

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

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**MARCH 3, 1999 -- 7:30pm**

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

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

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

STAFF PRESENT: Marilyn Holstrom, City Administrator  
Caren Huson, City Recorder

**II. CONSENT AGENDA**

Councilor Quinby moved and Councilor Lillard seconded the motion to remove Item B (Resolution 7-1999) from the consent agenda to be discussed at a later time, and to approve the amended Consent Agenda, consisting of: Resolution 8-1999, A RESOLUTION EXEMPTING THE PURCHASE OF FURNISHINGS FOR THE NEW CITY HALL FROM THE COMPETITIVE BIDDING PROCESS; and, the Minutes of February 17, 1999.

AYES: 7  
NOES: 0  
ABSTAINED: 0

Marilyn Holstrom City Administrator, stated that Russ Kaufman of Heery International, project manager for the new City Hall, was present to discuss construction issues. Administrator Holstrom reported that earlier that day the bid opening occurred for the new City Hall, with 12 bidders present, and a low bidder was determined; however, there were a few problems. The low bidder had phoned an hour after the bid opening to say that they had forgot to figure in the electrical, which would add another \$326,000 to their bid, thus leaving another contractor as the low bidder. The next low bidder was in an amount that was \$12,000 higher than the City's budgeted amount of \$2.39 million. Administrator Holstrom stated that staff wished to know if the Council wanted to add bullet-proofing to the Police wing of the building, which would add another \$19,000 to the low bidder's amount, or an additional \$31,000 above the City's budgeted amount. If Council should decide to add the bullet-proofing, then it appears that another bidder would actually be lower than the original low bidder due to the fact that bids were given for a base and eight alternates. Low bid would be determined by the package selected by Council; bullet-proofing was one alternate package.

Councilor McCutcheon commented that he did not understand why Council was discussing adding on more amenities when the low bid was already over our budgeted amount. Administrator Holstrom responded that Council had previously discussed bullet-proofing and that the final decision was up to the Council.

Mayor Vonderharr asked if bullet-proofing could be done retroactively. Mr. Kaufman responded no, as there was actually a plate that was installed within a wall and it would be difficult to add glass later as a window frame would have to be changed.

Councilor Lillard questioned if other Police precincts had bullet-proofing. Administrator Holstrom and Mr. Kaufman both responded that they did not know. Councilor Lillard stated that she was in favor of the bullet-proofing as if anything did happen, she would feel terrible that Council refused a \$19,000 request. Administrator Holstrom advised Council to be aware that the extra \$19,000 would have to be taken away from something else.

Councilor Quinby asked how one could place a dollar amount on a human life; he felt that the amount of money spent on training a full-time officer would be worth the \$19,000, and asked whether the City could go to the bidders and ask them if they could reduce their bid amounts by \$19,000. Mr. Kaufman responded that it would not be his ethical choice to negotiate with bidders in a public bid situation before a contract was signed; the Bid could be awarded and then discussions could be held on lowering costs.

Councilor Owen stated that he was in favor of bullet-proofing, but not in favor of adding \$19,000 to the bid.

Councilor Raze commented that no one on the Council would want to vote no and then have something terrible happen, but bullet-proofing was a luxury and pretty futuristic for Fairview. Councilor Raze added that Value Engineering was always a critical thing and that he could not imagine that the contractors could not come up with some suggestions that could at least save the overage of \$12,000 and maybe even an extra \$19,000. Councilor Raze stated that the Council must ask what they are willing to forgo for the extra bullet-proofing as we do not have the money; basic economics would dictate that if you don't have the money, you don't buy it. Administrator Holstrom commented that she did not know where the extra money would come from, but it possibly could come from the furniture budget that has been set aside. Mr. Kaufman stated that there are contingencies for expected problems that arise, but he would not want to start tapping into those contingencies before construction even began.

Councilor McCutcheon questioned if there was an option of just bullet-proofing the windows and not the wall, as he felt the same way as Councilor Raze in that the City does not have the extra funds. Mr. Kaufman responded that there was the option of not accepting the bullet-proofing at this time, and as we get closer to the critical area of ordering windows, then we could ask for a quote for just bullet-proof glass for the windows and a quote for the original bullet-proofing plan. Mayor Vonderharr commented that he thought the City should go ahead as if we were not going to place the bullet-proofing, and then address it at the drop dead date as to whether or not we can afford it. Councilor McCutcheon asked if a change at a later date would involve a Change Order charge. Mr. Kaufman responded yes, but he thought it would probably be less if the change was made as early as possible. Mr. Kaufman added that he did not think it was likely that \$31,000 would be taken out of the construction costs during the Value Engineering stage, but maybe the extra cost could be made up over the entire project budget.

