

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

SEPTEMBER 6, 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 Sherry Lillard
Councilor Len Edwards
Councilor James Raze
Councilor Barbara Jones

ABSENT: Councilor Steve Owen

STAFF PRESENT: Marilyn Holstrom, City Administrator
Roy Wall, Finance Director
Caren Huson, City Recorder
Tammy Shannon, Office Assistant

II. CONSENT AGENDA

Councilor Edwards moved and Councilor Raze seconded the motion to approve the Consent Agenda, consisting of: Resolution 22-2000, A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF FAIRVIEW ACTING AS THE CONTRACT REVIEW BOARD EXEMPTING CERTAIN PERSONAL SERVICES FROM THE COMPETITIVE BIDDING PROCESS; Resolution 24-2000, A RESOLUTION SUPPORTING BALLOT MEASURE 87 AMENDING THE OREGON CONSTITUTION; ALLOWING POLITICAL SUBDIVISION OF THE STATE OF OREGON TO REGULATE THE LOCATION OF SEXUALLY ORIENTED BUSINESSES THROUGH ZONING, and, the Minutes of August 16, 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.

Leo Bosch, 4065 NE 219th Court, Fairview, questioned if there was any way for Fairview residents to pay their utility bill through electronic means or by debit card. Roy Wall, Finance Director, responded that some residents pay their utility bills through their bank, with the bank issuing payment; however, some residents will pre-pay their utility bill if they are planning on traveling, or have their utility bill forwarded to a winter address. In addition, staff was looking into the possibility of accepting Visa or other credit cards. Mr. Bosch indicated that he would like to pay his

utility bill through his bank. Director Wall commented that Mr. Bosch could contact him by phone to discuss his options.

Earl Bracy, 21873 NE Skidmore, Fairview, stated that he has been trying for several months to obtain speed limit signs in his neighborhood as there were many small children. Mr. Bracy mentioned that he had spoken to the Public Works Department a year ago, asking for speed limit signs, and was told that 25mph signs could be obtained, but no signs had been placed as of yet. In addition, he spoke with the City Engineer about three months ago and was told that signs could be posted, but they have not appeared.

Councilor Raze questioned if Mr. Bracy had written down any license plate numbers from the speeding vehicles. Mr. Bracy responded that he had spoken to the speeders but that they did not care. Councilor Raze suggested that Mr. Bracy write down the license plate numbers and turn them in to the Fairview Police Department. Mr. Bracy asked if speed humps in the neighborhood were a possibility. Marilyn Holstrom, City Administrator, responded that the City does have a Speed Hump Program and that Mr. Bracy could pick up a copy of the brochure; however, in the mean time, staff will follow-up on the speed limit signs.

Councilor Edwards commented that the most important thing Mr. Bracy could do was to take down the license plate numbers and call them in every day to the Police Department. Councilor Edwards added that the City has received many complaints regarding speeders, and that he personally had driven through neighborhoods at 25mph, but that the residents perceived he was driving much faster than that.

IV. PUBLIC HEARING

A. Fire Suppression Fee

Director Wall reported that in July 1999, Council had been presented with a number of possible alternative revenue items; one was to consider a Fire Suppression Fee for all water system customers. The City of Fairview contracts with the City of Gresham for fire prevention and suppression services; the contractual amount for this year was \$315,250. Council directed that staff schedule a public hearing on establishing a Fire Suppression Fee.

Director Wall stated that Council was being presented with four distinct options for charging a fee to all City water customers to help offset the fire protection contract costs. An article was placed in the City Newsletter that went to all Fairview residents, informing them of the time and place for the public hearing; in addition, public hearing notices were posted around the City and a letter was written to every commercial/industrial customer in Fairview to inform them of the public hearing, and Administrator Holstrom had sent a letter to the Rockwood Peoples Utility District.

Director Wall reported that the four Fire Suppression Fee options were: 1) a graduated charge based upon meter size; 2) the same fee for everyone; 3) larger structures paying more than residences, with all commercial/industrial paying the same amount; or, 4) larger structures paying more than residences but commercial/industrial paying slightly varied amounts. Director Wall mentioned that the public hearing tonight was informational only, with staff bringing back a recommendation to Council based on their discussion tonight.

