MAY 6, 2024
The Falls City City Council met in regular session on Monday, May 6, 2024 at 6:00 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 Dennis Sickles. Councilor Lori Jean Sickles was absent.		
Staff Present: City Manager AJ Foscoli, City Recorder Jeremy Teal		
AGENDA		ACTION
Announcements, Appointments, Appreciations & Proclamations		There were no comments.
Public Comment		<p>Mayor Bailey opened the public comments at 6:02 p.m.</p> <p>Boyd Lamprecht asked when his road would be put back in for access to his property that the County tore out. Mr. Foscoli stated he had spoken to the County and after the project was completed his road would be put back in, pending an access permit from Weyerhaeuser. Mr. Lamprecht asked for a certified letter stating his road would be put back.</p> <p>Lilli Boettcher stated her neighbor was stealing land from her. She noted she had called the police, but they couldn't do anything. Mayor Bailey advised she visit Mr. Teal at the City Hall and hopefully get some answers.</p> <p>Jim Miner reported the wastewater location for the clean-up day was too soft, and it should be moved back to the mill lot. Mr. Foscoli noted he had spoken with White Oak Construction and they indicated they would not have started on the community Resource Center project in the Mill Lot by the day of the clean-up. He noted the clean-up day would be moved back to the Mill Lot this year.</p> <p>Mr. Miner added that he would like Mayor Bailey's resignation for telling the principal and town to go f##*k off. He noted the City doesn't need Mayor Bailey in town.</p> <p>David Drake stated the ground prep at the new wastewater treatment site was not a possibility</p>

	<p>in the timeframe the City had. He suggested taking the clean-up back to the Mill Lot. He mentioned that if the City pissed off Republic Services they wouldn't come back.</p> <p>Tracy Young noted she was worried about the medical building turning into a homeless camp. She advised the only dangerous building identified was on Dayton Street in the last 4 months. She mentioned the Mitchell Street homeless camp by the river. She indicated there were drugs at the camp.</p> <p>Mayor Bailey asked if the Sheriff had been contacted. Ms. Young stated the owner had not been contacted.</p> <p>Mr. Foscoli stated he had a meeting with the Sheriff next week and would bring up that topic. Mayor Bailey asked if the information could be relayed to Ms. Young after the meeting.</p> <p>Shane Compton stated he was helping Mr. Miller with 171 Dayton and that 90% of the work was done. He noted he had a couple of supports to fix, but there was no damage to framing.</p> <p>Tina Thompson suggested returning the backflow fee to the water bill. She noted the cost for the City was considerably cheaper than for the individual. She agreed with Mr. Miner that Mayor Bailey should resign or at least do anger management classes for treating students and parents so rudely.</p> <p>Mayor Bailey closed the public comments at 6:26 p.m.</p>
<p>TMDL Presentation</p>	<p>Elizabeth Sagmiller gave a brief presentation regarding the Falls City TMDL Report, Implementation Plan, public education, RARE participant, and regulations.</p> <p>Council President Houghtaling thanked Elizabeth for all the help. Ms. Sagmiller stated you were very welcome and that she loved the staff and community.</p>

<p>d) Park & Rec Committee Report</p>	<p>Council President Houghtaling responded to Ms. Young’s question regarding the funding of the resource center that it was Willamette Health Council, not Salem Health paying for the center. She noted the Happy Dance would be May 18 on north Main Street with food, fun, and games.</p> <p>Councilor D Sickles noted committee funds should be spent on signage and BBQ pits at the parks.</p>
<p>Reports from City Manager & Staff</p> <p>a) Fire Report b) Sheriff Report c) Public Works Report d) City Manager’s Report</p> <p>e) Budget Officer Appointment</p>	<p>There were no comments. There were no comments. There were no comments. Mr. Foscoli gave his report regarding the wastewater treatment plant, the Resiliency Hub Grant, Community Resource Center project, RARE application, MINET franchise agreement, code enforcement, Backroads Coffee Shop, Tourism Promotion.</p> <p>Mr. Foscoli reported the City needed to appoint a budget officer for the new budget year.</p> <p>It was moved by Council President Houghtaling to appoint Councilor Jirovec as the 2024-2025 Budget Officer. 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 Council President Houghtaling.</p>
<p>Resolutions Resolution 07-2024 – MINET Franchise Agreement</p> <p>Resolution 06-2024 – Reinstate Backflow Fee</p>	<p>Mr. Foscoli reported that MINET was coming into Falls City via north Main Street and needed to enact the franchise agreement. He noted they would expand as the demand increased. He mentioned the City was entitled to the 7% franchise fee for working in Falls City.</p> <p>It was moved by Council President Houghtaling to approve Resolution 07-2024 Franchise Agreement with MINET. 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, D Sickles, and Council President Houghtaling voting YES.</p>

	<p>Mr. Foscoli reported the backflow fee was not keeping up with cost of testing and that's why the fee was removed and the testing was put back on the residents. He noted the City had done research and found that the per test fee was cheaper for city and more expensive for the residents. He stated the fee would need to increase due to the testing cost each year. He mentioned the reinstated fee would be \$2.50 and increase of \$.25 cents higher to account for the higher testing fee. He indicated the Resolution was written to allow Council to pause any annual fee increase.</p> <p>Councilor Backus asked if the testing was every 3 years. Mr. Foscoli noted the backflow testing was annual. Mayor Bailey noted the OHA stated that all approved backflows must be tested in a 12-month period.</p> <p>Mayor Bailey asked the cost of testing the backflows. Mr. Foscoli noted for the resident it would be \$40 to \$55 and for the City it would be \$30 to \$35.</p> <p>Tina Thompson stated the \$3 million dollar grant wasn't asked of the public if they can afford it. She noted to take the CAP money and pay for it, so it doesn't cost the citizens. Mr. Foscoli noted the utility reserve fund may be able to help pay for the grant, but he wasn't sure of the accounting rules regarding the fund but he would look into it.</p> <p>It was moved by Council D Sickles to approve Resolution 06-2024. The motion was duly seconded by Councilor Backus. The motion was carried with a ROLL CALL vote of 5-0 with Councilors Backus, Jirovec, Meier, D Sickles, and Council President Houghtaling voting YES.</p>
<p>Ordinances Ordinance 566-2024</p>	<p>Mr. Foscoli stated the City was reinstating backflow Ordinance 97-464 and repealing Ordinance 563-2023.</p> <p>Mayor Bailey stated Ordinance 464-2024 to have passed its first reading.</p>

<p>Good of the Order</p>	<p>Councilor Jirovec noted she was working on a survey for the LCB events in the summer and fall.</p> <p>Council President Houghtaling asked if a backflow FAQ would be put in the newsletter and asked if the write up could be sent to Council President Houghtaling and Councilor Jirovec. Mr. Teal noted there would be a write-up and he would send it to both of them.</p>
<p>Adjourn</p>	<p>There being no further business the meeting was adjourned at 7:32 p.m.</p>
<p>Read and approved this ____ day of _____ 2024.</p> <p>Mayor: _____</p> <p>ATTEST:</p> <p>City Recorder: _____</p>	

City of Falls City
Public Works Committee Meeting
Thursday May 16, 2024 6:00PM
Meeting Location: 320 N. Main Street

Committee Members Present

Mike McConnell, Tony Meier, Tracy Young, Guy Mack.

1) Call to Order

Chair McConnell called the meeting to order at 6:00 PM, took roll call.

2) Pledge of Allegiance

Chair McConnell led the Committee in the Pledge of Allegiance.

3) Motion to Adopt the entire Agenda

Member Young moved and Member Meier seconded: **that we approve the entire agenda.** Motion carried 4-0-0. Ayes: Mike McConnell, Tony Meier, Tracy Young, Guy Mack.

4) Consent Agenda: Motion Action Approving Consent Agenda Items

Member Mack moved and member Meier seconded: **that we approve Consent Agenda Item, PWC Minutes March 18, 2024.** Motion carried 4-0-0. Ayes: Mike McConnell, Tony Meier, Tracy Young, Guy Mack.

5) Public Comment - None

6) New Business - None

7) Old Business

a. Backflow Testing Update - Reinstatement of Backflow Device Fee

Falls City City Council reinstated Backflow Testing Fee and to resume testing of said devices. **PWC again recommends that the City Council explore the option of obtaining the 'right of way (easement) to the property' where the backflow devices are located to the City of Falls City for the testing and maintenance of the devices and the possible elimination of all residential backflow devices and the need for testing/maintenance.**

8) Correspondence, Comments and Ex-Officio Reports

9) Committee Announcements

Next meeting to be held June 20, 2024 at 6:00pm.

10) Adjourn

Member Mack moved and Chair McConnell seconded: **that we adjourn.** Motion carried 4-0-0. Ayes: Mike McConnell, Tony Meier, Tracy Young, Guy Mack. Meeting adjourned at 7:10.

_____ Public Works Committee Chair McConnell

Attested: _____ Public Works Committee Member

Call Volume for Falls City Volunteer Fire Dept. 2024 Calls (JANUARY-DECEMBER)

2024 MONTH	MEDICAL	PUBLIC ASSIST	MV A	STRUCTURE FIRE / FALSE ALARMS	GRASS BRUSH TREE / BURN CO	POWER LINE	SW CALLS FCFD RESPOND ON	SW ASSISTED FCFD CALLS	MO. TOTAL CALLS
JAN	16	1	1 SW	1	0	1	1	0	20
FEB	12	2	0	0	0	0	0	0	14
MAR	11	1		1	1	0	0	0	14
APR	7	0	0	0	1	0	0	0	8
MAY	8	0	0	0	1	0	0	0	9
JUNE									
JULY									
AUG									
SEPT									
OCT									
NOV									
DEC									
YR TOTALS To Date	54	4	1	2	3	1	0	0	65

Fire Department Report for June 2024 Council Meeting:

The Fire Department is gearing up for wild land fire season that requires lots of training plus getting our gear ready. We just placed a second Fire Danger sign, (like the one in front of the community center), on Valsetz Rd by the first gate. Our fire marshall suggested we get and place these signs. We were able to apply and received a donation from the forestry for the signs.

Through a grant, we are also looking into removing brush and foliage that could be a fire hazard, or impede access to driveways or homes for our fire trucks, along city right of way roads around town. More info as this developes. Sharon will be putting on a wildland community wild fire awarness class soon for all residents to learn how they can make their homes and properties more resistant to such fires. It will be held at the community center soon, with free fire extinguishers, first aid kits and even some “to go” emergency starter kits for attending.

Work is still in progress on the emergency response evacuation signs, sponsored by a grant Sharon obtained. She and Mike are also working on resident physical address signs for unmarked homes to help emergency crews find you when needed. So far, thanks to Jeremy for helping us get the word out, we have received 35 requests for the address signs. We are running adds again this month . If you know of someone needing a road address sign, please contact Sharon Greve or Mike Mayfield. Placements will start after we obtain placement clearance from 811 locate.

Thank you all for the support and hard work you do for our department and community!