Councilor Lillard stated that she would personally feel remiss if she did not vote to add the extra \$19,000 for bullet-proofing.

Councilor Owen asked if a decision was required tonight. Administrator Holstrom responded no, that staff could make a recommendation to Council and either include or not include bullet-proofing, and then Council could either accept or reject staff's recommendation. Councilor Owen commented that he did not feel

comfortable in having this item presented to them that evening, as it was not listed on the agenda, and that he would like to have time to think about it. Administrator Holstrom suggested that staff could have a recommendation to Council by the weekend, and Council could hold a special meeting on Monday, March 8, 1999, at 6:30pm with continued discussion occurring at that time, along with the award of the bid. Council agreed to the suggestion.

Councilor Quinby stated that he had requested Item B of the Consent Agenda to be pulled in order to ask why the City continues to purchase parks, yet does not have funds to maintain all the parks. Administrator Holstrom responded that the City has System Development Charges (SDC's) which provide that every new residence built in Fairview contribute to a special fund at the time they receive their building permit; the money goes into that special fund which functions according to State law, and that that money can only be spent on items specified in a Master Plan. Administrator Holstrom stated that the money in the Parks SDC Fund may only be used for park land acquisition and development of parks, but can not provide maintenance for those parks.

Councilor Quinby moved and Councilor Owen seconded the motion to approve Resolution 7-1999, A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A PURCHASE AND SALE AGREEMENT FOR THE ACQUISITION OF PROPERTY.

AYES: 7  
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. As there was no response, the session continued.

**IV. COUNCIL BUSINESS**

**A.FUNDING REQUEST - Senior Services**

Peggy Gulick, Director of the YWCA Senior District Center for East County, approached the podium and thanked the Council for their past funding to set up Access services for the City of Fairview and East County. Ms. Gulick reported that the Senior Center of East County provides 24-hour information and assistance, a Help Line, free Senior health insurance benefit counseling, and special events. Ms. Gulick stated that Fairview's contributions apply to all of those services, and that 101 phone calls were received from Fairview residents between January 1998 and June 1998. Ms. Gulick commented that other Senior services include case management, in-home services, financial services, food stamps, nutritional services, legal services, and transportation.

Ms. Gulick introduced Roseanne Costanzo from County Aging and Disability Services, and Agatha Rawley, Olivemay Stockwell, and Andrew Myers from the Senior Coalition.

Ms. Costanzo approached the podium and reported that the land purchase, near the Gresham Central Transit Station, for their new building had closed in December 1998. The new building will include a health clinic, a disability office, and Senior Services. Ms. Costanzo commented that she hoped to have a Fairview resident on their Building Sub-Committee. Ms. Costanzo stated that Aging Services had received 51 transportation assistance calls from Fairview Seniors in the past 6 months, and distributed demographics to the Council. Ms. Costanzo commented that Aging Services hopes to provide "Gatekeeper" training in Fairview so that the Police and Public Works crew could keep an eye out for those Fairview Seniors who may need assistance.

Councilor Edwards asked what exactly the Outreach program consisted of. Ms. Costanzo responded that Outreach includes actually going out and knocking on doors, placing articles in newsletters, talking to various societies, conducting fairs, etc. Councilor Edwards questioned what Aging Services total budget was for East County. Ms. Costanzo responded that East County's total budget was \$240,000 with the largest funding portion coming from the County; remaining amounts were spread proportionately between those cities who participate.

Mr. Myers approached the podium and thanked the Council for their past support, and that Aging Services appreciated Administrator Holstrom, Finance Director Roy Wall, and Councilor Raze for helping with the Meals on Wheels program.

Councilor McCutcheon moved and Councilor Raze seconded the motion to contribute \$1,750 to Aging Services.

