

**MINUTES
CITY OF FAIRVIEW
CITY COUNCIL**

May 20, 2020

Council Members

Brian Cooper, Mayor
Cathi Forsythe
Mike Weatherby
Keith Kudrna
Balwant Bhullar
Darren Riordan
Steve Owen

Staff

Nolan Young, City Administrator
Allan Berry, Public Works Director
Lesa Folger, Finance Director
James Eriksen, Police Chief
Heather Martin, City Attorney
Devree Leymaster, City Recorder

COUNCIL MEETING – Virtual Meeting via GoToMeeting (6:00 PM)

1. CALL TO ORDER

ROLL CALL

2. CITY COUNCIL POSITION 5

a. Appoint Steve Owen to City Council Position 5: Resolution 17-2020

Councilor Kudrna moved to adopt Resolution 17-2020 and Councilor Riordan seconded. Council President Weatherby commented he was embarrassed for Steve because of the process. He noted this had been discussed before; therefore, he would not continue. Motion passed by majority.

AYES: 4

NOES: 2 – Council President Weatherby and Councilor Forsythe

ABSTAINED: 0

b. Oath of Office – City Council Position 5

City Recorder Leymaster sited the Oath of Office to appointed Councilor Steve Owen, who recited it back.

3. CITIZEN TESTIMONY FOR NON-AGENDA ITEMS

None.

4. CONSENT AGENDA

a. ~~Minutes of April 15, 2020~~

b. Authorize Twelve Mile Disposal to Charge Customers the Pass-Through Cost for the Capital Activity Tax Beginning June 1, 2020: Resolution 19-2020

c. Authorize City Administrator to Sign Amendment No. 1 to the Multnomah County Business Income Tax Intergovernmental Agreement: Resolution 16-2020

Councilor Owen requested minutes of April 15, 2020 be removed from the Consent Agenda and voted on separately. Mayor Cooper called for a motion for the Consent Agenda without the minutes of April 15, 2020.

Councilor Kudrna moved to approve the Consent Agenda and Councilor Owen seconded. The motion passed unanimously.

AYES: 7

NOES: 0

ABSTAINED: 0

a. Minutes of April 15, 2020

Councilor Riordan moved to approve the minutes of April 15, 2020 and Councilor Kudrna seconded. The motion passed by majority.

AYES: 6

NOES: 0

ABSTAINED: 1 – Councilor Owen

5. CITY ADMINISTRATOR REPORT

None.

6. PUBLIC HEARING

None.

7. COUNCIL BUSINESS

a. Small Cell ROW Permit Process & Standards: Resolution 18-2020

City Administrator Young summarized local governments cannot prohibit this wireless service and installation, per the Federal Communications Commission (FCC); therefore, staff recommends adopting standards that balances the installation of the small wireless service towers with an aesthetic policy within compliance of the FCC. Since the city cannot charge a privilege tax for the use of the right-of-way, the city will need to create a fee structure that meets federal guidelines and adopt in a separate resolution.

Councilor Owen moved to adopt Resolution 18-2020 and Councilor Kudrna seconded. Motion passed by majority.

AYES: 6

NOES: 1 – Council President Weatherby

ABSTAINED: 0

b. Review Residential Speed Study

Director Berry reviewed the study results and noted they indicate the city could reduce the speed limit in residential areas from 25 mph to 20 mph. He also noted that, in general, the study shows there is not a speeding issue.

Councilor Forsythe noted her observation is different than the study results. She also commented she is not sure if changing the speed limit will alleviate the problem.

Council President Weatherby agreed and inquired what an estimate to purchase and install additional “your speed is” signs would be to act as a deterrent and help raise awareness. Councilor Riordan suggested portable signs that could be relocated. Councilor Kudrna proposed working with MCSO for targeted speed enforcement. CA Young commented MCSO has, and will, work with the city for targeted enforcement in areas of concern.

Councilor Owen proposed continuing enforcement and locating the existing speed trailer in the Hancock area, around the lakes, and the Pelfrey Park area where speeding is being observed, while we work out the next steps.

CA Young summarized staff will get bids for temporary “speed is” signs and bring the information to a future meeting for discussion. In the meantime, will continue setting out the speed trailer in the areas of concern.

c. Review Location of Flower Baskets

CA Young reviewed the current placement of baskets and identified options for additional placement. He noted this year's baskets will arrive and be placed May 26.