Prepared by Sharon Volk Greve, Assistant Chief, Falls City Fire and EMS. Cell: (503) 871-5140



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

City Manager's Report June 3, 2024

Introduction

The past month has been relatively uneventful when it comes to the regular operation of services for the Falls City community. The budget process has kept staff busy with making projections for the upcoming 24/25 Fiscal Year. With several projects ongoing, at various stages of development, there is a lot of activity for the community. The most notable and ironically closest to completion, though it has barely begun the construction phase is the Community Resource Center, which by mid-summer should bring to Falls City much needed resources for its residents. As for the other projects, the Wastewater Treatment Facility Construction will soon (mid-June) enter into the pipe-drilling phase, which will affect traffic on Falls City Highway & eventually N. Main Street. The work will begin at its eastern-most point (near the lagoons) and work its way toward the city, until it reaches the high school campus, where the pump station will be constructed and tied into.

Wastewater Project – The biweekly meetings with Strider Construction and our contract engineers, have been brought back to bi/tri-weekly meetings as work is steadily ramping up at the lagoon site, and soon within city limits. According to the latest meeting, work at the school campus to construct the new pump station will begin no earlier than June 14, in coordination with students no longer being on site. The HDPE (High-Density Polyethylene Pipe) pipeline installation along Falls City Highway, will also begin in mid-June, barring any unforeseen weather events. This work will entail drilling work on the side of the road, leading to one-lane closures during the day (the road will be open at night). As the drilling construction will begin at its eastern-most point and move westward, the impact to N. Main Street should not occur until the end of June or early July. As far as the school district's ability to use the football field, staff received notice from DEQ that a Mutual Agreement Order, which is permission to allow discharge of treated effluent out of season in order to keep the field from becoming saturated, will not be granted. Though this is unfortunate, since it means that the football field may be unusable in the case of heavy precipitation, work is ongoing to ensure that the school district's athletic teams have the upper ballpark as a practice facility, and we are working with school staff to ensure that the High School graduation will occur at the Elementary School gymnasium. A map was sent in the latest newsletter to let attendees know the traffic pattern on the day, to ensure efficient flow and parking.

Community Resource Center Project – The city’s collaborative effort with several entities (Willamette Health Council, Polk County’s Family & Community Outreach, Falls City Thrives as well as several other resident volunteers) is nearing the construction phase. After the city’s annual Clean-up event takes place on June 1, the Community Resource Center’s infrastructure work will begin. As work to procure the building and place it on site has been taken care of, we expect the operation with service providers to begin by early to mid-summer.

RARE Application – Our TMDL contractor is working with the RARE program staff to coordinate the position scope and to schedule the participant interviews for the various municipal partners that will be sharing the RARE participant starting in August (for 11 months). As DEQ funding will subsidize the placement of this RARE participant, our TMDL contractor Elizabeth Sagmiller will be overseeing the work on behalf of us and our Polk County neighboring cities Monmouth & Dallas. The RARE participant’s scope of work will include components that are specific to Falls City, Monmouth & Dallas, and others that focus on region-wide goals. Within the application there are project tasks to meet needs in the city’s TMDL implementation plan, which is a requirement by DEQ, as well as community education outreach goals that will engage partners such as the school district and local watershed organizations. Our TMDL contractor will continue to update the partners on the ongoing communication with the RARE Program and the vetting process milestones.

Republic Services Clean-Up Day – The city has chosen to revert the annual Republic Services Clean-Up Day back at the Mill Lot, as the logistics of moving it to the new wastewater treatment facility lagoons were disrupted by changes in the various construction schedules of work happening in and around Falls City. The event should run as it has in previous years, with the expectation that starting in 2025, the event will be moved to the alternate location.

Code Enforcement – The Budget Committee has agreed to expand the Code Enforcement budget to accommodate the possibility of having a 25% FTE Polk County Sheriff’s Deputy allocated to Falls City, in coordination with neighboring timber companies’ patrolling. This development will allow city staff (soon to include a dedicated part-time code enforcement officer) to follow up on code issues, including dangerous buildings and illegal trash fires.

Sincerely,



Clerk's Report

City Hall

- **City Wide Garage Sale** was on May 25th and was a nice event with 12 sales on the map.
- **City Clean Up Day** was Saturday June 1st and was as always, a great success. I will have numbers from Republic Services at the next Council Meeting.
- **Fire Chief Recognition** will be at the July Council meeting on July 1.



Fiscal Year 2024-2025
Proposed Budget

FUNDS

GENERAL 3
Administration 1.01..... 4
City Council 1.02..... 5
Fire Department 1.07..... 6
FIRE EQUIP & OPS LEVY 82..... 7
Code Services & Court 1.04..... 8
Parks and Cemeteries 1.03..... 9
Other/Debt 1.09..... 10
WATER 20..... 11
SANITARY SEWER 13..... 12
STREETS AND PATHWAYS 11..... 13
CITY UTILITY RESERVE FUND 19..... 14
WAGNER LIBRARY TRUST FUND 71..... 15
LUCKIAMUTE COMMUNITY BUILDING FUND 90..... 16
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01 GENERAL FUND					
RESOURCES	ACTUAL 2021-2022	ACTUAL 2022-2023	ADOPTED 2023-2024	ACTUAL 2023-24 (as of 4/1)	DRAFT 2024-2025
BEGINNING FUND BALANCE	\$ 969,198	\$ 975,813	\$ 657,278	\$ 950,921	\$ 950,000
DONATIONS				\$ -	
MISCELLANEOUS	\$ 56,322	\$ 40,720	\$ 3,500	\$ 673	\$ 1,000
Bootleg Fire				\$ 5,922	\$ -
TAXES					
State Marijuana Prevention	\$ 684	\$ 1,362	\$ 1,000	\$ 1,454	\$ 1,400
Property Taxes- Current	\$ 136,498	\$ 143,587	\$ 120,000	\$ 145,885	\$ 155,000
Property Taxes- Prior	\$ -		\$ 1,000	\$ -	\$ 1,000
State Liquor Tax	\$ 19,203	\$ 20,729	\$ 15,000	\$ 14,945	\$ 20,000
State Revenue Sharing	\$ 12,998	\$ 13,377	\$ 12,000	\$ 10,227	\$ 12,000
State Cigarette Tax	\$ 863	\$ 776	\$ 1,500	\$ 536	\$ 750
INTEREST					
LGIP & Other	\$ 9,158	\$ 40,720	\$ 25,000	\$ 53,627	\$ 45,000
FEES (NON-FRANCHISE)					
Business License & OLCC Fees	\$ 1,125	\$ 1,123	\$ 2,500	\$ 200	\$ 500
Land Use/Permit Fees	\$ 9,700	\$ 4,957	\$ 2,000	\$ 2,650	\$ 2,000
Recreation & Rental Fees	\$ 6,394	\$ 4,310	\$ 1,000	\$ 5,460	\$ 2,500
Code Services Fines	\$ 49		\$ 300	\$ -	\$ 100
Lien Search Fee	\$ 1,330	\$ 805	\$ 1,000	\$ 420	\$ 500
FRANCHISE FEES					
Pacific Power Franchise	\$ 50,537	\$ 42,716	\$ 45,000	\$ 39,065	\$ 45,000
Republic Trash Franchise	\$ 5,059	\$ 5,341	\$ 4,000	\$ 4,446	\$ 4,500
Charter Franchise	\$ 5,645	\$ 5,788	\$ 5,500	\$ 5,922	\$ 5,500
Quest/Century Link Franchise	\$ 957	\$ 905	\$ 1,000	\$ 819	\$ 1,000
MINET/WVF Franchise					\$ 1,000
GRANTS					
Weyerhaeuser Grant (Fire)	\$ -		\$ -	\$ 10,000	\$ -
Assistance to Firefighters Grant	\$ 1,739.98		\$ -	\$ -	\$ -
DLCD Planning Grant	\$ 1,000.00		\$ -	\$ -	\$ -
Pacific Power Energy Grant	\$ -		\$ -	\$ 15,000	\$ -
23 CDBG H23009 Housing Grant	\$ -		\$ -	\$ -	\$ 400,000.00
20' CDBG Housing Grant (Admin)	\$ 232,580.00			\$ 19,662	\$ -
COVID 20 - CARES	\$ 124,536.68	\$ 117,276.68	\$ 112,135.76	\$ 106,386	\$ 69,000.00
'21 SAMHSA Rural EMS (Fire)		\$ 5,665.34	\$ 13,600.00	\$ 8,862	\$ -
'22 Falls City Thrives		\$ 30,000.00		\$ -	
Total Revenues	\$ 676,378	\$ 480,157	\$ 367,586	\$ 452,161	\$ 768,300
TOTAL FUND RESOURCES	\$ 1,645,576	\$ 1,455,970	\$ 1,024,864	\$ 1,403,082	\$ 1,718,300

General Fund: 1.01 Administrative

REQUIREMENTS	ACTUAL 2021-2022	ACTUAL 2022-2023	ADOPTED 2023-2024	ACTUAL 2023-24 (as of 4/1)	DRAFT 2024-2025
PERSONNEL					
Full Time Equivalent	2.0	2.0	2.0	\$ 2	1.5
Salaried	\$ 145,279	\$ 130,730	\$ 84,000	\$ 97,293	\$ 105,000
Benefits/Retirement	\$ 54,399	\$ 31,346	\$ 8,000	\$ 41,705	\$ 57,000
Payroll Expenses	\$ 11,141	\$ 10,003	\$ 15,000	\$ 9,735	\$ 12,000
Worker's Comp	\$ -	\$ 845	\$ 1,000	\$ 415	\$ 1,000
Total Personnel	\$ 210,819	\$ 172,927	\$ 108,000	\$ 149,148	\$ 175,000
MATERIALS & SERVICES					
Operational Expenses	\$ 2,939	\$ 9,622	\$ 8,000	\$ 9,028	\$ 10,000
Professional Services	\$ 71,273	\$ 31,609	\$ 25,000	\$ 29,489	\$ 32,000
Facilities O & M	\$ 6,893	\$ 2,582	\$ 2,500	\$ 1,091	\$ 2,000
Insurance	\$ 25,294	\$ 14,539	\$ 15,000	\$ 15,246	\$ 16,000
Trvl, Trng, Dues, Statutory	\$ 4,320	\$ 4,753	\$ 1,500	\$ 5,998	\$ 3,500
RARE Project	\$ -	\$ -	\$ -	\$ -	\$ -
Grant expenses	\$ -	\$ -	\$ -	\$ -	\$ -
COVID 20 - CARES	\$ 33,664.00	\$ 84,727.00	\$ 112,135.76	\$ 106,386	\$ 69,000
22 Falls City Thrives	\$ -	\$ 12,904.96	\$ -	\$ -	\$ -
Pacific Power Energy Grant	\$ -	\$ -	\$ -	\$ -	\$ -
23 CDBG H23009 Housing Grant	\$ -	\$ -	\$ -	\$ -	\$ 400,000
Misc. & Equipment	\$ -	\$ -	\$ -	\$ -	\$ -
Interfund Transfer	\$ -	\$ -	\$ -	\$ -	\$ -
Utilities	\$ -	\$ -	\$ -	\$ 10,132	\$ 10,000
Council Projects	\$ -	\$ -	\$ -	\$ -	\$ -
Total Materials & Services	\$ 144,383	\$ 160,737	\$ 164,136	\$ 177,368	\$ 542,500
PROGRAM TOTAL	\$ 355,202	\$ 333,664	\$ 272,136	\$ 326,516	\$ 717,500

