

**MINUTES
FAIRVIEW CITY COUNCIL REGULAR MEETING
FAIRVIEW CITY HALL
300 HARRISON
FAIRVIEW, OREGON 97024**

JUNE 3, 1998 -- 7:30pm

**I. CALL TO ORDER/
ROLL CALL**

Mayor Vonderharr called the meeting to order at 7:30pm.

PRESENT: Mayor Roger Vonderharr
Councilor Sherry Lillard
Councilor Dave McCutcheon
Councilor Len Edwards
Councilor James Raze
Councilor Steve Owen

STAFF PRESENT: Marilyn Holstrom, City Administrator
Jeffrey Sarvis, Director of Public Works
Bob Cochran, City Engineer
Roy Wall, Finance Director
Caren Huson, City Recorder

II. CONSENT AGENDA

Councilor Edwards moved and Councilor Lillard seconded the motion to approve the Consent Agenda, consisting of: Resolution 12-1998, A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO TAKE ALL STEPS NECESSARY TO ACQUIRE CERTAIN REAL PROPERTY LOCATED AT NE 223RD AND HALSEY STREET FOR A CITY PARK; and, the Minutes of May 20, 1998.

AYES: 6
NOES: 0
ABSTAINED: 0

**III. CITIZENS WISHING TO
SPEAK ON NON-AGENDA
ITEMS**

Mayor Vonderharr called for persons wishing to speak on non-agenda items.

Janiece Brown, 20912 NE Interlachen Lane, approached the podium and stated that she was the President of Interlachen Inc. and Homeowners Association, and that she has lived on Fairview Lake for five years. Ms. Brown commented that she has always wanted to be able to swim in Fairview Lake, and that Interlachen Inc. would like to have a study done, similar to that performed on the Buffalo Slough, in which Portland hired Parametrics to perform a study on contaminants. Ms. Brown stated that she knew Fairview would have a couple parks located lakeside, and requested funds from the City to finance testing of the Fairview Lake water. Ms. Brown reported that three water samples would be taken on the lake and each test would cost \$750.00. Mayor Vonderharr stated that Fairview and Gresham has applied for an NPDES Permit and that they are federally required to test water quality in streams; the flow going into Fairview Creek is monitored by those tests, and Fairview has made efforts to improve the quality of Fairview Lake in the past and had always been blocked by Interlachen Inc. Mayor Vonderharr suggested that Ms. Brown approach Multnomah County for funding, as she lives in the County and not in the City of Fairview. Ms. Brown stated that since half of Fairview Lake was

located in the City of Fairview, she thought Fairview would consider donating funds for water testing. Ms. Brown reported that she would approach the Fairview Lake Homeowner's Association to discuss the study before she came back before Council.

IV. PUBLIC HEARING

A. SANITARY SEWER RATE INCREASE

Roy Wall, Finance Director, reported that on March 18th and May 6th, Council received information about the sewer rate model and that Council would hear public testimony tonight regarding a proposed sewer rate increase. Director Wall distributed a chart to the Council which included three scenarios for consideration.

Councilor Raze questioned if Scenario 1 would require the City to borrow less money for bonds. Director Wall responded that all Scenarios would allow the City a \$1 million bond payment; however, Scenarios 2 and 3 would cause the citizens to eventually pay more on their sewer bills. Councilor Raze commented that if a little more is paid up front as in Scenario 1, the more interest would be obtained, and you would also avoid larger sewer rate increases in the future.

Councilor Lillard asked if Financial Consultant Ray Bartlett's model was used in determining the three scenarios. Director Wall responded yes; however, because of Fairview now being confident that it would receive funding through the State (through Gresham) for sewer treatment plant expansion, that it avoids the \$100,000 in cost as shown in Mr. Bartlett's earlier model. In addition, Gresham's sewer charges are currently more under control, so staff felt comfortable in lowering the amounts originally projected for sewer rate increases.

Councilor Owen questioned if the growth projections provided depicted a conservative growth. Director Wall responded yes. Councilor Owen asked if growth actually ended up being greater than that projected, if the proposed future sewer rate increases would not need to be as much. Director Wall responded yes, adding that Council has taken the stance at reviewing rates each year so that they can then figure more accurately what increases would need to be.

Mayor Vonderharr stated that of the three scenarios, that Scenario 2 would probably provide the flatest change from year to year. Director Wall responded that that was correct.

