

**MINUTES  
CITY OF FAIRVIEW  
CITY COUNCIL**

July 15, 2020

**Council Members**

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

**Staff**

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

**WORK SESSION (6:00 PM)**

**1. DISCUSS APPROACH TO SIDE WALK DEFECTS**

Director Berry reviewed the proposed actions outlined in the staff report and staff's recommended option for the city to cover sidewalk repair and replacement through a public bidding process. Project will be over three years with funding being redirected from the current Sidewalk Repair Grant program.

Councilor Owen asked what the estimated cost for Zone 1 would be. Director Berry replied \$62,500 at \$10 per square foot. Councilor Forsythe noted she would like replanting of street trees to be coordinated with the program. Council President Weatherby indicated support for continuing with the current complaint driven program. Councilor Owen noted the current program is equitable between the city and property owner and proposed increasing advertising to let property owners know that funding is available through the Sidewalk Grant Program.

Mayor Cooper commented that Multnomah County needs to take care of their sidewalks. Director Berry remarked at this time the County doesn't seem to be caring for their rights-of-way.

Councilor Kudrna clarified the proposal for the city to take more responsibility for sidewalk repair does not include using reserves. CA Young replied the proposal is to use the \$50,000 currently budgeted for grant sidewalk program; no reserves. Mayor Cooper suggested not using all \$50,000 on one project; hold some back.

Director Berry inquired if the County sidewalks should be included in the bids. Council supported including County sidewalk repairs.

Council President Weatherby asked about the sidewalk connection to 7th Street. Director Berry replied they are looking at CDBG eligibility for the project and are working on a survey as part of determining if the project meets eligibility requirements.

Councilor Riordan commented he supports the city led project, but asked about maintenance. CA Young answered the project is for repairs only, the city will not take on the maintenance.

CA Young summarized the consensus is to move forward with the program as Director Berry described for 3-years, city-wide including along County roads, will try to include elements that address street issues, and will coordinate with a more proactive approach for property owners to comply with street tree replanting requirements.

## 2. DISCUSS WORK SCOPE FOR NE 223RD IMPROVEMENTS

Director Berry commented staff has been working with the County and Railroad regarding the railroad underpass sidewalk on NE 223rd. Improvements to NE 223rd are identified as a high priority in Fairview's Comprehensive Plan and Transportations System Plan. The proposed scope of work is for design services for NE 223rd improvements between Bridge St. and the Halsey St. intersection. The

design work will provide a shovel ready project. Urban Renewal will fund the design work and position the city for grant and funding opportunities for construction.

Council President Weatherby asked if the County will help fund the improvements. CA Young replied not right now. The hope is to leverage grant and funding options i.e. Metro, Safe Routes to School, COVID-19 infrastructure packages, etc.

## 3. DISCUSS ADVISORY COMMITTEE WORK PLANS FOR FY 2020-21

City Recorder Leymaster remarked the Council needs to present and adopt the Council Created Advisory Committees (CCAC) with work plans for Fiscal Year 2020-2. The CCAC work plans should align with Council goals, work plan action items, and project objectives. Council reviewed the proposed CCAC work plans staff drafted for FY2020-21 as a starting point for discussion.

Council proposed no changes to the draft CEC, PRAC or PSAC work plans. Councilor Forsythe, Council Liaison to PSAC, commented she will share the draft work plan with the committee and will share any comments they may have at the August 19 meeting. Council President Weatherby requested a more visible MCSO presence i.e. patrols. Councilor Forsythe noted some of the patrol vehicles are unmarked and therefore not as visible. CA Young commented this isn't a PSAC issue to resolve; will follow up with Chief Eriksen.

The draft work plan for EDAC was edited to the following based on Council discussion and direction.

- Continue to support and work in partnership with the HC3 by providing a voice for Fairview on the committee, reviewing standards to create "Main Street Feel" (WP #7), exploring roundabout at NE Fairview Parkway (WP #8), and identify a use for the PP&L property that supports economic development and helps attract visitors to the Halsey Corridor. (Goal 5)
- Assist in identifying vacant or underutilized lots and public/private partnership options to create a preferred development. (WP #4)

As time and resource permit:

- Investigate options for the 6<sup>th</sup> Street right-of-way between Halsey and Lincoln streets, including the option to vacate the right-of-way to provide additional development opportunities with Halsey frontage.
- Develop a promotional video and marketing packet to advertise the benefits of Fairview as a business-friendly community, promote urban renewal incentives, and create a positive image as business location. (Goal 5)

CR Leymaster noted staff will present the work plans for adoption consideration at the August 19 Council meeting. Council may make amendments prior to adoption; and during the fiscal year as requested/needed.