General Fund: 1.02 Council & Committees

REQUIREMENTS	ACTUAL 2021-2022	ACTUAL 2022-2023	ADOPTED 2023-2024	ACTUAL 2023-24 (as of 4/1)	DRAFT 2024-2025
MATERIALS & SERVICES					
Operational Supplies	\$ 759	\$ 152	\$ 200	\$ 57	\$ 50
Professional Services	\$ 329	\$ 30	\$ 500	\$ -	\$ 250
Trvl, Trng, Dues, Statutory	\$ 1,655	\$ 1,117	\$ 1,000	\$ 3,044	\$ 3,000
Council Projects	\$ 312	\$ 1,052	\$ 1,500	\$ 634	\$ 1,000
Worker's Comp	\$ 100	\$ -	\$ 100	\$ -	\$ -
PROGRAM TOTAL	\$ 3,155		\$ 3,300	\$ 3,735	\$ 4,300

General Fund: 1.07 Fire

REQUIREMENTS	ACTUAL 2021-2022	ACTUAL 2022-2023	ADOPTED 2023-2024	ACTUAL 2023-24	DRAFT 2024-2025
PERSONNEL					
Full Time Equivalent	0.1	\$ 0	0.1	\$ 0	0.1
Salaried	\$ 17,954	\$ 4,913	\$ 5,000	\$ 3,685	\$ 5,000
Payroll Expenses	\$ 1,444	\$ 372	\$ 500	\$ -	\$ -
Worker's Comp	\$ -	\$ -	\$ -	\$ -	\$ -
Total Personnel	\$ 19,398	\$ 5,285	\$ 5,500	\$ 3,685	\$ 5,000
MATERIALS & SERVICES					
Equipment O & M	\$ 40,417	\$ 7,815	\$ 20,000	\$ 11,657	\$ 20,000
Insurance	\$ -	\$ 11,153	\$ 11,000	\$ 11,566	\$ 11,000
FF Retention	\$ 2,650	\$ 6,376	\$ 6,500	\$ 2,239	\$ 6,500
Professional Services	\$ -	\$ 6,379	\$ 10,000	\$ 13,038	\$ 10,000
Utilities		\$ 10,874		\$ 7,022	\$ 10,000
Operational Expenses		\$ 4,444	\$ 2,200	\$ 4,659	\$ 5,000
Facilities O & M		\$ 2,343	\$ 2,000	\$ 6,363	\$ 5,000
Education, Training, Dues		\$ 1,776	\$ 2,000	\$ 6,235	\$ 2,000
Fire Association		\$ -	\$ -	\$ -	\$ 5,500
Miscellaneous		\$ -	\$ -	\$ -	\$ -
Total Materials & Services	\$ 43,067	\$ 51,159	\$ 53,700	\$ 62,779	\$ 75,000
CAPITAL OUTLAY					
21 SAMHSA Rural EMS Grant		\$ 2,223	\$ 13,600	\$ 9,083	\$ -
Weyerhaeuser Grant (Fire)	\$ -	\$ -	\$ -	\$ 10,000	\$ -
Assistance to Firefighters Match	\$ 4,500	\$ -	\$ -	\$ -	\$ -
Assistance to Firefighters Grant	\$ -	\$ -	\$ -	\$ -	\$ -
Total Capital Outlay	\$ 4,500	\$ 2,223	\$ 13,600	\$ 19,083	\$ -
NON-ALLOCATED					
Adjustment to Audited Statement	\$ -	\$ -	\$ -	\$ -	\$ -
Total Non-Allocated	\$ -	\$ -	\$ -	\$ -	\$ -
PROGRAM TOTAL	\$ 66,964	\$ 58,667	\$ 72,800	\$ 85,547	\$ 80,000

82 FIRE EQUIPMENT & OPERATIONS LEVY FUND (5 years, 2023-2028)

RESOURCES	ACTUAL 2021-22	ACTUAL 2022-2023	ADOPTED 2023-2024	ACTUAL 2023-24 (as of 4/1)	DRAFT 2024-2025
Beginning Fund Balance	\$ -	\$ 46,299	\$ 25,000	\$ 61,137	\$ 65,000
Property Tax Levy	\$ 48,882	\$ 48,319	\$ 50,000	\$ 49,644	\$ 51,000
TOTAL FUND RESOURCES	\$ 48,882	\$ 94,618	\$ 75,000	\$ 110,781	\$ 116,000
REQUIREMENTS					
MATERIALS & SERVICES					
Operational Expenses	\$ -	\$ -	\$ -	\$ -	\$ -
Professional Services	\$ 1,368	\$ 1,492	\$ -	\$ 500	\$ -
Facilities O & M	\$ 3,554	\$ 445		\$ -	
Uniforms & Protective Gear					
Trvl, Trng, Dues, Statutory				\$ -	
Utilities	\$ 4,108	\$ -	\$ -	\$ -	\$ -
Equipment	\$ 112		\$ -	\$ -	\$ -
Transfer to General Fund				\$ -	
Total Materials & Services	\$ 9,143	\$ 1,936	\$ -	\$ 500	\$ -
CAPITAL OUTLAY & DEBT SERVICE					
Engine 123 Payment	\$ 16,074	\$ 16,074	\$ -	\$ -	\$ -
Engine 123 Interest	\$ 2,887	\$ 2,887	\$ -	\$ -	\$ -
Fire Capital				\$ -	
Brush Truck Payment		\$ 27,291	\$ 32,000	\$ 27,291	\$ 28,000
Brush Truck Interest		\$ 4,754		\$ 4,754	\$ 5,000
Total Capital & Debt	\$ 18,961	\$ 46,252	\$ 32,000	\$ 27,291	\$ 33,000
NON-ALLOCATED					
Contingency	\$ 19,231	\$ -	\$ 43,000	\$ 47,000	\$ 54,000
Total Non-Allocated	\$ 19,231	\$ -	\$ 43,000	\$ 47,000	\$ 54,000
TOTAL FUND REQUIREMENTS	\$ 47,334	\$ 48,188	\$ 75,000	\$ 74,791	\$ 87,000
LEVY BALANCE	\$ 1,547	\$ 46,430	\$ -	\$ 35,990	\$ 29,000

General Fund: 1.04 Code Services & Municipal Court					
REQUIREMENTS	ACTUAL 2021-2022	ACTUAL 2022-23	ADOPTED 2023-2024	ACTUAL 2023-24 (as of 4/1)	DRAFT 2024-2025
PERSONNEL					
Full Time Equivalent	0.40	\$ 0	0.20	0.20	0.25
Salaried	\$ -	\$ -	\$ 2,000	\$ -	\$ 2,000
Payroll Expenses	\$ -	\$ -	\$ -	\$ -	\$ -
Worker's Comp	\$ -	\$ -	\$ 400	\$ -	\$ 400
Total Personnel	\$ -	\$ -	\$ 2,400	\$ -	\$ 2,400
MATERIALS & SERVICES					
Operational Expenses	\$ -	\$ 214	\$ 1,000	\$ -	\$ 1,000
Professional Services (Code)	\$ 895	\$ 8,347	\$ 30,000	\$ -	\$ 25,000
Professional Services (Law)					\$ 25,000
Equipment	\$ -	\$ 77	\$ 1,000	\$ -	\$ 1,000
Insurance	\$ -	\$ -	\$ 1,000	\$ -	\$ 1,000
Travel, Training, Dues, Statutory	\$ -	\$ -	\$ 500	\$ -	\$ 500
Uniforms & Protective Gear	\$ -	\$ -	\$ 500	\$ -	\$ 500
Other	\$ 50	\$ 58		\$ 100	
Total Materials & Services	\$ 945	\$ 8,696	\$ 34,000	\$ 100	\$ 54,000
PROGRAM TOTAL	\$ 945	\$ 8,696	\$ 36,400	\$ 100	\$ 56,400

General Fund: 1.03 Parks & Cemeteries

REQUIREMENTS	ACTUAL 2021-2022	ACTUAL 2022-23	ADOPTED 2023-2024	ACTUAL 2023-24 (as of 4/1)	DRAFT 2024-2025
PERSONNEL					
Full Time Equivalent	0.25	0.25	0	0	0
Wages	\$ 12,432	\$ -	\$ -	\$ -	\$ -
Benefits/Retirement	\$ 2,569	\$ -	\$ -	\$ -	\$ -
Payroll Expenses	\$ 1,083	\$ -	\$ -	\$ -	\$ -
Worker's Comp	\$ -	\$ 845	\$ -	\$ -	\$ -
Total Personnel	\$ 16,084	\$ 845	\$ -	\$ -	\$ -
MATERIALS & SERVICES					
Operational Expenses	\$ 794	\$ 1,131	\$ 1,000	\$ 1,064	\$ 1,000
Professional services	\$ 4,121	\$ 425	\$ 500	\$ 247	\$ 500
Equipment O & M	\$ 2,071	\$ 8,532	\$ 2,000	\$ 5,775	\$ 5,500
Facilities O & M	\$ 940	\$ 2,751	\$ 3,000	\$ 1,910	\$ 2,000
Insurance	\$ 1,400	\$ -	\$ -	\$ 2,103	\$ 2,000
Utilities	\$ 3,137	\$ 2,205	\$ 2,500	\$ 3,794	\$ 4,000
Miscellaneous					
City Events	\$ 594	\$ -	\$ -	\$ -	\$ -
Reserved for Pride	\$ -	\$ -	\$ -	\$ -	\$ -
Reserved for LFR! Memorial	\$ -	\$ -	\$ -	\$ -	\$ -
Total Materials & Services	\$ 13,057	\$ 15,044	\$ 9,000	\$ 14,894	\$ 15,000
PROGRAM TOTAL	\$ 29,141	\$ 15,889	\$ 9,000	\$ 14,894	\$ 15,000

General Fund: 1.09 Debt Service & Other

REQUIREMENTS	ACTUAL 2021-2022	ACTUAL 2022-2023	ADOPTED 2023-2024	ACTUAL 2023-24 (as of 4/1)	DRAFT 2024-2025
Beginning Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ -
Debt Service					
Park Loan Principal (92211)	\$ -	\$ -	\$ -	\$ -	\$ -
Park Loan Interest (92211)	\$ -	\$ -	\$ -	\$ -	\$ -
M/H Park Loan Principal (79011)	\$ 2,645	\$ 2,107	\$ 2,000	\$ -	\$ 2,100
M/H Park Loan Interest (79011)	\$ -	\$ 412	\$ 500	\$ -	\$ 400
Total Debt Service	\$ 2,645	\$ 2,519	\$ 2,500	\$ -	\$ 2,500
Other					
Transfer Out to Shared Fund					
General Fund Contingency	\$ 310,163	\$ 310,163	\$ 628,728	\$ -	\$ 842,600
Total Other	\$ 310,163	\$ 310,163	\$ 628,728	\$ -	\$ 842,600
PROGRAM TOTAL	\$ 312,808	\$ 312,682	\$ 631,228	\$ -	\$ 845,100

