

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

MARCH 7, 2001 -- 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 Steve Owen
Councilor Len Edwards
Councilor James Raze
Councilor Barbara Jones

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

Mayor Vonderharr announced that a special presentation would be made before Council proceeded with their regular agenda. Mayor Vonderharr welcomed Rod Park of Metro and Lonnie Roberts, County Commissioner.

Rick Holt of Holt & Haugh, Inc, stated that it was a great privilege to be before Council and to present an award to the City in cooperation with the National Home Builders Association. Steve Brown, President of the Portland Chapter of the National Home Builders Association, stated that it was an honor, on behalf of the Association, to present the prestigious Year 2000 Gold Medal Award for Smart Growth to Holt & Haugh and the City of Fairview. Mr. Brown commented that smart growth was the most critical issue facing the building community and also for meeting housing demands in smart ways. Projects from all over the nation were considered for this award, and Fairview Village won the gold medal. Mr. Brown stated that the visions of the future start here in Fairview, and the City and the vision have come together to give the nation a view of the future.

Mayor Vonderharr accepted the award on behalf of the City and stated that the only thing the City did in receiving this award was to let the development occur; Holt & Haugh brought the vision to the City, and it was the commitment of working together that made the vision of reality.

Mr. Holt commented that Fairview Village was about "livability", and that the first response to the vision from Fairview City Administrator Marilyn Holstrom was that she would support whatever was proposed as long as it protected Fairview's way of life and livability. Mr. Holt stated that Fairview was a very honest City and its citizens were very involved. Mr. Holt commented that Holt & Haugh could not have achieved the success of Fairview Village without the City and the public/private partnership.

Mayor Vonderharr stated that the Fairview Village development also allowed the City to construct a Town Center which would be accessible to the older part of town, thus making livability good for Fairview as a whole.

Mr. Brown presented the Best in America Livability Award to Charlie Haugh of Holt & Haugh. Mr. Haugh thanked the National Home Builder's Association and commented that Holt & Haugh's vision had become a national model, that the City of Fairview should feel very honored, and he thanked the City for working with them.

II. CONSENT AGENDA

Councilor Owen moved and Councilor Raze seconded the motion to approve the Consent Agenda, consisting of: appointments to the Parks Citizen Advisory Committee; Resolution 4-2001, A RESOLUTION IN SUPPORT OF ESTABLISHING POLICY ADDRESSING THE FUTURE OF THE PUBLIC EMPLOYEE RETIREMENT SYSTEM (PERS); and, the Minutes of February 21, 2001.

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. ORDINANCE 4-2001 -
Amending Chapter
8.10, "Nuisances", of
the Fairview Municipal
Code**

Caren Huson, City Recorder, stated that before the Council was Ordinance 4-2001 which would amend Fairview's Nuisance Code. Recorder Huson mentioned that over the past year, a record had been kept of nuisance calls which the City received but could not address as there was no mention of the specific nuisance in the City Code. Recorder Huson reported that the proposed Ordinance would address the major complaints received in the previous year, which included: 1) amending the language regarding uncontrolled or uncultivated vegetation as the City's current Code specified a date of June 15th for tall grass to be abated; the new wording would make it clear that tall grass was a nuisance year round; 2) new language was proposed which would address the occupancy of vacation trailers and motor homes on private property; and, 3) new language was proposed which would address vehicle storage and repair in residential neighborhoods. Recorder Huson stated that the City Attorney had reviewed the proposed ordinance amendments and had added some minor housekeeping changes to the Nuisance Code to bring it up to date. In conclusion, staff was recommending approval of Ordinance 4-2001.

Councilor Owen commented that he was concerned about the wording of Section 8.10.057(B) regarding parking areas other than driveways, and wished to clarify that that section was referencing front yards only. Recorder Huson responded that that was correct, as the issue had previously been added to Section 10 (Vehicles and Traffic) of the Fairview Municipal Code, and that adding this wording to the Nuisance Code would allow the City's Code Enforcement Officer to review any complaints. Mayor Vonderharr mentioned that perhaps language should be added that would address side yards of corner houses, as a side yard could be considered a front yard on a side street. Councilor Raze stated that at some point the Code should address the entire property around a residential structure. Councilor Owen stated that he would like language added to the ordinance which would clarify Section 8.10.057(B) stating that the parking areas referred to front yards only.