Councilor Edwards commented that he felt Scenario 3 would place the City at the same position it was years ago; Council is concerned about the citizens, but the City needs to prepare to purchase bonds needed for the treatment plant expansion, and if we have more interest up front, that might mean that the City would have to borrow less for the bond, thus saving citizens money. Councilor Edwards stated that he felt the City should get as much money as possible up front. Councilor Owen stated that his feeling was that under all three scenarios presented, that there would be enough money for any bond purchases; however, he would feel more comfortable with Scenario 2 or 3, and would not support Scenario 1.

Mayor Vonderharr opened the public hearing; as no one approached the podium, Mayor Vonderharr closed the public hearing.

Mayor Vonderharr commented that his personal evaluation of the proposed rate increase was that he likes to bite the bullet up front, but felt there was a limit on how much everyone could afford to pay; in the interest of the citizens, it would be better if Scenario 2 was chosen as it places the City in a better position up front, and would

allow for liberal growth. Councilor Lillard stated that she would not feel comfortable with a 10% increase, as a 35% increase had just occurred last year, and even though it was a small amount of money, her opinion is to go with the middle ground and Scenario 2.

Councilor Edwards moved and Councilor Owen seconded the motion to adopt Resolution 11-1998, A RESOLUTION REVISING SEWER SERVICE CHARGES RELATING TO THE FAIRVIEW SEWER SYSTEM, with the selection of Scenario 2 at a 7.5% increase.

Councilor Raze commented that even though Scenario 2 would eventually have the sewer increase at a total of 10.5% vs. 10%, he thought any one of the three scenarios would work, but that he would go along with the 7.5% increase. Councilor Owen concurred.

AYES: 5
NOES: 1 (McCutcheon)
ABSTAINED: 0

V. COUNCIL BUSINESS

A. FUNDING REQUEST - Senior Coalition

Peggy Gulick approached the podium and stated that she was a director of one of the four programs that make up Senior Services of East Multnomah County, and that she serves on staff of the Senior Coalition of East Multnomah County. Ms. Gulick introduced Rosanne Costanzo from Multnomah County Aging Services, and Nancy Hankel of Loaves and Fishes. Ms. Gulick stated that they were requesting a continuation of Fairview's generous funding and partnership in providing services to Seniors in Fairview and East Multnomah County. Ms. Gulick reported that Senior Services was able to provide anyone who phoned in extensive information and referral; their outreach concentration has been on mobile home parks in the Fairview area, as they do have many mobile home clients. Ms. Gulick presented three instances which involved Fairview residents and explained the assistance that Senior Services was able to provide.

Rosanne Costanzo, Aging Services Division, presented a map of case managed locations, and also a chart of demographics, stating that this year they would be looking for a facility to bring all Senior programs together. Ms. Costanzo stated that Fairview and Troutdale lead Multnomah County in their aging population, adding that Aging Services needs to better prepare in providing services, and, hopefully, the new facility planned for the year 2000 will be centrally located for all residents of East Multnomah County; currently, the County was looking at 8 sites and public meetings would be held to discuss the viability of each site. Ms. Costanzo reported that transportation will play a large part in choosing the future site, and that they would like TriMet to increase their services.

Mayor Vonderharr stated that his concern was the County's focus on where they will build the East County Senior Services facility, as on the list of eight possible sites, 181st Avenue and the Rockwood area were not a central location for East County. Ms. Costanzo stated that she thought the emphasis on Rockwood was due to the revitalization of that area; however, the Seniors of East County are stressing the need for centralization and access, and will be speaking to Commissioner Kelley on this issue. Mayor Vonderharr asked Ms. Costanzo to also inform Ms. Kelley of his opposition to the Rockwood area for siting a facility as it is not a central location. Councilor Lillard suggested that a letter be written to Commissioner Kelley stating Fairview's concerns over facility siting.

Councilor Raze questioned if the Seniors had a specific site that they would like. Ms. Gulick responded that several of the proposed sites appeared to be very central, and if available, would be good sites. Andy Myers was adamant that the new facility must be in the Fairview/Gresham/Troutdale area, and not in Rockwood. Mr. Myers stated that he was appreciative of what Fairview has been able to contribute in the past, and asked if the Council could possibly increase their contribution a little, as he personally sees the need for Senior Services, along with needing them himself.

Nancy Hankel, Manager of the Gresham Loaves and Fishes, stated that 185 meals were delivered daily, and that the area covered was between 162nd Avenue east to Corbett and south to the Clackamas County line. Ms. Hankel commented that she has five drivers from Fairview who drive once a week, and that she still needed eight drivers as their services continue to grow.

Olive Stockwell approached the podium and stated that she was a Service Coordinator for two low income housing units in Gresham where she assists Seniors in remaining independent and able to care for themselves as long as possible.