20 WATER FUND

RESOURCES	ACTUAL 2021-2022	ACTUAL 2022-2023	ADOPTED 2023-2024	ACTUAL 2023-24 (as of 4/1)	DRAFT 2024-2025
Beginning Fund Balance	\$ 226,470	\$ 331,195	\$ 330,000	\$ 404,431	\$ 430,000
Water User Fees	\$ 304,700	\$ 298,179	\$ 300,000	\$ 231,381	\$ 300,000
Late Fees	\$ 3,204	\$ 2,901	\$ 4,000	\$ -	\$ 3,000
Backflow Testing Fee	\$ 14,295	\$ 15,301	\$ 11,000	\$ 12,111	\$ 15,000
Water Connection Fee	\$ 50	\$ 3,600	\$ 1,500	\$ -	\$ 1,000
Miscellaneous	\$ -	\$ -	\$ -	\$ 675	\$ 1,000
SDWRLF Grant	\$ -	\$ -	\$ 1,000,000	\$ -	\$ 1,000,000
OWRD Grant	\$ -	\$ -	\$ -	\$ -	\$ 590,000
Total Revenue	\$ 322,249	\$ 319,980	\$ 1,646,500	\$ 244,167	\$ 1,910,000
TOTAL FUND RESOURCES	\$ 548,719	\$ 651,176	\$ 1,976,500	\$ 648,598	\$ 2,340,000
REQUIREMENTS					
PERSONNEL					
Full Time Equivalent			1.9	\$ 2	1.75
Salaried	\$ 44,791	\$ 64,110	\$ 65,550	\$ 41,763	\$ 82,000
Benefits/Retirement	\$ 15,412	\$ 28,790	\$ 35,967	\$ 38,244	\$ 38,000
Payroll Expenses	\$ 3,249	\$ 4,433	\$ 7,061	\$ 3,119	\$ 4,000
Worker's Comp	\$ -		\$ 1,000	\$ 451	\$ 1,000
Total Personnel	\$ 63,452	\$ 97,334	\$ 109,577	\$ 83,578	\$ 125,000
MATERIALS & SERVICES					
Operational Expenses	\$ 23,593	\$ 36,823	\$ 23,000	\$ 25,839	\$ 25,000
Professional Services	\$ 39,608	\$ 16,879	\$ 35,000	\$ 2,381	\$ 20,000
Equipment O & M	\$ 12,901	\$ 10,924	\$ 8,000	\$ 22,787	\$ 20,000
Facilities O & M	\$ 2,068	\$ 7,745	\$ 7,500	\$ 168	\$ 2,000
Insurance	\$ 11,000	\$ 10,904	\$ 11,000	\$ 11,566	\$ 12,000
Trvl, Trng, Dues, Statutory	\$ -	\$ 997	\$ 1,000	\$ 915	\$ 1,000
Utilities	\$ 4,434	\$ 13,251	\$ 8,000	\$ 11,251	\$ 13,000
Miscellaneous	\$ -			\$ -	
Transfer Out	\$ -		\$ -	\$ -	\$ -
Total Materials & Services	\$ 93,604	\$ 97,524	\$ 93,500	\$ 74,908	\$ 93,000
TOTAL WATER PROGRAM			\$ 203,077		\$ 218,000
CAPITAL OUTLAY & DEBT SERVICE					
Water Bond Principal	\$ -	\$ 52,331	\$ 35,000	\$ 51,531	\$ 51,500
Water Bond Interest	\$ 13,556	\$ 13,131	\$ 26,800	\$ 12,331	\$ 12,500
SDWRLF Grant			\$ 1,000,000		\$ 1,000,000
OWRD Grant					\$ 590,000
Total Capital & Debt	\$ 13,556		\$ 1,061,800	\$ 63,862	\$ 1,654,000
NON-ALLOCATED					
Contingency	\$ -		\$ 711,623	\$ -	\$ 468,000
Total Non-Allocated			\$ 711,623		\$ 468,000
TOTAL FUND REQUIREMENTS	\$ 170,612	\$ 194,857	\$ 1,976,500	\$ 222,349	\$ 2,340,000
WATER FUND BALANCE	\$ 378,107	\$ 456,318	\$ (0)	\$ 426,249	\$ -

13 SEWER FUND

RESOURCES	ACTUAL 2021-22	ADOPTED 2022-2023	DRAFT 2023-2024	ACTUAL 2023-24 (as of 4/1)	DRAFT 2024-2025
Beginning Fund Balance	\$ 35,510	\$ 93,107	\$ 100,000	\$ 7,497	\$ 1,000
Sewer User Fees	\$ 147,912	\$ 146,283	\$ 130,000	\$ 107,061	\$ 130,000
Sewer Connections		\$ 9,750	\$ -	\$ 3,250	\$ -
Late Fees	\$ 110	\$ 70	\$ 1,000	\$ 70	\$ 1,000
CDBG Grant (P17004)	\$ 88,235	\$ -	\$ 2,500,000	\$ -	\$ -
Facilities Plan Grant (Polk County)				\$ 67,015	
USDA RD SEARCH Grant				\$ 30,000	
CDBG Grant (P22010)				\$ 1,674,651	\$ 2,500,000
Transfer from Water Fund					
Total Revenue	\$ 236,257	\$ 156,103	\$ 2,631,000	\$ 1,889,544	\$ 2,631,000
TOTAL FUND RESOURCES	\$ 271,767	\$ 249,209	\$ 2,731,000	\$ 1,897,041	\$ 2,632,000
REQUIREMENTS					
PERSONNEL					
Full Time Equivalent	0.50	0.50	1.00	0.50	1.00
Salaried	\$ 11,379	\$ 39,731	\$ 69,726	\$ 46,019	\$ 53,000.00
Benefits	\$ 5,137		\$ 24,389	\$ 3,000	\$ 3,000.00
Payroll Tax	\$ 902		\$ 10,385	\$ 3,479	\$ 4,000.00
Worker's Comp	\$ -	\$ 845	\$ 10,000	\$ 451	\$ 1,000
Total Personnel	\$ 17,419	\$ 40,575	\$ 114,500	\$ 52,950	\$ 61,000
MATERIALS & SERVICES					
Operational Expenses	\$ 4,430	\$ 11,805	\$ -	\$ 20,942	\$ 21,000
Professional Services	\$ 38,624	\$ 18,321	\$ 21,000	\$ 396	\$ 1,000
Equipment O & M	\$ 4,318	\$ 8,566	\$ 6,000	\$ 9,822	\$ 9,000
Facilities O & M	\$ 3,702	\$ 3,078	\$ 3,000	\$ 1,360	\$ 3,000
Insurance	\$ 4,147	\$ 7,269	\$ 6,000	\$ 7,886	\$ 8,000
Trvl, Trng, Dues, Statutory	\$ -	\$ 429	\$ 500	\$ -	\$ 500
Utilities	\$ 3,860	\$ 1,676	\$ 1,000	\$ 2,182	\$ 2,500
Miscellaneous	\$ 4,794	\$ -	\$ -	\$ -	\$ -
Transfers Out	\$ -	\$ -	\$ -	\$ -	\$ -
Total Materials & Services	\$ 63,875	\$ 51,143	\$ 37,500	\$ 42,588	\$ 45,000
TOTAL SEWER PROGRAM	\$ 81,294	\$ 91,719	\$ 152,000	\$ 95,537	\$ 106,000
CAPITAL OUTLAY & DEBT SERVICE					
CDBG Grant (P17004) Outlay	\$ 92,856	\$ 162,744	\$ 2,500,000	\$ -	\$ -
CDBG Grant (P22010)				\$ 1,825,222	\$ 2,500,000
Total Capital & Debt	\$ 92,856	\$ 162,744	\$ 2,500,000	\$ 1,825,222	\$ 2,500,000
NON-ALLOCATED					
Contingency	\$ -	\$ -	\$ 86,825	\$ -	\$ 26,000
Total Non-Allocated	\$ -	\$ -	\$ 86,825	\$ -	\$ 26,000
TOTAL FUND REQUIREMENTS	\$ 174,151	\$ 254,462	\$ 2,738,825	\$ 1,920,760	\$ 2,632,000
WASTEWATER FUND BALANCE	\$ 97,616	\$ (5,253)	\$ (7,825)	\$ (23,719)	\$ -

11 STREET FUND

RESOURCES	ACTUAL 2021-2022	ACTUAL 2022-2023	ADOPTED 2023-2024	ACTUAL 2023-24 (as of 4/1)	DRAFT 2024-2025
Beginning Fund Balance	\$ (188,044)	\$ (402,690)	\$ 60,000	\$ -	\$ 1,000
State Gas Tax	\$ 86,431	\$ 81,990	\$ 70,000	\$ 61,756	\$ 80,000
FEMA Dutch Creek Grant		\$ -		\$ -	
SCAG		\$ -	\$ 100,000	\$ -	\$ 250,000
Safe Routes/IOF		\$ 53,431	\$ 420,000	\$ 10,921	\$ 420,000
Chamberlain Partners	\$ -			\$ -	
Interfund Transfer				\$ -	
Total Revenue	\$ 86,431	\$ 135,421	\$ 590,000	\$ 72,676	\$ 750,000
TOTAL FUND RESOURCES	\$ (101,613)	\$ (267,269)	\$ 650,000	\$ 72,676	\$ 751,000
REQUIREMENTS					
PERSONNEL					
Full Time Equivalent	0.25	0.25	0.375	0.25	0.25
Wages	\$ 7,647	\$ 12,955	\$ 15,000	\$ 11,390	\$ 13,000
Benefits/Retirement	\$ 2,569	\$ -	\$ 2,000	\$ 1,759	\$ 2,000
Payroll Expenses	\$ 541	\$ 1,209	\$ 3,500	\$ 851	\$ 1,500
Worker's Compensation	\$ -	\$ 845	\$ 1,500	\$ 451	\$ 500
Total Personnel	\$ 10,758	\$ 15,009	\$ 22,000	\$ 14,451	\$ 17,000
MATERIALS & SERVICES					
Operational Expenses	\$ 952	\$ 14,312	\$ 13,500	\$ 13,278	\$ 13,500
Professional Services	\$ 3,461	\$ 2,005	\$ 2,000	\$ 397	\$ 5,000
Equipment O & M	\$ 10,728	\$ 8,998	\$ 8,000	\$ 7,983	\$ 8,000
Insurance	\$ 3,664	\$ 4,132	\$ -	\$ 4,206	\$ 4,000
Utilities	\$ 5,388	\$ 6,209	\$ 5,000	\$ 4,863	\$ 5,000
Miscellaneous	\$ 1,999		\$ 1,000	\$ 828	\$ 1,000
Transfer Out	\$ -		\$ -	\$ -	\$ -
Total Materials & Services	\$ 26,192	\$ 35,657	\$ 29,500	\$ 31,555	\$ 36,500
TOTAL STREETS PROGRAM	\$ 36,950	\$ 50,666	\$ 51,500	\$ 46,006	\$ 53,500
CAPITAL OUTLAY & DEBT SERVICE					
FEMA Dutch Creek	\$ 226,031			\$ -	
Building Improvements				\$ -	
Equipment				\$ -	
SCA Grants			\$ 100,000	\$ -	\$ 250,000
Safe Routes/IOF			\$ 420,000	\$ 10,011	\$ 420,000
Safe Routes & Chamberlain Match	\$ 38,183			\$ -	
Total Capital & Debt	\$ 264,214		\$ 520,000	\$ 10,011	\$ 670,000
NON-ALLOCATED					
Contingency	\$ 94,000		\$ 78,500		\$ 27,500
Total Non-Allocated	\$ (94,044)	\$ -	\$ 78,500		\$ 27,500
TOTAL FUND REQUIREMENTS	\$ 207,120	\$ 50,666	\$ 650,000	\$ 56,018	\$ 751,000
STREET FUND BALANCE	\$ (308,733)	\$ (317,935)	\$ -	\$ 16,659	\$ -

