

**MINUTES  
CITY OF FAIRVIEW  
CITY COUNCIL**

April 15, 2015

**Council Members**

Ted Tosterud, Mayor  
Dan Kreamier (Excused)  
Steve Prom  
Steve Owen  
Natalie Voruz  
Brian Cooper

**Staff**

Samantha Nelson, City Administrator  
Allan Berry, Public Works Director  
Lesa Folger, Deputy Finance Director  
Heather Martin, City Attorney  
Devree Leymaster, City Recorder

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

**1. CALL TO ORDER**

ROLL CALL  
FLAG CEREMONY  
PLEDGE OF ALLEGIANCE

Mayor Tosterud reported Councilor Ted Kotsakis resigned his council position as of 5:00 PM that day. The appointment process to fill the vacant process will begin immediately.

**2. CONSENT AGENDA**

- a. Minutes of March 18, 2015 & April 1, 2015
- b. Authorize the City Administrator to Enter into an Intergovernmental Agreement for Fire and Emergency Services: Resolution 14-2015
- c. Authorize Supplemental Budget for Fiscal Year 2014-15 – School Zone Signage: Resolution 15-2015
- d. Authorize the City Administrator to Sign an Agreement with the City of Gresham for Building Inspection Services and Granting the City’s Building Official Authority to Mark Krenz: Resolution 11-2015
- e. Authorize the City Administrator to Sign a Professional Service Contract for Construction Services for the Village Street Loop Waterline Improvement Project: Resolution 19-2015

Mayor Tosterud deferred item c. (Resolution 15-2015) to Council Business.

Council President Owen moved to approve the consent agenda, omitting item c., and Councilor Prom seconded. The motion passed unanimously.

AYES: 5  
NOES: 0  
ABSTAINED: 0

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

None.

#### 4. PRESENTATIONS

None.

#### 5. CITY ADMINISTRATOR AND DIRECTOR REPORTS

City Administrator Nelson reported the following.

- Budget Committee will reconvene April 20, 2015 at 6:30 PM. The Public Hearing for public comment will also reconvene.
- Mayor's Community Meeting is April 29, 2015 at 6:30 PM, Fairview City Council Chambers. Public is encouraged to attend. This is an opportunity to discuss issues/concerns with the Mayor.

Public Works Director Berry shared the following.

- Staff will meet with the City of Portland and Rockwood Water PUD on April 29 to discuss Bull-Run water source options.
- City received a Community Development Blocks Grant (CDBG). Funds will be used to continue sidewalk work in Old Town.
- The Veterans Affairs shell building permit has been approved and issued.
- SOLV event on Saturday, April 18 at Fairview Wood Park to plant 400 roses.

Director Berry introduced Erik Schmidt, Community Development Director, City of Gresham, and Mark Krenz, Assistant Building Official, City of Gresham, who will act as Fairview's Building Official.

Councilor Cooper inquired about the bio-swale complaint along Clear Creek. Director Berry replied he will inspect it and if there is an issue, will report it to Code Compliance.

#### 6. MAYOR/COMMITTEE REPORTS AND COUNCIL COMMENTS

Councilor Cooper clarified Chief Johnson did provide robust local data during the red light camera discussions, he was not asked to provide other data as was complained about prior to the vote. He noted attending a Metro Blue Lake Park Master Plan meeting and volunteers are welcome at the upcoming SOLV event at Fairview Woods Park on April 18; check-in is at 9:00 AM.

Councilor Voruz reported the Easter egg hunt event was very successful and thanked the business community for their support.

Councilor President Owen encouraged the public to attend and share their comments, or concerns, at the upcoming Budget Committee Meetings and Mayor's Community Meeting. He requested a copy of Councilor Kotsakis's resignation letter. City Administrator Nelson replied she would forward to the entire Council.

Councilor Prom reported the Parks and Recreation Advisory Committee discussed Pelfrey Park at the March 19 meeting. Henry Pelfrey and Lynnina Woods attended as proposed by PRAC Member Darren Riordan. There was good discussion and a recommendation to conduct a survey for Pelfrey Park similar to Lakeshore Park.

Mayor Tosterud commented on attending a Blue Lake Park tour. The park has an improved entrance and many other changes are coming this summer. He plans to attend Oregon's Joint Ways and Means legislative committee meeting tomorrow evening at Mt. Hood Community College.

## 7. PUBLIC HEARING

- a. Amending Chapter 2.30 of the Fairview Municipal Code to Reflect Updates to City Record Retention Schedules under State Law: Ordinance 7-2015

City Recorder Leymaster read the second reading of the ordinance by title. Mayor Tosterud opened the public hearing. There was no public comment. Mayor Tosterud closed the public hearing.

Council President Owen moved to approve Ordinance 7-2015 and Councilor Cooper seconded. The motion passed unanimously.

AYES: 5

NOES: 0

ABSTAINED: 0

- b. Adding Chapter 12.50 and Amending Chapter 12.30 of the Fairview Municipal Code to Prohibit Smoking, Vaping and the Use of Tobacco Products: Ordinance 8-2015

City Recorder Leymaster read the second reading of the ordinance by title. Mayor Tosterud opened the public hearing. There was no public comment. Mayor Tosterud closed the public hearing.

