

MINUTES
FAIRVIEW CITY COUNCIL REGULAR MEETING
FAIRVIEW CITY HALL
1300 NE VILLAGE STREET
FAIRVIEW, OREGON 97024

NOVEMBER 15, 2000 -- 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 Steve Owen
Councilor Len Edwards
Councilor James Raze
Councilor Barbara Jones

ABSENT: Councilor Sherry Lillard

STAFF PRESENT: Marilyn Holstrom, City Administrator
Roy Wall, Finance Director
Jeffrey Sarvis, Public Works Director
John Andersen, Community Development
Director
Doug Aden, Police Sergeant
Caren Huson, City Recorder

II. CONSENT AGENDA

Councilor Quinby moved and Councilor Jones seconded the motion to approve the Consent Agenda, consisting of: a Sale Agreement with Fairview Village Development Corporation; an Intergovernmental Agreement for Wastewater Treatment Plant Capacity; an Intergovernmental Agreement for Mediation Services; and, the Minutes of November 1, 2000.

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.

Mitzi Bennett, 755 Cedar Street, Fairview, stated that she and her neighbors have had many vehicle speeding problems on Cedar Street and that they had asked the Police Department to monitor the street for a few days. Ms. Bennett commented that the monitoring test, which monitored 700 vehicles, noted four vehicles traveling along Cedar Street in excess of 60mph, countless others going 45-55mph, and several going 35mph. Ms. Bennett explained that the neighbors had signed a petition, with 95% of the residents along Cedar Street wanting speed humps. Ms. Bennett requested an update on the status of the neighborhood petition. Marilyn Holstrom, City Administrator, responded that the Police Department had just recently completed their report on the request the previous day; at this point in the process, the Speed Hump Committee, which meets once a year in November, will make a recommendation for or against the speed humps, and if recommended in favor, the speed humps would be budgeted for the

following fiscal year. Councilor Edwards questioned the cost of one speed hump. Administrator Holstrom responded that she thought the cost for one speed hump was about \$1700. Jeffrey Sarvis, Public Works Director, added that he thought the budget for the current fiscal year was \$15,000, so there was the possibility that speed humps could be placed this year if recommended by the Speed Hump Committee. Councilor Raze suggested that residents of the area take down the license plate numbers of those speeding, if possible, and submit those plate numbers to the Police Department. Ms. Bennett commented that she had collected license plate numbers in the past to the Police, but that nothing was ever done with the information. Ms. Bennett added that individuals have been running the stop signs at Seventh and Cedar Streets, and that there is a sign on NE Hancock before it turns into Cedar Street that says "Children at Play, Speed Zone Strictly Enforced", but that that was a joke as the speed limit is never enforced. Councilor Owen asked staff to review the Cedar Street area to see if additional traffic signing was needed.

Brian and Dede Williams, 17 Sixth Street, Fairview, stated that they would like to receive an update of what the Police were doing in regards to the drug and theft problems which were occurring in the core area of the City. Administrator Holstrom responded that an investigation was on-going and that she did not think it was appropriate to discuss a Police investigation publicly. Mayor Vonderharr stated that the Fairview Police were aware of what was going on in the core area and were doing all they could under the justice system. Mayor Vonderharr assured the residents that their issues were not being ignored.

Mark LaFleur, 330 Depot Street, Fairview, stated that the drug use and theft occurring in the core area has been going on for two years and that the residents were tired of it. Mr. LaFleur commented that he had been told by a Fairview Police Officer that he was actually violating the rights of those suspected of theft and drug use because he and a few other residents were watching them. Mr. LaFleur commented that he would like to get more people in the neighborhood involved in the watch, but they were receiving death threats and were afraid. Mr. LaFleur mentioned that the only time Fairview Police is seen is when they are on the freeway writing tickets or at the Shell Station; it seems as if they are more concerned with traffic fines than fighting crime. Mr. LaFleur stated that he was told by a Fairview Officer to stay in his house and keep his mouth shut.

Councilor Edwards stated that the recent Police Levy was voted down, which would have given Fairview three more officers, but as shorthanded as the City was, the Fairview Police were as good and competent policemen as you could find anywhere. Mr. LaFleur commented that more citizens needed to get involved as the police were not always available.

Teresa Long, 770 Cedar Street, Fairview, stated that she has had some problems herself in communicating with Fairview Officers as she had suspected drug dealing across the street from where she lived and she had been instructed to take down license plate numbers and document times of arrival and departure. Ms. Long reported that she kept a record and phoned the Police Department from time to time to provide information; the Police would make excuses to her and make her feel like she did not know what she was talking about. Ms. Long commented that, basically, the Police brushed her off; however, the Multnomah County Sheriff showed up looking for one of her neighbors and in talking with them, they were finally able to make some arrests from the home across the street from her. Ms. Long asked, why, at this point, since we did not have enough officers,

would residents want to call the police. Councilor Raze stated that Ms. Long had made her point and suggested that she sit down with the Sergeant or Chief one-on-one and go through her concerns one at a time.