19 UTILITY RESERVE FUND					
RESOURCES	ACTUAL 2021-22	ACTUAL 2022-2023	ADOPTED 2023-2024	ACTUAL 2023-24 (as of 4/1)	DRAFT 2024-2025
Beginning Fund Balance	\$ 357,104	\$ 403,651	\$ 350,000	\$ 402,311	\$ 350,000
Utility Cap Improvement Fee	\$ 51,214	\$ 51,567	\$ 50,000	\$ 37,948	\$ 50,000
Miscellaneous	\$ -	\$ -	\$ -	\$ -	\$ -
Total Revenue	\$ 51,214	\$ 51,567	\$ 50,000	\$ 37,948	\$ 50,000
TOTAL FUND RESOURCES	\$ 408,318	\$ 455,218	\$ 400,000	\$ 440,259	\$ 400,000
REQUIREMENTS					
CAPITAL OUTLAY & DEBT SERVICE					
Water Projects	\$ -	\$ 4,666	\$ 50,000	\$ 28,145	\$ 50,000
Wastewater Projects	\$ -	\$ -	\$ 50,000	\$ 10,000	\$ 50,000
New Sewer Project Costs	\$ 4,667	\$ 48,241	\$ 200,000	\$ 14,031	\$ 50,000
Equipment-Operations	\$ -				
Total Capital & Debt	\$ 4,667	\$ 52,907	\$ 300,000	\$ 52,177	\$ 150,000
NON-ALLOCATED					
Contingency	\$ -	\$ -	\$ 100,000	\$ -	\$ 250,000
Total Non-Allocated	\$ -	\$ -	\$ 100,000	\$ -	\$ 250,000
TOTAL FUND REQUIREMENTS	\$ 4,667	\$ 52,907	\$ 400,000	\$ 52,177	\$ 400,000
UTILITY RESERVE FUND BALANCE	\$ 403,651	\$ 402,310		\$ 388,082	\$ -

71 WAGNER LIBRARY FUND

RESOURCES	ACTUAL 2021-22	ACTUAL 2022-2023	ADOPTED 2023-2024	ACTUAL 2023-24 (as of 4/1)	DRAFT 2024-2025
Beginning Fund Balance	\$ 92,215	\$ 92,215	\$ 92,215	\$ 92,215	\$ 92,215
Interest					\$ 2,000
Miscellaneous				\$ -	
Total Revenue				\$ -	\$ 94,215
TOTAL FUND RESOURCES	\$ 92,215	\$ 92,215	\$ 92,215	\$ 92,215	\$ 94,215
REQUIREMENTS					
MATERIALS & SERVICES					
Professional Services	\$ 10,000	\$ -	\$ -	\$ -	\$ -
Total Materials & Services	\$ 10,000	\$ -	\$ -	\$ -	\$ -
NON-ALLOCATED					
Contingency	\$ 57,215	\$ -	\$ -	\$ -	\$ 94,215
Total Non-Allocated	\$ 57,215	\$ -	\$ -	\$ -	\$ 94,215
TOTAL FUND REQUIREMENTS	\$ 67,215	\$ -	\$ -	\$ -	\$ 94,215
FUND BALANCE					\$ -

90 LUCKIAMUTE COMMUNITY BUILDING

RESOURCES	NA	NA	NA	ACTUAL 2023-24 (as of 4/1)	DRAFT 2024-2025
Beginning Fund Balance				\$ -	\$ -
Rents/Fees	\$ -	\$ -	\$ -	\$ 4,550	\$ 6,000
Miscellaneous	\$ -	\$ -	\$ -	\$ -	\$ 1,000
Total Revenue	\$ -	\$ -	\$ -		
TOTAL FUND RESOURCES	\$ -	\$ -	\$ -	\$ 4,550	\$ 7,000
REQUIREMENTS					
MATERIALS & SERVICES					
Utilities	\$ -	\$ -	\$ -	\$ 2,864	\$ 4,000
Professional Services	\$ -	\$ -	\$ -	\$ 156	\$ 1,000
Total Materials & Services	\$ -	\$ -	\$ -	\$ 3,020	\$ 5,000
NON-ALLOCATED					
Total Non-Allocated	\$ -	\$ -	\$ -	\$ -	\$ 2,000
TOTAL FUND REQUIREMENTS	\$ -	\$ -	\$ -	\$ 2,864	\$ 7,000
FUND BALANCE	\$ -	\$ -	\$ -	\$ 1,686	\$ -

60 COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

RESOURCES	ACTUAL 2021-22	ACTUAL 2022-2023	ADOPTED 2023-2024	ACTUAL 2023-24 (as of 4/1)	DRAFT 2023-2024
Beginning Fund Balance	\$ 206,263	\$ 281,784	\$ 280,000	291,664	\$ 290,000
Interest-Revolving Loan	\$ -	\$ 7,000	\$ 7,000	7,601	\$ 7,500
Miscellaneous					
Transfer In					
Total Revenue	\$ -	\$ 7,000	\$ 7,000	7,601	\$ 7,500
TOTAL FUND RESOURCES	\$ 206,263	\$ 288,784	\$ 287,000	299,265	\$ 297,500
REQUIREMENTS					
MATERIALS & SERVICES					
Professional Services					
Loans/Obligations	\$ -	\$ -	\$ -	0	\$ -
Total Materials & Services	\$ -	\$ -	\$ -	0	\$ -
NON-ALLOCATED					
Transfer to General Fund	\$ -	\$ -	\$ -	0	\$ -
Total Non-Allocated	\$ -	\$ -	\$ 277,000	0	\$ 297,500
TOTAL FUND REQUIREMENTS	\$ -	\$ -	\$ 277,000	0	\$ 297,500
CDRLF FUND BALANCE	\$ 206,263	\$ 288,784	\$ 10,000	299,265	\$ -

SUMMARY

General	\$ 1,718,300
Expenses	
Council	\$ 4,300
Admin.	\$ 717,500
Fire	\$ 80,000
Code/Court	\$ 56,400
Parks	\$ 15,000
Debt/Other	\$ 845,100
Total Exp.	\$ 1,718,300
Balance	\$ -

TOTAL BUDGET	
General	\$ 1,718,300
Fire Levy	\$ 116,000
Water	\$ 2,340,000
Sewer	\$ 2,632,000
Street	\$ 751,000
Utility	\$ 400,000
Library	\$ 94,215
CDRLF	\$ 297,500
TOTAL	\$ 8,349,015

RESOLUTION 10-2024

**A RESOLUTION ADOPTING THE BUDGET, MAKING APPROPRIATIONS, LEVYING TAXES,
AND ELECTING TO RECEIVE STATE REVENUES FOR FISCAL YEAR 2024-2025.**

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 22, 2024.

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 2024-2025.

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 **\$8,356,015**.

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 2024-2025 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 2024-2025 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, 2024, for all the purposes shown are hereby appropriated as follows:

General Fund

Administration -----	\$717,500
Council -----	\$4,300
Fire -----	\$80,000
Code Enforcement & Court -----	\$56,400
Parks & Cemeteries -----	\$15,000
Other/ Debt -----	\$2,500
Contingency -----	\$842,600

Water Fund

Personnel Services -----	\$125,000
Materials and Services -----	\$93,000
Capital -----	\$1,654,000
Contingency -----	\$468,000

Sewer Fund

Personnel Services -----	\$61,000
Materials and Services -----	\$45,000
Capital -----	\$2,500,000
Contingency -----	\$26,000

Streets Fund

Personnel Services -----	\$17,000
Materials and Services -----	\$36,500
Capital -----	\$670,000
Contingency -----	\$27,500

Fire Levy Fund

Materials and Services -----	\$0
Capital -----	\$33,000
Contingency -----	\$83,000

Utility Reserve Fund

Capital -----	\$150,000
Contingency -----	\$250,000

Polk Community Development Fund

Materials & Services -----	\$297,500
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Wagner Library 80% Fund

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

Luckiamute Community Building Fund

Materials & Services -----	\$5,000
Contingency -----	\$2,000

TOTAL APPROPRIATIONS	\$ 8,356,015
TOTAL RESERVED/UNAPPROPRIATED	\$ 0
TOTAL ADOPTED BUDGET	\$ 8,356,015

Vote:

AYE _____ NAY _____ ABSTAIN _____ ABSENT _____

Attest:

TJ Bailey, Mayor

Jeremy Teal, City Recorder

STAFF REPORT

TO: HONORABLE MAYOR, AND CITY COUNCIL
FROM: CITY MANAGER, AJ FOSCOLI
SUBJECT: DANGEROUS BUILDING RESOLUTION FOR 169 ELLIS ST.
DATE: 6/3/2024

SUMMARY

Council Approval of Dangerous Building Resolution for 169 Ellis St..

BACKGROUND

Since the Falls City City Council approved in its Municipal Code language that addresses the mitigation process for dwellings that are “dangerous”, staff has been working to identify properties to which the new language can be applied. The property on 169 Ellis St. has had several issues brought up against it at various times over the years by both neighbors and code enforcement officers, including but not limited to fire, abandoned vehicles, abandoned and fire-damaged RVs, general refuse in clear sight of a public roadway, etc.. Within the Falls City Municipal Code 90.45-90.99 (Abatement Process for Nuisances) there are protocols in place to give ample recourse to residents to mitigate their potential nuisances, upon notice of non-compliance under the Nuisance Abatement process. It is the intention of staff to notify the owner and occupant of 171 Dayton St. that the property is a “dangerous Building” and as such needs to have remediation in order to fall in line with Falls City’s Municipal Code.

FINANCIAL IMPLICATIONS

§ 90.45, § 90.46, § 90.47 spell out the financial implications, which begin at the city’s mitigation of the property (to be assessed by a third party), plus 20% for administrative overhead. The overall cost as indicated will be assessed to, and become a lien against, the property unless paid 30 days from the date of the notice. For continued non-compliance, standard daily fines in line with other non-compliance issues will apply. Violations of §§ 90.01 through 90.99 shall be punishable upon conviction by a fine not to exceed \$500 for a non-continuing violation and a fine of not more than \$1,000 for a continuing offense. Additional fines may be assessed at a rate not to exceed \$1,000 per day for each day an ordinance violation continues.

STAFF RECOMMENDATION

Staff recommends the approval of Resolution 08-2024.

PROPOSED MOTION

Recommend a motion to approve Resolution 08-2024.