Councilor Quinby commented that he thought basing the fee on meter size would be wrong, and regarding the graduated charge based on meter size, larger buildings would have sprinkler systems and this was not proposed to be a user fee. Councilor Quinby mentioned that he thought non-commercial users would have more fires. Director Wall responded that that was why staff tried to put together many scenarios for Council to choose from and that Option 2 was probably the direction Councilor Quinby was leaning towards.

Councilor Raze stated that there was probably some basis for using meter size for a guideline as a 19-unit apartment complex may have only one meter. In addition, Councilor Raze commented that the proposed Fire Suppression Fee was really a fundraising mechanism.

Councilor Edwards questioned how one would justify to someone who has an up-to-date sprinkler system, pays fire insurance, etc., but because of meter size they would pay the same as somebody who does not take that kind of extra care. Director Wall responded that even if a fire is extinguished by a sprinkler system, that the Fire Department would still be dispatched.

Mayor Vonderharr mentioned that the City's water system was upgraded to meet the need for fire suppression and that that cost was coming from the water fund instead of fire suppression.

Councilor Lillard asked if staff knew what other jurisdictions were doing in regards to a Fire Suppression Fee. Director Wall responded that he did know of another city using the fee to purchase fire equipment; however, ours would go to providing fire services. Councilor Lillard asked what size of structure would have a 6" or 8" water meter. Director Wall responded that Portland Hospital Laundry, Heron Pointe, Kings Garden Apartments, and Quail Hollow all had 6" meters; NACCO, Fairview Oaks and Fairview Woods had 8" meters. Councilor Lillard questioned if Rockwood Water customers would pay this fee. Director Wall responded that the City of Fairview could not force another municipality to collect a fee for us, and Rockwood's 125 customers who live in Fairview would not have to pay the fee unless Rockwood asked their customers to pay the additional fee.

Councilor Jones stated that she thought the City should go with one of the graduated alternatives because one has to consider that a commercial business would be the more difficult fire to extinguish. Councilor Jones suggested that staff review insurance company statistics to determine if one type of property might be more prone to fire than another one.

Mayor Vonderharr stated that the objective should be to keep the proposed Fire Suppression Fee as simple as possible, and opened the public hearing.

Earl Bracy, 21873 NE Skidmore, Fairview, asked what Fairview actually paid for fire suppression and questioned what the City was getting for that money. Mr. Bracy commented that if the proposed Fire Suppression Fee was a fundraiser only, that people will not be able to pay for all these "fundraisers" as currently they pay for water, sewer, stormwater, fire insurance, fire districts, etc. Mr. Bracy questioned what the extra money we would give to Gresham would provide as it seemed to him that all the

fees just keep adding up and Fairview does not get the money. Mayor Vonderharr responded that it costs the City a certain amount of money to contract with Gresham for fire services and that the City needed to come up with extra funds to pay its bills; Gresham will not receive any additional money, it's just that we need to build the City's General Fund to pay our bills.

Councilor Raze commented that the proposed Fire Suppression Fee was simply a fundraiser to help the City pay for its fire contract with Gresham, as we can not afford our own Fire Department; \$315,000 a year was not an unreasonable cost for fire protection services.

As there was no further testimony, Mayor Vonderharr closed the public hearing.

Councilor Edwards questioned if staff had a recommended option. Director Wall responded that Options 3 and 4 would be staff's recommendations.

Councilor Quinby thanked the residents for attending the Council meeting and discussing the issue.

Council consensus was for staff to return at a later date with additional information on each of the four options.

V.COUNCIL BUSINESS

A. PRESENTATION - Blue Lake Park Master Plan

Heather Nelson, Planning and Education Program Manager of Metro Parks and Greenspaces, introduced Jane Hart, the Project Manager for Blue Lake Park, and Todd Jones, the Manager of Blue Lake Park. Ms. Nelson reported that Blue Lake Park has a Master Plan which was adopted in 1985, but many of that Plan's recommendations were not implemented. Ms. Nelson stated that a 15-member project advisory committee was formed in January 2000, which included Fairview Community Development Director John Andersen, and goals were established for the Park; in addition, a market survey was conducted and two public open houses were held to receive comments on Blue Lake Park.