AYES: 7  
NOES: 0  
ABSTAINED: 0

#### **B.RESOLUTION - Mayor's Stipend**

Administrator Holstrom reported that some time ago, Council held a discussion regarding the possibility of providing a stipend for the Mayor's position, and that a proposal was now before the Council from staff regarding this topic.

Councilor Raze stated that the stipend was not personally for Mayor Vonderharr, but for every future Mayor of Fairview, whomever that may be. Councilor Raze commented that the Mayor puts in a lot of time for the City and the stipend would barely cover compensation for gas, vehicle maintenance, etc.

Councilor Owen stated that he agreed with Councilor Raze and that he saw the stipend as more of a performance type of pay; future Councils could always remove the stipend if a Mayor does not devote as much time as Mayor Vonderharr has.

Councilor Edwards commented that there was no question in his mind that the suggested amount was not enough and that the stipend was long past due. Councilor Quinby asked if the stipend would be taxable income. Administrator Holstrom responded yes.

Councilor McCutcheon stated that he had served on the Council with quite a few Mayors and no one had devoted as much time to this City as Mayor Vonderharr, and that he deserves whatever little amount the City can provide. Councilor Lillard added that Fairview continues to grow and require more and more time from the Mayor; she was in favor of the stipend.

Bonita Jenkins commented that the stipend was simply an act of appreciation for all that the Mayor does.

Councilor Edwards moved and Councilor Raze seconded the motion to approve Resolution 9-1999, A RESOLUTION AUTHORIZING COMPENSATION TO THE MAYOR FOR HIS SERVICES TO THE CITY IN THE FORM OF A MONTHLY STIPEND IN THE AMOUNT OF \$200.00. Mayor Vonderharr stated that he would be abstaining from the vote.

AYES: 6  
NOES: 0  
ABSTAINED: 1 (Vonderharr)

#### **V.CITY ADMINISTRATOR REPORT**

Administrator Holstrom stated that the next Council Work Session would be held on

March 31st, and that the Planning Commission would also be present; staff would provide an update on the Capital Improvement Plan and Functional Plan. Administrator Holstrom commented that the Council has been given their Economic Statements of Interest and reminded them that they need to return them to Recorder Huson by March 26th. Administrator Holstrom stated that City Intern, John Seidel, had presented the City's Americans with Disabilities Act Plan and had performed further research on the Heslin House; Council had his report before them regarding what would need to be done to exempt the Heslin House from the City's ADA Plan.

## VI. MAYOR/COMMITTEE REPORTS AND COUNCIL CONCERNS

Councilor Quinby reported that he would be in Salem on Monday, March 8th, but that he hopes to return by 6:30pm that night to attend the special Council meeting.

Councilor Lillard reported that at the last East Multnomah County Transportation Committee (EMCTC) meeting, TriMet gave a presentation and stated that they would like to discontinue Line 86 which supports LSI as only two people an hour have ridden that bus and TriMet feels that they can come up with a different way to service LSI and Fujitsu. Councilor Lillard added that EMCTC could not support the continuance of Line 86 as additional service could be applied to other lines. Councilor Lillard commented that the Sandy Boulevard bus line would increase service, and that EMCTC had requested that TriMet not provide service to Sandy, Oregon, as Sandy had opted out of TriMet.

Councilor Raze stated that he would not be able to attend the March 17th Council meeting.

Councilor Edwards reported that he had attended a Metro Open House on transportation and had voiced Fairview's concern in terms of the railroad overpasses.

Councilors McCutcheon and Owen had no reports or concerns.

Mayor Vonderharr reported that he continues to attend Affordable Housing Task Force meetings, and that he had met with Mike Burton and Rod Monroe of Metro regarding the cost that Fairview incurs in terms of subsidizing public safety for Blue Lake Park and Chinook Landing, and had discussed possible resolutions. Mayor Vonderharr stated that he and Administrator Holstrom had gone to Salem and spoke with Representative Minnis on several issues; next week he and Administrator Holstrom would meet with Speaker of the House Snodgrass to discuss implementation legislation that Fairview considers was inappropriate.

## VII. ADJOURNMENT

Councilor McCutcheon moved and Councilor Edwards seconded the motion to adjourn. Mayor Vonderharr adjourned the meeting at 8:59pm.

AYES: 7  
NOES: 0  
ABSTAINED: 0

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Mayor Roger Vonderharr

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Dated:

Caren C. Huson Quiniones  
City Recorder