EXHIBIT

- A- Resolution 08-2024.
- B- Notice of Dangerous Building
- C- 90.35 Definition of Dangerous Building
- D- Falls City Municipal Code 90.45-90.99 (Abatement Process for Nuisances)

Exhibit A

RESOLUTION 08-2024

A RESOLUTION DECLARING 169 ELLIS STREET A DANGEROUS BUILDING

Under these criteria 169 Ellis Street will be considered a dangerous building:

2. Any building or structure constituting a hazard to safety, health, or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage, or abandonment;

15. Whenever the building or structure has been so damaged by fire, wind, earthquake, or flood, or has become so dilapidated or deteriorated as to become (i) an attractive nuisance to children; (ii) a harbor for vagrants, criminals, or immoral persons; or as to (iii) enable persons to resort thereto for the purpose of committing unlawful or immoral acts.

18. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise is determined by the health officer to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

20. Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or inequity jurisprudence.

Now therefore, be it resolved by the City Council of Falls City as follows:

Section 1. This resolution takes effect immediately upon passage.

Approved by the City Council of Falls City this 3rd day of June 2024.

Vote:

AYE_____ NAY_____ ABSTAIN_____ ABSENT_____

Attest:

TJ Bailey, Mayor

Jeremy Teal, City Recorder

Exhibit B

NOTICE TO ABATE DANGEROUS BUILDING

Dated June 4, 2024

After reviewing information presented in a public meeting, by Motion dated June 3, 2024 the City Council of Falls City, Oregon determined that a dangerous building nuisance, as described in FCMC Section 90.09 exists.

The Notice to Abate a Dangerous Building is given under FCMC Sec. 90.35.

1. The real property upon which the dangerous building exists is 169 Ellis Street, Falls City, Oregon.
2. You are hereby directed to abate the dangerous building within ten days from the date of this notice.
3. The property is deemed a Dangerous building based on:
 - a. FCMC Sec. 90.35.2. Any building or structure constituting a hazard to safety, health, or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage, or abandonment;
 - b. FCMC Sec. 90.35.15. Whenever the building or structure has been so damaged by fire, wind, earthquake, or flood, or has become so dilapidated or deteriorated as to become (i) an attractive nuisance to children; (ii) a harbor for vagrants, criminals, or immoral persons; or as to (iii) enable persons to resort thereto for the purpose of committing unlawful or immoral acts.
 - c. FCMC Sec. 90.35.18. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise is determined by the health officer to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
 - d. FCMC Sec. 90.35.20. Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or inequity jurisprudence.
 - e. If the dangerous building is not remediated within 10 days from the date of this notice, the City may abate the dangerous building and the cost of abatement shall become a lien against the property.
 - f. The owner of the property or other person in charge of the property may 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 ____, 2024 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 FEBRUARY ____, 2024 AT ____ O’CLOCK AM/PM BY THE UNDERSIGNED WHO CERTIFIES
HAVING DONE SO.

BY:

DANGEROUS BUILDINGS

90.35 Definition of Dangerous Building

The term “dangerous building” as used in this section, shall mean any of the following:

1. Any building or structure that is structurally unsafe or not provided with adequate egress, or that constitutes a fire hazard, or is otherwise dangerous to human life;
2. Any building or structure constituting a hazard to safety, health, or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage, or abandonment;
3. Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members that are supported by, attached to, or a part of a building and which are in deteriorated condition or otherwise unable to sustain the design loads which are specified by the pertinent code.
4. Whenever any door, aisle, passageway, stairway, or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.
5. Whenever the walking surface of any aisle, passageway, stairway, or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.
6. Whenever the stress in any materials, member, or portion thereof, due to all dead and live loads, is more than one- and one-half times the working stress or stresses allowed in the Building Code for new buildings of similar structure, purpose, or location.
7. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose, or location.
8. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
9. Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one half of that specified in the Building Code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the Building Code for such buildings.
10. Whenever any portion thereof has wracked, warped, buckled, or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.
11. Whenever the building or structure, or any portion thereof, because of (i) dilapidation, deterioration, or decay; (ii) faulty construction; (iii) the removal, movement, or instability of any portion of the ground necessary for the purpose of supporting such building; (iv) the deterioration, decay, or inadequacy of its foundation; or (v) any other cause, is likely to partially or completely collapse.
12. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.
13. Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.

14. Whenever the building or structure, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 percent damage or deterioration of its non-supporting members, enclosing or outside walls or coverings.
15. Whenever the building or structure has been so damaged by fire, wind, earthquake, or flood, or has become so dilapidated or deteriorated as to become (i) an attractive nuisance to children; (ii) a harbor for vagrants, criminals, or immoral persons; or as to (iii) enable persons to resort thereto for the purpose of committing unlawful or immoral acts.
16. Whenever any building or structure has been constructed, exists, or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of this jurisdiction, as specified in the Building Code or Housing Code, or of any law or ordinance of this state or jurisdiction relating to the condition, location, or structure of buildings.
17. Whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50 percent, or in any supporting part, member or portion less than 66 percent of the (i) strength, (ii) fire-resisting qualities or characteristics, or (iii) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.
18. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise is determined by the health officer to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
19. Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the Fire Marshal or Building Official to be a fire hazard.
20. Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or inequity jurisprudence.
21. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

90.36 Dangerous Buildings Declared a Nuisance

Every building found by the council to be a dangerous building is declared to be a public nuisance and may be abated by the procedures specified in sections 90.45 to 90.99 or by a suit for abatement brought by the city.

ABATEMENT OF NUISANCES

§ 90.45 ABATEMENT NOTICE.

(A) *Posting.* Upon determination by the Council that a nuisance, as described in this or any other chapter exists, the Council shall forthwith cause a notice to be posted on the premises where the nuisance exists, directing the owner or person in charge of the property to abate such nuisance.

(B) *Notice to owner.* At the time of posting, the Authorized Representative shall cause a copy of such notice to be forwarded by registered or certified mail, postage prepaid, to the owner and/or person in charge of the property at the last-known address of such owner or other person. At a minimum, the city shall utilize the records of the County Assessor and the City Utility Department to determine the last known address.

(C) *Notice, contents.* The notice to abate shall contain:

(1) A description of the real property, by street address or otherwise, on that such nuisance exists;

(2) A direction to abate the nuisance within ten days from the date of the notice;

(3) A description of the nuisance;

(4) A statement that unless such nuisance is removed the city may abate the nuisance and the cost of abatement shall be a lien against the property; and

(5) A statement that the owner or other person in charge of the property may protest the abatement by giving notice to the Authorized Representative within ten days from the date of the notice.

(D) *Certificate of mailing and posting.* Upon completion of the posting and mailing, the person posting and mailing the notice shall execute and file a certificate stating the date and place of such mailing and posting.

(E) *Sufficiency of posted notice.* An error in the name or address of the owner or person in charge of the property or the use of a name other than that of the owner as listed with the County Assessor's Office and the City Utility Department to the address of record shall not make the notice void and in such a case the posted notice shall be sufficient.

(Prior Code, § 90.01) (Ord. 06-512, passed 7-5-2006; Ord. 07-516, passed 7-2-2007; Ord. 08-519, passed 5-12-2008)

§ 90.46 ABATEMENT BY OWNER.

(A) Within ten days after the posting and mailing of the notice as provided in § 90.45, the owner or person in charge of the property shall remove the nuisance or show that no nuisance exists.

(B) The owner or person in charge protesting that no nuisance exists shall file with the City Recorder a written statement that shall specify the basis for so protesting.

(C) The statement shall be referred to the Council as a part of the Council's regular agenda at the next succeeding meeting. At the time set for consideration of the abatement, the owner or other person may appear and be heard by the Council and the Council shall thereupon determine whether or not a nuisance in fact exists and such determination shall be entered in the official minutes of the Council. Council determination shall be required only in those cases where a written statement has been filed as provided.

(D) If the Council determines that a nuisance does in fact exist, the owner or other person shall, within ten days after such Council determination, abate such nuisance.

(Prior Code, § 90.01) (Ord. 06-512, passed 7-5-2006; Ord. 07-516, passed 7-2-2007; Ord. 08-519, passed 5-12-2008)

§ 90.47 ABATEMENT BY CITY.

(A) If, within the time allowed, the owner or person in charge of the property has not abated the nuisance, the Council may cause the nuisance to be abated.

(B) The officer charged with abatement of such nuisance shall have the right at reasonable times to enter into or upon property to investigate or cause the removal of a nuisance.

(C) The Authorized Representative shall keep an accurate record of the expense incurred by the city in abating the nuisance, and shall include therein a charge of 20% of the expense for administrative overhead.

(Prior Code, § 90.01) (Ord. 06-512, passed 7-5-2006; Ord. 07-516, passed 7-2-2007; Ord. 08-519, passed 5-12-2008)

§ 90.48 ASSESSMENT OF COSTS.

(A) *Notice.* The Authorized Representative, by registered or certified mail, postage prepaid, shall forward to the owner or person in charge of the property a notice stating:

(1) The total cost of abatement including the administrative overhead;

(2) The cost as indicated will be assessed to, and become a lien against, the property unless paid 30 days from the date of the notice; and

(3) If the owner or person in charge of the property objects to the cost of the abatement as indicated, the objector may file a notice of objection with the Authorized Representative not more than ten days from the date of the notice.

(B) *Objections to assessment.* Upon the expiration of ten days after the date of the notice, the Council in the regular course of business shall hear and determine the objections to the costs to be assessed.

(C) *City liens.* If the costs of the abatement are not paid within 30 days from the date of the notice, an assessment of the costs, as stated or as determined by Council, shall be made by resolution and shall thereupon be entered in the docket of city liens and, upon such entry being made, shall constitute a lien upon the property from that the nuisance was removed or abated.

(D) *Lien enforcement.* The lien shall be enforced in the same manner as liens for street improvements are enforced, and shall bear interest at the rate allowed by law, or such lesser rate as the City Council may from time to time provide. Such interest shall commence to run from date of entry of the lien in the lien docket.

(E) *Assessment error.* An error in the name of the owner of the property as listed with the County Assessor's office and the city's Utility Department, shall not void the assessment, nor will a failure to receive the notice of the proposed assessment render the assessment void, but it shall remain a valid lien against the property.

(F) *Recovery of public costs for on-site assessment and clean up of property declared public health nuisance.*

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(1) If, after service of notice of the declaration of public health nuisance, the property owner fails to arrange appropriate assessment and clean up, the Authorized Representative is authorized to

proceed in a prompt manner to initiate the on-site assessment and clean up.

(2) If the city is unable to locate the property owner within ten days of the declaration of public health nuisance, the city is authorized to proceed in a prompt manner to initiate the on-site assessment and clean up.

(3) The city may abate the nuisance by removing the hazardous structure or building, or otherwise, according to O.R.S. Chapter 105.

(4) If the city abates the public health nuisance, in addition to any other legal remedy, the city shall be entitled to recover all costs plus an additional 25% of the costs for administration. The city may recover costs by civil action against the person or persons who own the property.

(Prior Code, § 90.01) (Ord. 06-512, passed 7-5-2006; Ord. 07-516, passed 7-2-2007; Ord. 08-519, passed 5-12-2008)

§ 90.49 SUMMARY ABATEMENT.

(A) *General.* The procedures provided by this subchapter is not exclusive but is in addition to procedure provided by other ordinances. The Authorized Representative or such other persons as the City Council may designate, may proceed to abate a health or other nuisance that unmistakably exists and from that there is imminent threat or danger to human life or property.