Councilor Quinby stated that he was opposed to the language as proposed in Section 8.10.057(D.1) regarding the use of air-driven power tools.

Councilor Quinby commented that he has used air-driven power tools at his home and would not want it to be a violation of Fairview's Code for homeowners to use their air-driven power tools. Councilor Raze stated that the intent of the Nuisance Code was to deal with those who use power tools continuously so as to prevent someone from operating an auto repair business from their home. Councilor Quinby suggested that wording be added to the section which states that air-driven power tools used on a "regular" basis was not allowed.

Councilor Lillard referred to Section 8.10.050(A.20) which speaks of occupying a vacation trailer or home on private property. Recorder Huson responded that the ordinance would allow 14 days of occupancy in any six-month period, or a longer duration if approved by the Community Development Director. Councilor Lillard requested that wording be added to the ordinance to that effect.

Councilor Quinby commented that a Work Session should be held at some future time to discuss the Nuisance Code and perhaps Council could at that time address stricter provisions.

Councilor Edwards moved and Councilor Raze seconded the motion to read Ordinance 4-2001 by title only.

AYES: 7
NOES: 0
ABSTAINED: 0

Recorder Huson read Ordinance 4-2001 by title only.

Councilor Edwards moved and Councilor Raze seconded the motion to approve Ordinance 4-2001, AN ORDINANCE AMENDING FAIRVIEW MUNICIPAL CODE CHAPTER 8.10, "NUISANCES", with amended wording added to: 1) Section 8.10.050(a.20) which would state "or a longer duration as approved by the Community Development Director"; 2) amended wording added to Section 8.10.057(B) indicating that parking areas apply to front yards only; and, 3) added language to Section 8.10.057(D.1) stating any work requiring the "regular" use of welders...power tools.

V. CITY ADMINISTRATOR REPORT

Marilyn Holstrom, City Administrator, reported that a closing date had been set for the Target land purchase of March 23rd, and that staff and the City Attorney were currently reviewing the closing documents; the Target store has a tentative opening date of March 2002. Administrator Holstrom commented that staff was in the process of finalizing the Year 2001-2002 Budget and that the first meeting of the Budget Committee would occur on April 2nd.

VI. MAYOR/COMMITTEE REPORTS AND COUNCIL CONCERNS

Councilor Quinby reported that the fourth Skateboard meeting had occurred and staff was very surprised when BMX riders attended and wished to have any proposed Skateboard Park be built to accommodate them, also. Hud Lasher from the Reynolds School District was also in attendance at the meeting and commented that he would schedule a time for all to walk and review the proposed site for the Skateboard Park, which is proposed to be located on Reynolds School District property.

Councilor Lillard reported that she had attended the East Multnomah County Transportation Committee (EMCTC) meeting where TriMet had

visited and informed them that they were looking into a CMAQ Grant to extend service on 182nd Avenue, but they were not sure if they would receive the grant. Councilor Lillard stated that the Airport MAX line could possibly reduce the Gresham MAX service in the evening and reminded the Council that the East County cities were promised that the Airport MAX would not affect any East County schedules. Councilor Lillard commented that Sandy Boulevard would see an increase in TriMet service in Northeast Portland, and that that would create inconsistency with the amount of service in East County as opposed to Northeast Portland. EMCTC informed TriMet that more north-south service was needed in East County, especially on 182nd Avenue. EMCTC stressed the fact that they were ready to move on to the next step of the railroad overpass project on 223rd Avenue; Fairview has received tremendous support from the other East County cities on getting the project completed.

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

Mayor Vonderharr stated that he would be attending a meeting the following morning at Reynolds School District to discuss their bond measure, and that tomorrow night he, along with the Mayors of Wood Village and Gresham, would attend a TriMet hearing regarding new bus service routes and levels of service.

VII. ADJOURNMENT

Councilor Owen moved and Councilor Lillard seconded the motion to adjourn. Mayor Vonderharr adjourned the meeting at 8:55pm.

AYES: 7
NOES: 0
ABSTAINED: 0

Mayor Roger Vonderharr

Dated:

Caren C. Huson Quiniones
City Recorder