Councilor Raze moved and Councilor McCutcheon seconded the motion to increase the City's contribution to Aging Service to \$1750.

AYES: 6
NOES: 0
ABSTAINED: 0

Councilor Owen applauded the Senior Coalition's efforts and stated that he knows that their services are greatly appreciated.

**B.RESOLUTION - Fairview Lake
Way Master Plan**

Bob Cochran, City Engineer, reported that staff had realized that development was going to be moving at a very rapid pace south of Fairview Lake, and that Fairview Lake Way was facing the possibility of being built piecemeal; staff contracted with McKeever/Morris to provide assistance in designing Fairview Lake Way, and that the design, as presented, would be an addendum to the City Specifications. Engineer Cochran introduced Keith Liden of McKeever/Morris who would explain what they did in preparing the plan for Fairview Lake Way.

Mr. Liden stated that the design standards and master plan map were included in the Council's packet and consisted of two parts: the standards for surface improvements themselves, and another section dealing with landscaping. Mr. Liden indicated that Fairview Lake Way was designed to be friendly, have an aesthetically pleasing streetscape, and would be conducive to walking and bicycling. Mr. Liden presented the various design elements which vary according to different locations along the street. Mr. Liden mentioned that there was a typographic error on Page 4 under Planting Strips where it speaks of street trees with low groundcover, and that it should read 1' maximum instead of 5'.

Mayor Vonderharr questioned if any speed humps were included in the design. Mr. Liden responded that three speed humps were shown, but that the idea was not to rely on speed humps exclusively. Councilor Edwards asked what the width of the street would be. Jeffrey Sarvis, Director of Public Works, responded that the street would have a 68' right-of-way, and that the speed humps would be 14 feet. Councilor Lillard questioned what type of streetlighting would be required on Fairview Lake Way. Director Sarvis responded that traditional-style streetlight would

be required, similar to that in Fairview Village. Councilor Lillard applauded staff for having the foresight to plan the design of the street. Councilor Owen stated that he felt it was a very well thought out plan.

Councilor Lillard moved and Councilor Owen seconded the motion to adopt Resolution 13-1998, A RESOLUTION AMENDING RESOLUTION 8-1996 BY SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION SPECIFICALLY FOR FAIRVIEW LAKE WAY, with the added correction of 1' instead of 5' on Page 4 under Planting Strips where it spoke of street trees with low groundcover.

AYES: 6
NOES: 0
ABSTAINED: 0

C. REQUEST FOR TEMPORARY ROAD CLOSURE

Director Sarvis reported that the City's Renaissance Plan identified areas on local streets that would receive treatments or traffic calming devices. The Budget Committee had approved \$35,000 for Fiscal Year 1998/99 to begin implementation of the Renaissance Plan. Director Sarvis stated that staff had selected Second Street to begin those improvements as it is the most visible, has some of the major problems, and it was doable. Director Sarvis commented that he would like to start implementing the Plan by temporarily closing Second Street at 223rd Avenue in order to receive feedback from the residents, and also to observe the traffic patterns that would then be used once it is permanently closed. Director Sarvis indicated that staff would return to Council at a later time to either recommend permanent closure or not. Councilor McCutcheon commented that he thought it was a good idea as people continuously run the stop sign at Second and 223rd. Director Sarvis stated that he anticipated the closure beginning on June 10th, and that it would be a temporary/semi-permanent blockage with signs placed to indicate a traffic change.

Councilor McCutcheon moved and Councilor Owen seconded the motion to authorize the temporary closure of Second Street at 223rd Avenue beginning June 10, 1998.

AYES: 6
NOES: 0
ABSTAINED: 0

D. AGREEMENT - Nuisance Control

Caren Huson, City Recorder, reported that before the Council was an Intergovernmental Agreement (IGA) with the City of Troutdale for Nuisance Enforcement Services. Recorder Huson stated that since August 1993, the City has contracted with Multnomah County for Nuisance Enforcement Services; with the recent budget constraints that the County has experienced, the Nuisance Officer had taken on additional responsibilities and has not been able to devote the time she once did to Fairview nuisances. The City of Troutdale approached Fairview with an offer to provide Nuisance Enforcement Services at a lesser cost. Staff has met with the Troutdale Officer and feel that Fairview would be better served with his assistance. The proposed IGA was reviewed and approved by the City Attorney, who was also able to add two other areas of nuisance responsibility to the IGA: litter and discarded vehicles.

Councilor Raze questioned whether the cost was appropriate considering the number of nuisance calls the City had received during the past Fiscal Year. Administrator Holstrom explained the formula which she believed was used in developing the cost, and Recorder Huson emphasized the amount of work required to obtain abatement on nuisances.