(B) *Cost.* The cost of such summary abatement shall be assessed against the owner of the real property on that the nuisance exists shall be a lien against the real property and may be enforced and collected by the same procedures set forth in this subchapter for abatement.

(C) *Abatement notice of imminent threat.*

(1) Upon determination by the City Council that a nuisance resulting in an imminent threat to the public health, safety, or property of the residents of the city, as described in this or any other chapter of the city, exists, the Authorized Representative, or his or her designated representative, shall forthwith issue a citation to the property owner who, in the opinion of the Authorized Representative, are determined to be in violation of this chapter.

(2) At the time of issuing a citation as set forth above, the Authorized Representative shall contact the Mayor, and in his or her absence, the Council President, and discuss the issuance of any citation issued by the Authorized Agent, or the Council's designated representative, under this subchapter.

(3) The citation of nuisance resulting in an imminent threat to the public health, safety, or property of the residents of the city shall contain:

(a) Reference to the section of this chapter being violated and a description of the imminent threat;

(b) A description of the location upon that the violation occurred that may be a street address, a street name between intersecting streets, an approximate distance from a known point of reference, or otherwise, at or on that such imminent threat to the public health, safety, or property of the residents of the city exists;

(c) The month, day, year, and time of day of the citation;

(d) A direction to remove the imminent threat to the public health, safety, or property of the residents of the city within two hours from the time of issuance of the citation;

(e) A statement that unless such imminent threat to the public health, safety, or property of the residents of the city is removed within two hours after citation, the city will abate the nuisance and cost of abatement shall be a lien against the property;

(f) A statement that the person or person in charge may protest the citation and action by giving notice to the Authorized Representative within two hours from the time of citation; and

(g) An error in the name or address of the property owner, as listed with the County Assessor's office and the City Utility Department, shall not make the citation void, and in such a case, the citation shall be deemed sufficient.

(D) *Abatement by the owner of imminent threat.*

(1) Within two hours after citation, as provided in § 90.45(B), the property owner, as listed with the County Assessor's office and the City Utility Department, shall remove and abate the nuisance or protest that no nuisance exists.

(2) The property owner violating this chapter shall file with the Authorized Representative a written statement that shall specify the basis for contending that no nuisance exists.

(3) The statement shall be referred to the Authorized Representative during the first regular business day after receipt by the Authorized Representative, and the Authorized Representative shall advise the Mayor of such statement.

(4) (a) The Mayor shall refer the statement to the Council at a special Council meeting to be posted and held within three regular business days of filing of the statement with the Authorized Representative.

(b) At the time set for the consideration of the abatement, such person or person in charge may appear and be heard by the Council, and the Council shall, based upon the evidence presented, thereupon confirm whether a nuisance resulting in an imminent threat to the public health, safety, or property of the residents of the city in fact exists, and such confirmation shall be entered in the official minutes of the Council.

(5) Upon Council confirmation that a nuisance resulting in an imminent threat to the public health, safety, or property of the residents of the city in fact exist, the person or person in charge violating this chapter shall, within two hours after such Council confirmation or two hours after daylight of the next succeeding day, that ever is later, shall remove or abate such nuisance.

(E) *Abatement by the city of imminent threat.*

(1) If within the time fixed, as provided in this chapter, the property owner has not abated the nuisance resulting in an imminent threat to the public health, safety, or property of the residents of the city, the City Council shall cause the imminent threat, to be abated.

(2) The Authorized Representative shall maintain an accurate record of the expense incurred by the city in abating the imminent threat and shall include therein an overhead charge of 15% of the total cost for administration.

(3) The total cost, including the administrative overhead, shall thereupon be assessed to property of the person or person in charge as they may own in the city, whether or not said property shall be in the location of the violation of this chapter or not, in accordance with procedures set forth in § 90.48.

(4) If the person or person in charge does not own property in the city, the city shall file a civil action or suit to enforce the collection of the total cost, including the administrative overhead, as set forth in the resolution described in this section, in the appropriate court within the county.

(Prior Code, § 90.01) (Ord. 06-512, passed 7-5-2006; Ord. 07-516, passed 7-2-2007; Ord. 08-519, passed 5-12-2008)

§ 90.99 PENALTY.

(A) (1) Each day's violation of a provision of this chapter constitutes a separate offense.

(2) The abatement of a nuisance is not a penalty for violating this chapter but is an additional remedy. The imposition of a penalty does not relieve a person of the duty to abate a nuisance.

(B) Violation of §§ 90.01 through 90.12 shall be punishable upon conviction by a fine not to exceed \$500 for a non-continuing violation and a fine of not more than \$1,000 for a continuing offense. Upon the Municipal Court Judge's judgment, "final judgment," or the issuance of a "default judgment" for failure to request a hearing regarding an ordinance violation, additional fines may be assessed at a rate not to exceed \$1,000 per day for each day an ordinance violation continues. Documentation of a continuing violation may consist of photographic and supplemental reports. The Municipal Court Judge shall have discretion to revise upward or downward to fines based on such factors as noncompliance, partial compliance, or acceptance of a court ordered compliance agreement. A continuing offense and subsequent proposed fine "notice of intent to assess a penalty and opportunity for a hearing" may also result from failure to comply with a city ordinance following the receipt of an official warning letter.

(1) The penalties imposed by this division (B) are not exclusive, and are in addition to any other remedies available under city ordinance or state statute.

(2) The abatement of a nuisance in accordance with the procedure set forth in § 90.46 within ten days after being cited for violation of this chapter, as set forth in § 90.45, shall not constitute a penalty for a violation of this chapter, but may, based upon the determination by the court of jurisdiction, be in addition to any penalty imposed for the violation of the chapter.

(3) The abatement of a nuisance resulting in an imminent threat to the public health, safety, or property of the residents of the city in accordance with the procedure set forth in § 90.01(C) within two hours after being cited for violation of this chapter, as set forth in § 90.01(B), shall not constitute a penalty for a violation of this chapter, but may, based upon the determination by the court of jurisdiction, be in addition to any penalty imposed for the violation of the chapter.

(4) A "notice of intent to assess a penalty and opportunity for a hearing" may be issued to violators of city ordinance in lieu of a citation. Violators/respondents will be given 21 days in which to request a hearing. The Municipal Court will hear all cases in a timely manner. A "final judgment" will be issued detailing the court's ruling and will be mailed to the violator/respondent. Should the violator/respondent fail to request a hearing within 21 days, a "final judgment" will be issued as a "default final judgment."

(5) All penalties/fines resulting from a "final judgment" or a "default final judgment" will be due and payable to the city, together with interest at 9% per annum.

(6) (a) In accordance with O.R.S. 221.359, whenever any person is convicted in the Municipal Court of any offense defined and made punishable by any city charter or ordinance, such person shall have the same right to appeal to the circuit court as pertains to justice courts.

(b) The appeal shall be taken and perfected in the manner provided by law for taking appeals from justice courts, except that in appeals taken under O.R.S. 221.359, 221.360, 221.380, and 221.390.

(c) Any notice of appeal shall be served upon the City Attorney (all appeals shall be filed within 30 days of the issuance of a "final judgment" or "default final judgment").

(7) If unpaid, civil penalties will be recorded by the City Recorder in the municipal lien docket and filed with the County Clerk's office as a lien against property ten days after the statutory period.

(8) All liens shall be enforced in the same manner as liens for street improvements.

(9) An error in the name of the owner or person in charge of the property shall not void the assessment, nor will a failure to receive the notice of the proposed assessment render the assessment void, but it shall remain a valid lien against the property.

(Prior Code, § 90.01)

(C) Any person who violates any of the provisions of § 90.13 shall, upon conviction, be punished by a fine not to exceed \$100.

(Prior Code, § 93.99)

(D) (1) A violation of any provision of §§ 90.25 through 90.30 is a Class A infraction, punishable upon conviction by a fine of not more than \$500. Each and every day during that any provision of §§ 90.25 through 90.30 is violated shall constitute a separate offense.

(2) All subsequent violations of this chapter within 30 days after any conviction for a violation of §§ 90.25 through 90.30 is a Class A infraction, punishable upon conviction by a fine of not more than \$1,000. Each and every day during that any provision of §§ 90.25 through 90.30 is violated shall constitute a separate offense.

(3) The City Council, acting in the name of the city, may maintain an action or proceeding in a court of competent jurisdiction to compel compliance with, or restrain by injunction the violation of, any provision of §§ 90.25 through 90.30.

(Ord. 285, passed 11-5-1962; Ord. 06-512, passed 7-5-2006; Ord. 07-516, passed 7-2-2007; Ord. 08-519, passed 5-12-2008; Ord. 556-2019, passed 2-14-2019)

STAFF REPORT

TO: HONORABLE MAYOR, AND CITY COUNCIL
FROM: CITY MANAGER, AJ FOSCOLI
SUBJECT: REINSTATEMENT OF BACK-FLOW DEVICE ORDINANCE TO MATCH STATE STATUTE
DATE: June 3, 2024

SUMMARY

The city is reinstating the backflow device Ordinance 566-2024 (formerly 97-464 Cross Connection Control Program).

BACKGROUND

According to current ordinance, the city is responsible for backflow testing of all water connections (commercial AND residential), which is in excess of State standards (Commercial ONLY), and the \$2.25 additional backflow testing fee charged to residents is not keeping up with contractor costs to carry out this program. As this program is both time-consuming (a 3rd party contractor has spent the better part of the summer performing tests), and expensive (\$6,600 for the annual contract at present, but potentially as high as \$10,000/year), the proposal was to repeal the ordinance and follow State Statute in backflow testing of only commercial properties. Aligning city ordinance with State Statute would benefit the public works department by freeing up resources now allocated to overseeing contractors and the cost thereof. However, residents have asked for a reinstatement of the previous program so they do not have to schedule testing on their own, and outsource this to city staff.

FINANCIAL IMPLICATIONS

If reinstated, the backflow device ordinance 566-2024 (formerly 97-464 Cross Connection Control Program), will encharge the city to contract backflow device testing throughout the city, leading to economies of scale and lower per device costs.

PUBLIC WORKS COMMITTEE RECOMMENDATION

A motion to recommend to council to adopt the backflow device ordinance 566-2024 (formerly 97-464 Cross Connection Control Program)

STAFF RECOMMENDATION

A motion to recommend to council to adopt the backflow device ordinance 566-2024 (formerly 97-464 Cross Connection Control Program)

MOTION RECOMMENDATION

A motion to approve Ordinance 566-2024 in re-establishing a cross connection control program and establishing authorities and administration; and repealing prior ordinances.

ATTACHMENTS

Exhibit A – Ordinance 566-2024

CITY OF FALLS CITY
ORDINANCE No. 566 - 2024

CROSS CONNECTION CONTROL PROGRAM

REPEAL ORD. 563-2023 AND REINSTATE ORD. 97-464 AN ORDINANCE ESTABLISHING A CROSS CONNECTION CONTROL PROGRAM AND ESTABLISHING AUTHORITIES AND ADMINISTRATION AND DECLARING AN EMERGENCY.

