

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

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**MARCH 17, 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 Steve Owen
- ABSENT:                   Councilor James Raze
- STAFF PRESENT: Gilbert Jackson, Chief of Police  
                                  Jeffrey Sarvis, Director of Public Works  
                                  Roy Wall, Finance Director  
                                  John Andersen, Planning Director  
                                  Caren Huson, City Recorder
- II.      **CONSENT AGENDA**
- Councilor Edwards moved and Councilor Quinby seconded the motion to approve the Consent Agenda, consisting of: a Grant Authorization for Transportation and Growth Management; and, the Minutes of February 3, March 3, and March 8, 1999.
- 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. As there was no response, the session continued.
- IV.     **COUNCIL BUSINESS**
- A.ORDINANCE - Stormwater  
        System Development  
        Charges**
- Roy Wall, Finance Director, stated that before the Council was an ordinance that would bring Stormwater System Development Charges (SDCs) into alignment with Sewer, Water and Parks SDCs, in that Stormwater SDCs would be administratively modified by the Construction Price Index.
- Councilor McCutcheon moved and Councilor Edwards seconded the motion to read Ordinance 2-1999 a first time by title only.
- AYES:                   6  
NOES:                    0  
ABSTAINED:            0
- Pam Beery, City Attorney, read Ordinance 2-1999 a first time by title only.
- Councilor McCutcheon moved and Councilor Lillard seconded the motion to adopt Ordinance 2-1999, AN ORDINANCE AMENDING THE FAIRVIEW MUNICIPAL

CODE TO ALLOW FOR THE ESTABLISHMENT OF SYSTEM DEVELOPMENT CHARGES FOR STORMWATER BY RESOLUTION.

AYES: 6  
NOES: 0  
ABSTAINED: 0

**B.RESOLUTION - System Development Charges**

Director Wall reported that Resolution 10-1999 was a companion to Ordinance 2-1999, and would allow for all System Development Charges to be modified as of January 1st of every year, instead of being changed at different times of the year which was the current practice. Resolution 10-1999 would also allow for Stormwater SDCs to change based upon the Construction Cost Index annually, rather than being static at \$0.08 per square foot of impervious surface. Director Wall stated that the proposed resolution was presented as Resolution 5-1999 in the Council's packet, but a Resolution number of 10-1999 has been assigned to it; no wording of the resolution was changed.

Councilor Lillard moved and Councilor McCutcheon seconded the motion to approve Resolution 10-1999, A RESOLUTION ESTABLISHING A SYSTEM DEVELOPMENT CHARGE FOR STORMWATER IMPROVEMENTS, ALLOWING FOR AN ADMINISTRATIVE INCREASE IN ALL SYSTEM DEVELOPMENT CHARGES ON JANUARY 1ST OF EVERY YEAR, AND AMENDING RESOLUTION 16-1997.

AYES: 6  
NOES: 0  
ABSTAINED: 0

**C.APPOINTMENT - Budget Committee**

Director Wall stated that the City had one vacancy on its Budget Committee; two applications had been received for this vacancy; the incumbent, Bill Buss, has also requested to be reappointed to the Committee.

Councilor Lillard noted that Darrell Cornelius had indicated on his application that he would be unavailable from April 15 to May 9, 1999, and asked if that could interfere with Budget Committee meetings. Director Wall responded that the date of April 19th had been reserved for a possible Budget Committee meeting, and that it would conflict with Mr. Cornelius' schedule.

Mayor Vonderharr asked the Council to write down their name and the name of the applicant they would like to appoint to the Budget Committee.

Caren Huson, City Recorder, announced that the majority of the votes were for Bill Buss. Mayor Vonderharr stated that Bill Buss would be reappointed to the Budget Committee.

**V.DEPARTMENT REPORTS**

**A.Police**

Gilbert Jackson, Chief of Police, reported that in regards to the February Police Report, business was as usual. The Graffiti Committee continues to meet and just had their first training session. Chief Jackson added that the Committee hopes to receive graffiti reports from citizens and then do their best to remove the graffiti; quite a bit had already been removed on Depot Street. The Committee intends to take photos of all the graffiti, date it, remove it, and keep a log of their activity. Mayor Vonderharr stated that he was very pleased that enough citizens were involved to make the Graffiti Committee a viable project, and that once the Committee really gets going, perhaps they could receive some exposure in The Outlook.

Chief Jackson commented that in regards to the Annual Police Report, it was fairly self-explanatory and followed the same format as last year. Crime was creeping up, but that goes along with the growth of the City. Mayor Vonderharr mentioned that Fairview has very few reports noted in the newspapers. Chief Jackson responded that he thought the newspapers waited until they obtained a few and then reported them all at once.

Councilor McCutcheon stated that one of the report graphs indicated that there were 3200 crimes last year in Fairview. Chief Jackson responded that the number 3200 actually means that 3200 calls were generated for police service, and that it did not necessarily mean a crime was connected to the call.