Councilor Lillard moved and Councilor Edwards seconded the motion to authorize the Mayor to sign an Intergovernmental Agreement with the City of Troutdale for Nuisance Enforcement Services.

AYES: 6
NOES: 0
ABSTAINED: 0

**E. PRESENTATION - Annual
Nuisance Report**

Recorder Huson reported that the Council's packet contained a chart which depicted those nuisances received by the City during Fiscal Year 1997/98. Recorder Huson stated that a total of 18 nuisances were received, with one of those complaints still being active. Recorder Huson described the procedures which were used in responding to nuisance calls, and added that most complaints received by the City during the past year had pertained to trash and inoperable vehicles.

Councilor McCutcheon commented that he thought inoperable vehicles were handled through the Police Department. Recorder Huson responded that the Police Department did handle inoperable vehicles in right-of-way areas, but the Nuisance Ordinance covered inoperable vehicles on private property.

VI. CITY ADMINISTRATOR REPORT

Administrator Holstrom reported that the application deadline had closed earlier in the day for the Council vacancy, and that two applications had been received; the Council will interview the applicants at their next Council meeting. Administrator Holstrom stated that Livable Oregon Cities would be presenting an award to Fairview Village for its quality development, and that a banquet would be held on June 5th; if anyone was interested in attending the banquet and representing the City, they should contact Recorder Huson.

Administrator Holstrom stated that the Mayor had voiced his concerns regarding the Post Office and the service it provides. Administrator Holstrom explained the circumstance which occurred in which a Councilor had his insurance cancelled due to the fact that the Insurance carrier stated Fairview's 97024 zip code did not appear on their rate maps. Administrator Holstrom commented that Congressman Blumenauer's office had been contacted regarding this situation, as it was determined that insurance rate maps were provided by private vendors and no Postal Service regulations insured their accuracy.

**VII. MAYOR/COMMITTEE REPORTS AND
COUNCIL CONCERNS**

Councilor Owen reported that he was unsure of the Port of Portland Noise Abatement Committee as they were currently restructuring, but he anticipated on receiving more information in the future. Councilor Owen stated that he had participated in a ride-along with Fairview Officer Mike Kellogg, and that they did encounter some crime and made an arrest. Councilor Owen added that the ride-along was a good experience and that he was very impressed with Fairview Officers.

Councilor Raze reported that Bonita Jenkins was very delighted when Steve Owen was able to get his Boy Scout Troop to assist in the move of items from mini-storage to the Heslin House. Councilor Raze stated that a meeting with Wood Village has been scheduled for June 23rd to discuss sewer issues.

Councilor Lillard reported that she had attended the East Multnomah County Transportation Committee meeting last Monday night where they reviewed the Transit Choices for Livability Study and a 10-year service plan. Councilor Lillard indicated that the plan was calling for quite a few new bus lines, and would go

before the voters; however, now was the time to get your comments into TriMet.

Councilor McCutcheon commented that he thought he was supposed to attend an emergency management meeting this month and asked staff to check on the date. Councilor McCutcheon stated that he would not be available from June 26th through July 6th.

Councilor Edwards stated that the Mayor had asked him to attend a public hearing regarding a new library branch on June 23rd, and asked that staff forward any information to him.

Mayor Vonderharr stated that he had been talking with the City Attorney regarding the LUBA challenge which the City entered as a friend of Gresham; we are asking for equitability in affordable housing and the consideration that an existing inventory of housing types be reviewed instead of starting at square one. Mayor Vonderharr commented that he would not be able to attend the next City Street Faire on June 25th, and requested as many Councilors as possible to please attend.

**VIII. EXECUTIVE SESSION - ORS
192.660(1)(e) - Real Property
Transactions**

At 10:04pm, Councilor McCutcheon moved and Councilor Lillard seconded the motion to adjourn into Executive Session citing ORS 192.660(1)(e).

AYES: 6
NOES: 0
ABSTAINED: 0

At 10:29pm, Councilor McCutcheon moved and Councilor Lillard seconded the motion to adjourn out of Executive Session and back into the Council's Regular Session.

AYES: 6
NOES: 0
ABSTAINED: 0

IX. ADJOURNMENT

Councilor McCutcheon moved and Councilor Lillard seconded the motion to adjourn. Mayor Vonderharr adjourned the meeting at 10:30pm.

AYES: 6
NOES: 0
ABSTAINED: 0

Mayor Roger Vonderharr

Dated:

Caren C. Huson Quiniones
City Recorder