The CITY OF FALLS CITY does ordain as follows:

1.1 Purpose

SECTION 1. CROSS CONNECTION CONTROL - GENERAL POLICY

- 1.1.1 To protect the public potable water supply served by the City of Falls City Public Works Department from the possibility of contamination or pollution by isolating, within its customers internal distribution system, such contaminants or pollutants which could backflow or backsiphon into the public water system.
- 1.1.2 To promote the elimination of, or control of, existing cross connections, actual or potential, between the potable water system and source or non-potable water or other hazardous substances.
- 1.1.3 To provide for the maintenance of a continuing program of cross connection control which will effectively prevent the contamination or pollution of all potable water systems by cross connections.

1.2 AUTHORITY

- 1.2.1 The Federal Safe Drinking Water Act of 1974, and the statutes of the State of Oregon, Administrative Rules chapters 333-61-070 (070 - Program Requirements), 333-61-071 (071 - Installation Standards), and 333-61-072 (072 - Certification), state that the water supplier has the primary responsibility for preventing water from unapproved sources, or any other substances, from entering the public potable water system.
- 1.2.2 The City of Falls City Water Department Rules and Regulations as described in City of Falls City Charter, Ordinance No.s 372 & 392.

1.3 RESPONSIBILITY

The Administrator or designee shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow or backsiphonage of contaminants or pollutants through the water service connection. If, in the judgment of the Administrator or designee, an approved backflow device is required at the City's water connection to any customer's remise, the Administrator, or designee, shall

give notice in writing to said customer to install an approved backflow prevention device at each service connection to the customer's premise.

The customer shall, within ninety (90) days of notification, install such approved device, or devices, at his/her own expense. Failure, refusal, or inability on the part of the customer to install, have tested, and maintain said device or devices within ninety (90) days, shall constitute grounds for discontinuing water service to the premises until such device or devices have been properly installed and tested.

SECTION 2. DEFINITIONS

2.1 Approved

Accepted by the City of Falls city as meeting an applicable specification stated or cited in this regulation, or as suitable for the proposed use.

2.2 Auxiliary Water Supply

Any water supply, on or available, to the premises other than the purveyor's will be considered as an auxiliary water supply.

2.3 Backflow

The term "Backflow" shall mean the undesirable reversal of flow of water or mixtures of water and other liquids, gases or other substances into the distribution pipes of the potable supply of water from any source or sources.

2.4 Backflow Preventer

An assembly or means designed to prevent backflow or backsiphonage.

2.4.1 Air Gap

A physical separation between free flowing discharge end of a potable water supply pipeline and an open or non-pressure receiving vessel. An "approved air gap" shall be at least double the diameter of the supply pipe measured vertically above the overflow rim of the vessel - in no case be less than one inch.

2.4.2 Atmosphere Vacuum Breaker

A device which prevents backsiphonage by creating an atmospheric vent when there is either a negative pressure or sub-atmospheric pressure on a water system.

2.4.3 Double Check Valve Assembly

An assembly of two (2) independently operating spring loaded check valves with tightly closing shut off valves on each side of the check valves, plus properly located test cocks for the testing of the check valve.

2.4.4 Pressure Vacuum Breaker

Means a device consisting of one or more spring loaded check valves and an independently operating air inlet valve installed as a unit between two tightly closing shut off valves on each side of the check valves and properly located test cocks for testing. The air inlet valve is internally loaded to the open position.

- 2.4.5 **Reduced Pressure Principle Backflow Preventer**
Means a device consisting of two independently acting, spring loaded check valves separated by a spring loaded differential pressure relief valve. This device shall be installed as a unit between two tightly closing shut off valves and properly located test cocks for the testing of the check valves and relief valves.
- 2.5 **Back Pressure**
Shall mean any elevation of pressure in the downstream piping system (by pumping, elevation of piping, steam or air pressure) above the supply pressure at the point of consideration which would cause, or tend to cause, a reversal of the normal direction of flow.
- 2.6 **Backsiphonage**
The flow of water or other liquids, mixtures or substances into the distribution pipes of a potable water supply system from any source other than its intended source caused by the sudden reduction of the pressure in the potable water supply system.
- 2.7 **Contaminant**
Means any physical, chemical, biological, or radiological substance or matter in water.
- 2.8 **Cross Connection**
Means any link or channel between the public water supply and piping or fixtures which carry other water or other substances.
- 2.9 **Distribution System**
Means the network of pipes and other facilities which are used to distribute water from the source, treatment, transmission, or storage facilities to the water user.
- 2.10 **Division**
Means the Health Division of the Oregon Department of Human Resources.
- 2.11 **Owner**
Any person who has legal title to, or license to operate or inhabit in, a property upon which a cross connection inspection is to be made or upon which a cross connection is present.
- 2.12 **Person**
Any individual, partnership, company, public, or private corporation, political subdivision or agency of the State Division, agency or instrumentality of the United States or any other legal entity.
- 2.13 **Permit**
A document issued by the utility which allows the use of a backflow preventer.
- 2.14 **Administrator**
The Administrator or his deligated representative in charge of the water section of the Public Works, is

invested with the authority and responsibility for the implementation of a cross connection control program and for the enforcement of the provisions of the Ordinance.

2.15 Utility

City of Falls City water section of the Public Works Department.

2.16 Water Service Entrance (connection)

That point in the owner's water system beyond the sanitary control of the utility; generally considered to be the outlet end of the water meter and always before any unprotected branch.

SECTION 3 - ADMINISTRATION

3.1 The utility will operate a cross connection control program, to include the keeping of necessary records, which fulfills the requirements of the Division's Cross Connection Regulations.

3.2 The owner shall allow his property to be inspected, when given reasonable notification and during reasonable times, for possible cross connections and shall follow the provisions of the utility's program, and the Division's regulations if a cross connection is identified.

SECTION 4 - REQUIREMENTS

4.1 Utility

4.1.1 On new installations, the utility will provide on-site evaluation and/or inspection of plans in order to determine the type of backflow preventer, if any that will be required, will issue permit, and perform inspection.

4.1.2 For premises existing prior to the start of this program, the utility will perform evaluations and inspections of plans and/or premises and inform the owner by letter of any corrective action deemed necessary.

4.1.2.1 The method of achieving the correction, and the time allowed for the correction to be made.

4.1.2.1.1 Ordinarily ninety (90) days will be allowed for the correction.

4.1.2.1.2 This 90 day period may be shortened depending on the degree of hazard or the history of the device.

4.1.3 The utility will not allow any cross connection to remain unless it is protected by an approved backflow preventer for which a permit has been issued and which will be regularly tested to insure satisfactory operation.

4.1.4 The utility will inform the owner by letter of any failure to comply, within ten (10) working days of the first re-inspection.

4.1.4.1 The utility will allow an additional fifteen (15) days for the correction.

4.1.4.2 At the end of the additional fifteen (15) days a second re-inspection will be made to determine if corrections have been made.

4.1.4.3 If corrections have not been made, the utility will inform the owner by letter that the water service to the owner's premises will be terminated five (5) days from the date of this notice.

4.1.4.4 In the event that the owner informs the utility of extenuating circumstances as to why the correction has not been made, a time extension may be granted by the utility but in no case will exceed an additional thirty (30) days.

4.1.5 If the utility determines at any time that a serious threat to the public health exists, the water services will be terminated immediately.

4.1.6 The utility shall have on file a list of private contractors who are certified backflow device testers. All charges for these tests will be paid by the owner of the building or property.

4.2 Owner

4.2.1 The owner shall be responsible for the elimination or isolation of all cross connections on his/her premises.

4.2.2 The owner, after having been informed by a letter from the utility, shall at his/her expense, install, maintain, and test or have tested, any and all backflow preventers on his premises.

4.2.3 The owner shall correct any malfunctions of the backflow preventer which is revealed by periodic testing.

4.2.4 The owner shall inform the utility of any proposed or modified cross connections and also any existing cross-connections of which the owner is aware but has not been found by the utility.

4.2.5 The owner shall not install a by-pass around any backflow preventer unless there is a backflow preventer of the same type on the by-pass. Owners shall not tamper with backflow devices.

4.2.6 The owner shall install backflow preventers in a manner approved by the utility.

4.2.7 The owner shall install only backflow preventers approved by the Health Division.

4.2.8 Any owner having a private well or other private water source, must have a permit if the well or source is cross-connected to the utility's system. Permission to cross connect may be denied by the utility. The Owner may be required to install a

backflow preventer at the service entrance if a private water source is maintained, even if it is not cross connected to the utility's system.

- 4.2.9 In the event the owner installs plumbing to provide potable water for domestic purposes which is on the utility's side of the backflow preventer, such plumbing must have its own backflow preventer installed.

SECTION 5 - DEGREE OF HAZARD

- 5.1 The utility recognizes the threat to the public water system arising from cross connections. All threats will be classified by degree of hazard and will require the installation of an approved backflow prevention device.
- 5.2 Degree of Hazard. The term "Degree of Hazard" shall mean either a pollution (non-health-low) or contamination (Health-High) hazard and is derived from the evaluation of conditions within a system.

SECTION 6 - EXISTING BACKFLOW DEVICES

- 6.1 Any existing backflow preventer shall be allowed by the utility to continue in service unless the degree of hazard is such as to supersede the effectiveness of the preventer, or result in an unreasonable risk to public health.
- 6.2 Where the degree of hazard has increased, as in the case of a residential installation converting to a business establishment, any existing backflow device must be replaced with an approved device suitable for that degree of hazard.

SECTION 7 - PERIODIC TESTING

- 7.1 All testable backflow devices shall be tested and inspected at least annually.
- 7.2 Periodic testing shall be performed by a certified tester from a list provided by the utility, this testing will be done at the owner's expense.
- 7.3 Any backflow preventer which fails during a periodic test will be repaired or replaced. When repairs are necessary, upon completion of the repair, the device will be re-tested at owner's expense to insure correct operation. High hazard situations will not be allowed to continue if the backflow preventer fails the test and cannot be repaired immediately. In other situations, a compliance date of not more than thirty (30) days after the test date will be established. The owner is responsible for spare parts, repair tools, or a replacement device. Parallel installation of two (2) devices is an effective means of the owner insuring uninterrupted water service during testing or repair of devices and is strongly recommended when the owner desires such continuity.
- 7.4 Backflow prevention devices will be tested more frequently than specified in 7.1 of this Section if the utility feels that there is a history of test failures. Cost of additional testing will be borne by the Owner. Any circumstance not covered by this Ordinance or any of the

- Authorities (1.2.1 - 1.2.2) shall be left to the judgment of the Administrator or designee.

SECTION 8 - OREGON ADMINISTRATIVE RULES

The City of Falls City hereby adopts Oregon Administrative Rules as outlined in Chapter 333, Subsection 42-200 through 42-245 as may be amended.

SECTION 9 - EMERGENCY CLAUSE

In as much as it is necessary for the immediate preservation of the public health peace and safety of the City of Falls City, to enact this Ordinance, and emergency is hereby declared to existing, and this Ordinance shall become effective on June 10, 2024.

FIRST READING:

This 6th day of May, 2024.

SECOND READING:

This 10th day of June, 2024.

PASSED BY THE COMMON COUNCIL TIDS 10th DAY OF JUNE, 2024.

VOTE:

Yeas- Nays- Abstain- Absent-

APPROVED ON THIS 3rd DAY OF June, 2024.

Mayor TJ Bailey

ATTEST

City Recorder Jeremy Teal

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