Councilor Edwards commented that he was amazed by the Chief's letter to Mike Burton as to how many trips Fairview Police makes to Blue Lake Park.

Councilor Owen stated that he was impressed by how many times he views Fairview Police patrolling, and he thought they were covering Fairview very well.

## **B. Public Works**

Jeffrey Sarvis, Public Works Director, reported that the City's annual Spring Clean-up Event would be held on Saturday, May 1st, 10:00am to 1:00pm. Director Sarvis added that, this year, the City was also hoping to have volunteers that would clean up trash along Halsey Street; the City would provide vests, equipment, and trash bags. Mayor Vonderharr stated that he would like to move the yard debris recycling away from Fairview Spring Clean-up as Metro also provides that service on the same day, and he would like to have more citizens volunteer to clean up Fairview streets. Mayor Vonderharr suggested that as people drop off their yard debris this year, that the City inform them that next year yard debris recycling would be sponsored by Metro and would not occur at the Public Works Shop.

Director Sarvis stated that: David Evans & Associates will contribute to the City's legal costs regarding the Triad Mechanical lawsuit; the Marine Drive Waterline bid opening will be held on Friday, March 19th; and that a preconstruction meeting for City Hall would be held on March 23rd. Director Sarvis added that the stormwater improvements in the core area were moving along very well.

## **C. Planning**

John Andersen, Planning Director, reported that the Council would hear the Twelve Mile Disposal appeal on April 7th. Director Andersen commented that the City had received an application for the Pelfrey South Shore Estates subdivision and that it was being reviewed for completeness. A joint Planning Commission/City Council meeting would be held on March 31st at 7:00pm to discuss the Transportation System Plan and the Capital Improvement Plan. Director Andersen stated that the Salish Ponds project was moving ahead and that he had been working with the City Engineer, Bob Cochran, regarding construction of the project, with completion planned for late Fall 1999.

Mayor Vonderharr asked that Director Andersen describe the Gresham/Fairview Bike Trail. Director Andersen described on a map how the trail would be designed. Mayor Vonderharr stated his concern that the City continues to place more facilities in Fairview Village, but that there were no sidewalks to access those facilities. Director Andersen responded that he would speak to Holt & Haugh regarding sidewalks in the Village.

## **D. Finance**

Director Wall reported that Council had before them a copy of House Bill 2657, currently in the legislature and sponsored by the Oregon Building Industry Association. HB2657 would "prohibit local governments from imposing local excise taxes on construction or other land development," which could mean the City's Administrative Excise Charge might be under attack. Director Wall indicated that he

had phoned the League of Oregon Cities who is interested in anything that removes local control. Councilor McCutcheon questioned if the bill should pass, would it become retroactive. Ms. Beery responded no. Director Wall commented that the bill does not specify if it would only be for "new" charges. Ms. Beery added that she did not like the word "imposed" as used in the bill as "impose" seems to lean toward the belief that cities could no longer collect Excise Charges; the word "enact" would mean that no new charges could be added.

E. Legal

Ms. Beery stated that her written report was before the Council.

VI. MAYOR/COMMITTEE REPORTS AND COUNCIL CONCERNS

Councilor Lillard reported that the last Transportation System Plan meeting was very good; the facilitators were great and the committee voted on pedestrian paths, transportation models, bike routes, etc., with the pedestrian path on 223rd Avenue being one of the highlights.

Councilor Owen stated that he would be attending a Citizens Noise Abatement Committee meeting the following evening and that several reports would be presented; the Port of Portland had sent out a complaint summary graph which depicted that the Fairview area only had two complaint calls for January, compared to 46 complaint calls from south of the airport. Councilor Owen commented that in terms of cleaning up the City: 1) the Shell Gas Station had at least 12 signs which advertised the sale of cigarettes; 2) there appeared to be a used car lot forming on the northeast corner of Sandy and 223rd Avenue; and, was curious about the signs which are placed around the City regarding working at home, losing weight, etc. Recorder Huson explained the process for nuisance signs, and Chief Jackson commented that one of the cars on the northeast corner of Sandy and 223rd Avenue appeared to be abandoned and would be taken care of. Director Andersen added that he would review the Zoning Code in terms of used car lots.

Councilors Quinby and McCutcheon had no reports or concerns.

Mayor Vonderharr reported that he had spoken with Rod Park of Metro regarding Blue Lake Park and the number of Fairview Police calls originating from the Park; a meeting would be scheduled for further discussion. Mayor Vonderharr stated that he had spoken to the State Speaker of the House staff who would be moving forward with a request to the State Attorney General to obtain an opinion on the implementation of Measure 50. Mayor Vonderharr commented that Affordable Housing Committee meetings continue.

VII. ADJOURNMENT

Councilor McCutcheon moved and Councilor Lillard seconded the motion to adjourn. Mayor Vonderharr adjourned the meeting at 8:48pm.

AYES: 6  
NOES: 0  
ABSTAINED: 0

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Mayor Roger Vonderharr

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Dated:

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Caren C. Huson Quiniones  
City Recorder