Ms. Hart described the options being considered for Blue Lake Park, including: added picnic shelters, a new water play feature, new Lake House events center, year-round youth-oriented recreation, pavilion and small grass amphitheater at former swim center site, property trails, development of a Golf Learning Center and driving range, and a possible lodge with restaurant and possible convenience store. Ms. Hart stated that Metro anticipates to have a final plan available for public review sometime in November 2000, and then would take the plan before Metro Council for a decision in December 2000 or January 2001.

Mayor Vonderharr commented that he saw things in the proposed plan which would attract local Fairview citizens, instead of attracting only those coming from the inner city to visit open space.

Councilor Jones asked if there would still be only one entry to the Park. Ms. Hart responded yes. Councilor Jones questioned how traffic would be handled when large events took place in the Park. Ms. Hart responded that consultants were reviewing the traffic flow and would be making

improvement recommendations. Mayor Vonderharr commented that he thought once an event was over, that the Park should have more than one exit, perhaps one onto Marine Drive.

Councilor Jones questioned if kids would be able to hold evening events in the proposed Youth Destination Center. Ms. Nelson responded no, and that the current Park hours would remain in effect. Councilor Jones commented that she would have a major concern in locating a convenience store across 223rd Avenue as they tend to attract the youth and could cause more traffic accidents.

Councilor Lillard mentioned that the overall general upgrade of the Park was definitely needed and that the picnic shelters were a good idea; perhaps students from the area schools could use the pavilion and amphitheater for performances. Councilor Lillard commented that she approved of the Youth Destination Center as it could be very versatile, with perhaps seasonal activities planned and maybe some events could be held in the evening. Councilor Lillard stated that she would not be in favor of locating a lodge/restaurant in the Park as she would not want a lot of strangers spending the night the same time that her kids were in the Park.

Councilor Edwards commented that he thought the lodge/restaurant was the best idea because it was an ideal way to fund the Park; right now, the Park is only used during good weather, and a lodge would provide an opportunity to bring more people to the Park throughout the year. Councilor Raze asked if hotel/motel taxes from a lodge would come to the City. Administrator Holstrom responded yes.

Councilor Quinby questioned if a skateboard park had been discussed for the Youth Destination facility. Ms. Hart responded that a skateboard park was on the back burner as there was not much interest. Councilor Quinby asked if Metro had ever considered adding more water ski shows on Blue Lake. Mr. Jones responded that part of what the Park deals with are local homeowners who have not had a problem with the one pro water ski show a year; however, the shows take up the Park's boat concession area for the general public, so Metro has to take into consideration the neighbors and the general public users.

Councilor Lillard stated that she thought the golf facility was a great idea, and asked if parents were dropping off kids to visit the Youth Destination facility if they would have to pay for parking. Ms. Nelson responded that those were questions which needed to be reviewed further, but reminded the Council that there was always the option of purchasing an annual pass to the Park.

Mayor Vonderharr commented that one of the biggest problems Fairview has in getting its citizens to the Park was the lack of a bicycle path. In addition, Fairview needs support in getting the railroad bridge widened on 223rd Avenue and were asking Metro for their support. Mayor Vonderharr stated that he wished Metro could work out a sound system to allow an amphitheater acoustically, and requested that Metro promote the fact that Blue Lake Park was in Fairview.

**B.PRESENTATION -
Animal Control**

Gary Hendel, Multnomah County Animal Control Director, stated that he had been on the job for only three months and was looking around to see

Director

what was needed, including more communication, as he did not know what Fairview's needs were. Mr. Hendel commented that when residents complain of leash problems, barking dog problems, etc., that those complaints need to go to him, as Fairview receives a service from him and he wants to be a good neighbor.