Mrs. Williams stated that she was requesting a meeting with the Police to discuss the issues of the residents of the core area. Councilor Quinby commented that he had no idea of what was occurring in the core area and thanked the residents for making Council aware of the situation. Mr. Williams mentioned that when he first spoke to an Officer about the situation, that he had been told that seven residences were under investigation regarding the theft ring in the core area; the people involved were hiring young men to make the hits, and that he personally had been hit twice this year.

Mr. LaFleur suggested that the City place cameras in the neighborhoods to catch some of the theft that was occurring.

Councilor Owen stated that the Council was sincere and concerned about the problems, and suggested that one-on-one meetings occur with either the Sergeant or Police Chief.

Councilor Raze asked the residents to not take things into their own hands and become vigilantes, and that he was not brushing them off. Mrs. Williams stated that they were not vigilantes, they just want to be allowed to work with the Police and solve the problems. Mr. Williams stated that his life had been threatened by some of the suspects.

IV. COUNCIL BUSINESS

A. FIRE SUPPRESSION FEE

Roy Wall, Finance Director, reported that before the Council was an ordinance and resolution that would establish a Fire Suppression Fee. The City of Fairview contracts with the City of Gresham for fire prevention and suppression services, with the contractual amount for this year being \$315,250. Council had held a public hearing on the proposed fee on September 6, 2000.

Director Wall stated that there were four options available for charging of a fire suppression fee, with all yielding relatively similar amounts of revenue (\$13,600 to \$18,250) to assist in the payment of the service contract with the City of Gresham to provide fire suppression services to the citizens of Fairview. The amount to be raised by this proposed fee will pay only a small portion of the overall contract amount. The issue is how to fairly charge the customer base. Since the majority of the contract is paid out of other general fund resources such as property taxes and franchise fees, this fee should be set with an understanding of the different customer types and a determination of whether the fee should be flat for all or graduated based upon a theory of services used in the case of a fire event. All four options would charge seventy-five cents per month to residential customers; Option 3 recognizes that commercial/industrial customers would use generally more resources in a fire event due to size of structure and it treats consistently all commercial and industrial customers by charging the same level of fee. In conclusion, Director Wall stated that staff was recommending adoption of Ordinance 18-2000, establishing the Fire Suppression Fee, and approval of Resolution 28-2000, which would set the amount of the Fire Suppression Fee based on Option 3 in the staff report.

Councilor Owen questioned how the City of Gresham calculates Fairview's contract fee. Director Wall responded that the contract was based on a cost

of service calculation, analyzing the amount of resources needed to have in force to handle the City of Fairview, and then bill us accordingly. In addition, it is a five-year agreement and based annually on actual cost. Councilor Owen commented that the Fire Suppression Fee was purely an attempt to recover some monies for services that are provided and asked if Option 3 was the easiest option to administer. Director Wall responded that Option 3 was actually the second easiest to administer but would require the least amount of staff time. Councilor Owen asked if, based on the mailings and notices, the City had received any comments on the proposed fee. Director Wall responded that one phone call was received from a business who did not feel it was necessary to come before Council.

Councilor Edwards moved and Councilor Raze seconded the motion to read Ordinance 18-2000 a first time by title only.

AYES: 6
NOES: 0
ABSTAINED: 0

Caren Huson, City Recorder, read Ordinance 18-2000 by title only.

Councilor Edwards moved and Councilor Raze seconded the motion to adopt Ordinance 18-2000, AN ORDINANCE CREATING A FIRE SUPPRESSION FEE ON RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL PROPERTY SERVED BY THE FAIRVIEW WATER SYSTEM TO ASSIST IN COVERING THE COSTS ASSOCIATED WITH PROVIDING FIRE SERVICES TO RESIDENTS AND BUSINESSES SERVED THEREBY.

AYES: 6
NOES: 0
ABSTAINED: 0

Councilor Owen moved and Councilor Quinby seconded the motion to approve Resolution 28-2000, A RESOLUTION ESTABLISHING THE RATES FOR THE FIRE SUPPRESSION FEE.

AYES: 6
NOES: 0
ABSTAINED: 0

V. DEPARTMENTAL REPORTS

A. Police

Sergeant Doug Aden reported that before the Council was the Police Report for October 2000. Sergeant Aden stated that Halloween night had been fairly uneventful, and that Officer Bill Wood had received a Life-Saving Award from the Multnomah County Sheriff Department on November 2nd which the Mayor attended. Sergeant Aden commented that the Fireworks Committee had held their first meeting to discuss the July 4th display for the year 2001. Sergeant Aden added that Chief Jackson was recovering from back surgery.