## 4. REVIEW LEGISLATIVE PRIORITIES FOR 2021 TO BE FORWARDED TO THE LEAGUE OF OREGON CITIES

CA Young reviewed the top four proposed priorities and four alternative priorities based on Department Director discussions. Council supported three of the recommendations. Councilor Kudrna proposed removing N (Long Term Transportation Infrastructure Funding) and replacing with U (Property Tax Reform); Council concurred. During the motion to adopt Resolution 38-2020, the change will be included, and the Resolution amended.

**COUNCIL MEETING (7:00 PM)**

1. CALL TO ORDER

ROLL CALL

2. CITIZEN TESTIMONY FOR NON-AGENDA ITEMS

None.

3. CONSENT AGENDA

- a. Minutes of June 15, 2020
- b. Authorize IGA with FLPOA and MCDD for Operation & Maintenance of Fairview Lake and Appurtenant Structures: Resolution 25-2020
- c. Authorize IGA with City of Wood Village for Morasch Partition Application: Resolution 29-2020
- d. Authorize Design Contract for NE 223rd Improvements: Resolution 36-2020
- e. Ratify Extended Declaration of Emergency: Resolution 37-2020
- f. ~~Authorize 7th Street Sidewalk Infill Project: Resolution 35-2020~~
- g. Support for TGM Quick Response (QR) Grant: Resolution 40-2020
- h. Transfer Budget Appropriations Between Categories in the General Fund for Fiscal Year 2020-21 for the COVID-19 Utility Relief Program: Resolution 41-2020
- i. Increase Appropriations for the FY2020-21 Budget in the Grant and Capital Project Fund Due to the Award of a Grant from Business Oregon and a Transfer from the General Fund: Resolution 42-2020 (CP 99-102)

Mayor Cooper removed item f. Authorize 7th Street Sidewalk Infill Project and moved it to Council Business item c.

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

AYES: 6  
NOES: 0  
ABSTAINED: 0

4. PRESENTATION

None.

5. CITY ADMINISTRATOR AND DIRECTOR REPORTS

- a. MCSO Monthly Reports – June

Chief Eriksen reviewed the June report. He noted calls for service and traffic stops are down. He will follow up with the new patrol Captain regarding the decreased traffic stops.

6. MAYOR/COMMITTEE REPORTS AND COUNCIL REPORTS

Councilor Kudrna reported the Community Engagement Committee is presenting two Fairview Hope Rock Gardens – one at Community Park and one at Handy Park. Individuals can paint rocks and leave or exchange them at the rock gardens. The CEC is also providing paint kits for those that may need them.

7. COUNCIL BUSINESS

- a. Declare the Top Four Legislative Priorities for 2021 to be Forwarded to the League of Oregon Cities: Resolution 38-2020

Councilor Kudrna moved to adopt Resolution 38-2020 removing N (Long Term Transportation Infrastructure Funding) and replacing with U (Property Tax Reform). Councilor Forsythe seconded. Motion passed unanimously.

AYES: 6  
NOES: 0  
ABSTAINED: 0

b. Appoint a Member to the Economic Development Advisory Committee: Resolution 39-2020  
Councilor Owen moved to adopt Resolution 39-2020 and Councilor Kudrna seconded. Motion passed unanimously.

AYES: 6  
NOES: 0  
ABSTAINED: 0

c. Authorize 7th Street Sidewalk Infill Project: Resolution 35-2020

CA Young briefly explained the bid selection process and that the lowest responsible bidder was selected. The second lowest bidder sent a letter of protest because the lowest bidder was a Washington company. After review, the protest was denied. The next step is for the protestee to file for a judicial review. Staff recommends Council authorize the City Administrator to sign the project agreement with the lowest bidder if the city does not receive notice of a judicial review by July 22. Council received a revised Resolution 35-2020 at the dais for consideration.

Councilor Kudrna moved to adopt Resolution 39-2020 and Councilor Forsythe seconded. Motion passed unanimously.

AYES: 6  
NOES: 0  
ABSTAINED: 0

## 8. PUBLIC HEARING

None.

## 9. ADJOURNMENT

Councilor Kudrna moved to adjourn the meeting and Councilor Owen seconded. The motion passed, and the meeting adjourned at 7:13 PM.

AYES: 6  
NOES: 0  
ABSTAINED: 0

  
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Devree Leymaster  
City Recorder

  
\_\_\_\_\_  
Brian Cooper  
Mayor

August 20, 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.