Mr. Hendel reported that in 1989, the Multnomah County Animal Shelter had to euthanize 10,000 animals; however, in the last few years, the average euthanization was 2,000 animals a year, so great strides were being made in this area. Mr. Hendel stated that his goal was to make people aware that he was available and could help them.

Councilor Lillard questioned if Animal Control could be available every day. Mr. Hendel responded that he had performed a survey on manpower, and that it was very awkward; right now, Animal Control works until 8:00pm Monday through Friday, and then the service was turned over to a private contractor who responded only to currently-attacking vicious dogs. Mr. Hendel added that he did not have the funds for 24-hour service, but he hoped to convince the County Commissioners for those funds sometime in the future. Mr. Hendel reported that the Animal Control Task Force had provided many recommendations, and he was trying to go through those recommendations one-by-one; anything that did not cost money would be done first, and then the remainder of the recommendations would be prioritized. Mr. Hendel commented that Animal Control would bend over backwards to place animals into homes as he did not want to put down any animal unnecessarily.

Mayor Vonderharr questioned the definition of a vicious dog. Mr. Hendel responded that that was very subjective as some dogs were only food aggressive. Currently, barking dogs were their biggest problem and they do try to work on every complaint they receive.

Councilor Lillard asked if Animal Control receives calls about pets being killed by neighbors. Mr. Hendel responded that they do receive calls such as that, but it was very hard to prove.

Councilor Jones stated that East Metro Mediation performs quite a bit of mediation between neighbors regarding pet problems. Mr. Hendel responded that Animal Control has used mediation; if a complaint form is signed, they will issue a ticket to the pet owner who has 20 days to appeal and the option to participate in mediation.

Mayor Vonderharr mentioned that a couple years ago, a neighborhood had a problem with coyotes but that the City could find no one who would deal with wild animals. Mr. Hendel responded that his mission was basically dogs and cats, but he did not pawn off problems; if someone calls with a coyote problem, Animal Control will respond as they do have the necessary equipment.

**VI. CITY ADMINISTRATOR
REPORT**

Administrator Holstrom reminded the Council that they had been invited to a barbecue the following evening in Blue Lake Village, and that a City Street Faire would be held in the core area on September 28th, from 6:00pm to 8:00pm. Administrator Holstrom stated that the City's Holiday Party had been scheduled for Sunday, December 17, 2000, at 5:00pm, in the Council Chamber.

Administrator Holstrom reported that negotiations with Metro had successfully concluded and that an agreement/compromise had been reached; Metro Council will receive a briefing on the agreement, which ended up with a formula based on actual cost, but one in which Metro would be able to use with other jurisdictions in the future. Administrator Holstrom commented that she would not be able to attend the next Council meeting as she would be at a City Manager's Conference.

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

Councilor Quinby asked if the City had received the Gresham Department of Environmental Services report regarding a language change concerning the AGG lawsuit with the City of Beaverton. Administrator Holstrom responded that she had not seen the report, but would check with staff to see if it had been received.

Councilor Jones reported that the Citizens Noise Abatement Committee would meet on September 14th, 6:00pm, at the Airport Maintenance Building. Councilor Raze suggested that the City contact Gary Michael who was interested in the Committee.

Councilor Raze reported that insulation had been installed in the Heslin House, and that sheetrocking would be the next step. Bonita Jenkins mentioned that a Heslin House fund-raising yard sale would be held on September 9th.

Councilors Lillard and Edwards had no reports or concerns.

Mayor Vonderharr stated that he had attended a Multnomah County Community Health Survey meeting and had told them that they need to break down the information into areas so that the information in the report means something to each city. Mayor Vonderharr reported that he had attended the groundbreaking ceremony in Gresham for the new Senior Center.

VIII. ADJOURNMENT

Councilor Edwards moved and Councilor Raze seconded the motion to adjourn. Mayor Vonderharr adjourned the meeting at 9:47pm.

AYES: 6
NOES: 0
ABSTAINED: 0

Mayor Roger Vonderharr

Dated:

Caren C. Huson Quiniones
City Recorder