Council President Weatherby remarked he would like the basket locations expanded throughout the city. If not able to expand this year, then move some of the brackets in the Village to other areas. Councilor Kudrna commented he isn't sure this is the right time to expand and increase program costs. Councilor Bhullar proposed putting up American flags in lieu of baskets, similar to Corbett. Councilor Owen suggested looking at flags and additional brackets/baskets for the future. For this year keep within existing budget and let staff map out the location.

CA Young commented for this year, staff will move some brackets this year if they can; if can't, will plan for moving next year.

d. Review Critical Path Time Line for Fairview Parkway/Halsey Roundabout

CA Young briefed Council on the proposed timeline and the work plan for spring and summer 2020. He noted a request to extend the development incentive program for the Halsey and Fairview Park Way development will be coming to Council for consideration. Because the work being done and potential redesign could affect the development and the city; and it is in the best interest of the city to work with the developer, staff will recommend approving the extension similar to what the city did for the Halsey/223rd development.

Council President Weatherby inquired about the cost for the center. CA Young replied that portion of design and development was suspended. The focus is on a functional design for the overall project. He noted, the center design could be included if Council wishes.

Council President Weatherby reiterated his concern that the costs to determine if the roundabout should be constructed will get to a point that not proceeding will be less and less of an option.

Director Berry shared staff will be applying for a grant to assist with feasibility and planning for the Park-and-Ride.

Councilor Kudrna inquired about the role of Urban Renewal in the project. CA Young answered Urban Renewal funds may be used for the design work. There is a limit on how much of the overall construction can be funded from Urban Renewal.

e. Retroactive Approval of Small Business Assistance Grant Application to State of Oregon:
Resolution 20-2020

CA Young briefed Council on the matching 1:1 grant program to provide funds to businesses impacted by COVID-19. Staff recommends submitting a grant application with a commitment of \$15,000. The \$15,000 would come from uncommitted or unused funds within the existing budget.

Council President Weatherby inquired who would administer the program. CA Young replied the city's COVID Specialist.

Councilor Owen moved to adopt Resolution 20-2020 and Councilor Kudrna seconded. Motion passed unanimously.

AYES: 7
NOES: 0
ABSTAINED: 0

f. Discuss Utility Payment Relief for Customers (Related to COVID-19 Pandemic)

Director Folger briefed Council on the current program (suspension of utility late fees and disconnections due to non-payment) and staff recommendations if Council chooses to extend the program.

Council President Weatherby proposed not charging residents or businesses utility fees for those who meet a determined set of criteria for six months. "Show that we are a city that cares."

Councilor Bhullar commented relief for businesses should be focused on restaurants and coffee shops. This group of businesses have been affected more than most.

Councilor Forsythe cautioned about limiting the program too much and unintentionally leaving out groups of businesses that have also been adversely impacted i.e. salons.

Councilor Riordan remarked he would need to see a program with criteria, financial information, and time frame (1, 3, 6 months) to make a decision.

Director Folger reviewed Wood Village's relief program. Their program includes providing funds for other utilities i.e. electric, gas. For residential an applicant can receive \$250 or one month; Commercial one month of qualified utility fees. Their application process is simple.

Councilor Forsythe left the meeting at 7:09 PM.

CA Young proposed two options. 1. Continue the current relief program and use grant funds for additional relief assistance. 2. Allocate reserves (\$40 - \$100,000) to provide relief and staff will craft program options for Council consideration.

Council Riordan supported extending the current program and looking at program options with financial data. Mayor Cooper and Councilor Owen concurred.

CA Young clarified the current program will be extended, staff will work on creating an assistance program to help residents or businesses that are not able to get help through other programs, and staff will continue to monitor other programs and assistance opportunities. Council concurred and supported scheduling a special meeting for this item.

7. ADJOURNMENT

Councilor Kudrna moved to adjourn the meeting and Councilor Owen seconded. The motion passed, and the meeting adjourned at 7:30 PM.

AYES: 6
NOES: 0
ABSTAINED: 0

EXEUTIVE SESSION

Council convened into Executive Session under the authority of 192.660(2)(e) – Discussion related to Real Property Transaction at 7:35 PM.



Devree Leymaster
City Recorder



Brian Cooper
Mayor
06-24-2020

Date of Signing

A complete recording and/or video of these proceedings is available. Contact the City of Fairview City Recorder Office, (503) 674-6224.