Councilor Owen questioned how many Reserve Officers the City had. Sergeant Aden responded that the City had a total of four Reserve Officers; three were out on their own and one was fairly new and riding with another

Officer. Sergeant Aden reported that all of the Reserves had been putting in a lot of time.

Councilor Raze mentioned that if any of the citizens comments which were made earlier in the evening were accurate, that he would be greatly disappointed. He was concerned about some of the things that were allegedly said by Fairview Officers.

B. Public Works

Director Sarvis reported that staff would meet again with the County regarding "no parking" signs to be placed on NE Glisan Street. Director Sarvis stated that staff was reviewing the Renaissance Plan and prioritizing projects should funds become available. Director Sarvis reported that: design was underway for the Sandy waterline loop; design was underway for the Shaw Street diversion stormwater project; and, that a discussion would be held on December 6th regarding water source options for the City and also sanitary sewer. Director Sarvis reminded the Council that a Public Works Work Session would be held on November 29th to discuss the Northeast Fairview Stormwater Master Plan. Mayor Vonderharr questioned if "no parking" signs had been placed on Sandy Boulevard. Director Sarvis responded that the signs had been approved but had not yet been placed.

C. Community Development

John Andersen, Community Development Director, reported that there has been more interest lately in commercial construction as opposed to residential. Mayor Vonderharr commented that he had read an article in the paper about a company requesting a dredging permit for the Columbia River. Director Andersen stated that he was not aware of such an application in Fairview.

D. Finance

Director Wall reported that earlier in the evening, the Council had approved an Intergovernmental Agreement (IGA) with Gresham for wastewater treatment plant capacity to be purchased by Fairview; this IGA was the culmination of three months of cooperative work with the City of Gresham, and Fairview was successful in obtaining a loan through Gresham with only a 4.19% interest rate, which prevented us going to the Bond Market ourselves. Director Wall stated that he was a member of a finance review committee that looks at the Bureau of Emergency Communications (BOEC) finances and budget; last year, they looked at reserves which BOEC were keeping and found them to be excessive, so Fairview would be refunded an amount somewhere around \$15,000-\$20,000. The Committee was again looking at the agreement this year, and a reserve which would add a computer-aided dispatch upgrade will be paid by Portland as they will own the equipment, so Fairview will receive about \$18,000 back from that reserve.

E. Administration

Administrator Holstrom reported that the Council received a copy of the court decision between the City and Les Moore, with the decision being in favor of the City; our attorneys will file to recover fees. Administrator Holstrom commented that a second Skateboard Meeting would be held on November 30th. Administrator Holstrom reminded the Council that the City's Holiday Party would be held in the Council Chamber on December 17th and that Councilor Edwards would once again hold an auction to benefit the Heslin House. Administrator Holstrom stated that the Speed Hump Committee would need a representative from the Council. Mayor Vonderharr appointed Councilor Owen to the Speed Hump Committee.

CONCERNS

of Fairview Village, which is not the case. Councilor Edwards commented that he intends to write a couple letters to the newspapers to inform them of the exact history of the Fairview Library. The City's Library Committee was the only one instrumental in obtaining a library branch in Fairview, and the Village was not the only site considered; the County Library Board made the final site selection. Councilor Edwards wanted the citizens of Fairview to know that the Fairview-Columbia Library was for all citizens, not just Fairview Village residents.

Councilors Jones, Raze, Quinby, and Owen had no reports or concerns.

Mayor Vonderharr reported that he had attended several meetings in Portland and also a Standing Committee Community Development meeting in Salem held by the League of Oregon Cities. Mayor Vonderharr stated that he had attended the Gresham Station ribbon-cutting ceremony earlier in the day, and that he thought the project would be an asset to East County. Mayor Vonderharr stated that he would like to assign Councilor Quinby to the Skateboard Committee as a Council liaison. Mayor Vonderharr commented that Councilor Jones had requested that she be replaced on the Citizens Noise Advisory Committee, and since that was a position filled to represent Fairview, Troutdale, and Wood Village, that he would be sending a letter to those cities to request a replacement.

VII. ADJOURNMENT

Councilor Owen moved and Councilor Quinby seconded the motion to adjourn. Mayor Vonderharr adjourned the meeting at 9:01pm.

AYES: 6
NOES: 0
ABSTAINED: 0

Mayor Roger Vonderharr

Dated:

Caren C. Huson Quiniones, City Recorder