Council President Owen moved to approve Ordinance 8-2015 and Councilor Prom seconded. Councilor Cooper clarified the ordinance prohibits use on city property and adjacent sidewalks except for in designated areas. City Administrator Nelson replied yes. Councilor Cooper commented he objects to limiting a person's personal liberty by infringing on their right to do something that is legal i.e. smoking. There have been no complaints about people smoking in public or in parks around children.

Councilor Voruz remarked currently if complaints were received nothing could be done. This allows for enforcement if needed i.e. if someone were smoking among a group of children in a public park. It also provides for designated areas.

The motion passed by majority.

AYES: 4 – Councilor Owen, Councilor Prom, Councilor Voruz and Mayor Tosterud

NOES: 1 – Councilor Cooper

ABSTAINED: 0

- c. Amending the Fairview Municipal Code to Reduce the Speed Limit in the Fairview Village from 25 mph to 20 mph: Ordinance 9-2015

City Recorder Leymaster read the second reading of the ordinance by title. Mayor Tosterud opened the public hearing. There was no public comment. Mayor Tosterud closed the public hearing.

Council President Owen moved to approve Ordinance 9-2015 and Councilor Cooper seconded. The motion passed unanimously.

AYES: 5

NOES: 0

ABSTAINED: 0

## 8. COUNCIL BUSINESS

- a. Appointing a Member to the Fairview Park & Recreation Advisory Committee (PRAC):  
Resolution 17-2015

Councilor Cooper moved to appoint Lauri Kreamier to the open PRAC position and Council President Owen seconded. The motion passed by majority.

AYES: 3 - Councilor Cooper, Council President Owen and Mayor Tosterud

NOES: 2 - Councilor Prom and Councilor Voruz

ABSTAINED: 0

- b. Appointing a Member to the Fairview Arts & Community Events Advisory Committee (ACEAC):  
Resolution 18-2015

Councilor President Owen moved to appoint Shaylnn Rivas to ACEAC and Councilor Prom seconded. The motion passed unanimously.

AYES: 5

NOES: 0

ABSTAINED: 0

- c. Authorize Supplemental Budget for Fiscal Year 2014-15 – School Zone Signage: Resolution 15-2015  
Councilor Prom supported the supplemental budget for the school zone signage.

Councilor Cooper commented though he supports child safety he is leary of spending tax money when it may not be needed. Council approved the original request of \$28,000 for signage. The current proposal increased the estimate to \$66,000. Locations 5 through 8 (Glisan and 223<sup>rd</sup>) already have flashing lights. Mayor Tosterud indicated this during a work session discussion. Councilor Cooper suggested only installing the lights at the locations that do not have them (Halsey and 201<sup>st</sup>). He noted Council should be aware of the impact of visual pollution when adding flashing and electronic signage and that national data doesn't suggest these types of signs increases safety. In discussions with Chief Johnson, the Chief seemed to agree the degree of the project scope is not warranted based on the data.

Council President Owen inquired about the process to change the scope. Director Berry replied staff would have to go back to the County to make any changes. To do so would require a directive by Council.

Mayor Tosterud commented initially he wanted to reduce the project scope to reduce costs, but this is the County Engineer's recommendation for maximum effectiveness and safety. There is no current issue, but this project is about being proactive so hopefully there never is an issue. Council has indicated their support to have revenues for the speed radar project credited back to refund the cost.

City Administrator Nelson clarified the Request for Proposal process for the speed radar project is not final; can't guarantee a credit. Chief Johnson, who is not present at the meeting, has indicated there have been no reported accidents within these locations, but that anything that can be done to protect children is a good thing.

Councilor Voruz remarked this is a good recommendation and it is affordable. Children are a priority and she wants Fairview to be recognized as a community that makes safety of our children a top priority.

Councilor Prom commented there are speed issues on Glisan. The purpose of the combination of lights and signage is to protect children and reduce speeds. If there is an accident, at a reduced speed, the impact will be less. The flashing lights will only be on during school times.

Council President Owen recommended limiting the speculation of what the Chief would agree or not agree with since he is not present to speak himself. Though Fairview has not conducted an analysis to determine the need, he supports child safety and will support this project. Moving forward he would recommend providing more data to aid in the decision making process.

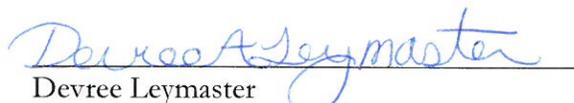
Councilor President Owen moved to approve Resolution 15-2015 and Councilor Prom seconded. The motion passed unanimously.

AYES: 5  
NOES: 0  
ABSTAINED: 0

#### 10. ADJOURNMENT

Council President Owen moved to adjourn the meeting and Councilor Prom seconded. The motion passed, and the meeting adjourned at 7:45 PM.

AYES:  
NOES: 0  
ABSTAINED: 0

  
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Devree Leymaster  
City Recorder

  
\_\_\_\_\_  
Ted Tosterud  
Mayor

5-27-2015  
\_\_\_\_\_  
Date of Signing

A complete recording of these proceedings is available. Contact the City of Fairview Administration Office, 1300 NE Village St., Fairview, OR 97024.