

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

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**January 16, 2002 -- 7:30pm**

**I. CALL TO ORDER/  
ROLL CALL**

Mayor Vonderharr called the meeting to order at 7:32pm.

PRESENT: Mayor Roger Vonderharr  
Councilor Ken Quinby  
Councilor Sherry Lillard  
Councilor Steve Owen  
Councilor Len Edwards  
Councilor James Raze  
Councilor Barbara Jones

STAFF PRESENT: Mary Jo Briggs, City Administrator  
Gilbert Jackson, Chief of Police  
Bob Cochran, Public Works Director  
Roy Wall, Finance Director  
John Andersen, Community Development  
Director  
Caren Huson, City Recorder

**II. CITIZEN  
COMMUNICATIONS**

Mayor Vonderharr asked for persons wishing to communicate to the Council to do so at this time. As there was no response, the session continued.

**II I. CONSENT AGENDA**

Councilor Owen moved and Councilor Lillard seconded the motion to approve the Consent Agenda, consisting of the Minutes of January 2, 2002.

AYES: 7  
NOES: 0  
ABSTAINED: 0

**IV. COUNCIL BUSINESS**

**A. DISCUSSION -  
Accessory Building  
Standards**

John Andersen, Community Development Director, reported that accessory structures are buildings built or located on property that are secondary to the primary structure. Examples are separate garages, greenhouses, tool sheds and similar buildings. Director Andersen stated that because agreement did not exist on how to treat accessory structures, Council had directed that the new development code would contain the same standards as the prior

code until such time as consensus about new standards could be developed. The Planning Commission was asked to reconsider the accessory structure issue and to make a new recommendation. The Planning Commission reviewed conditions within the City and reconsidered earlier debate regarding proper standards for accessory structures. A new recommendation has been prepared, containing ten standards which were appropriate for the City, and which was included in the Council's agenda packet. Director Andersen commented that the new recommendation was similar to the standards debated at the Council workshop held on October 3, 2001, except that some greater flexibility is provided for buildings in matching the character of the main building, and no size limit is established for buildings on lots one acre or larger.

Councilor Edwards asked if an individual constructed an accessory structure one more foot in from the setback if it could then be built to a height of 20 feet. Director Andersen responded yes. Councilor Quinby suggested that wording be clarified in the ordinance so that it was clear that the roof slant on an accessory dwelling must be 6-feet in from the property line.

Councilor Owen questioned if an individual could have as many accessory structures as they wanted as long as they did not exceed the square footage allowed for each. Director Andersen responded that structures could not cover more than 65% of a lot. Councilor Owen asked what the minimum setback requirements were as stated in the development code. Director Andersen responded that side yard setbacks were required to be five-feet, and a rear-yard setback was 15 feet. Councilor Owen questioned how the setbacks affected Fairview Village. Director Andersen responded that Fairview Village has its own development code.

Councilor Lillard stated that the allowed 20-foot height for an accessory structure concerned her, especially when the structure only needed to be six feet from the property line. Director Andersen commented that the 6-foot standard and the height requirement has been discussed extensively in the past, and is a result of consensus among the Planning Commission and Council. Councilor Lillard asked if an accessory structure had to fit within the character of the neighborhood. Director Andersen responded that the Planning Commission recommendation included language which required buildings larger than 450 square feet to be constructed of materials that provide the same appearance, and be of a similar design to the main building. Councilor Raze added that currently, a two-story home could be placed within five feet of the property line, so a 20-foot height six-feet from the property line was not that big of an issue.

Councilor Quinby commented that the current development code lists the 15-foot rear setback as only one option and that there were actually three allowances in the code. Councilor Owen asked if there

were other parts of the development code that did not agree with the proposed accessory structure language. Director Andersen responded that the proposed recommendations, if accepted by Council, would be one set of standards in one place of the code. Staff will return to Council at a later date with an actual ordinance which would amend language in the development code.

Councilor Edwards moved and Councilor Jones seconded the motion to approve the Planning Commission recommendation, with language clarified in No. 8 of the recommendation to state that the accessory building be located behind the "facade of the main building", instead of simply "behind the main building".

AYES: 7  
NOES: 0  
ABSTAINED: 0

**B. STATE OF THE  
CITY ADDRESS**

Mayor Vonderharr presented his State of the City Address which is attached and incorporated into these minutes.

**V. DEPARTMENTAL  
REPORTS**

**A. Police**

Gilbert Jackson, Chief of Police, reported that the Police Department Survey was in an electronic format and was on the City's website. Chief Jackson stated that the Major Crimes Team has dedicated much effort into solving Fairview's recent murder case and that, so far, the Fairview Police Department has incurred extra expenses of over \$17,000 to deal with this crime. That amount does not reflect all the hours and expenses that other jurisdictions have incurred on this same incident.

Councilor Owen asked for the status of the agreement with Metro regarding the policing of Blue Lake Park and Chinook Landing. Mary Jo Briggs, City Administrator, responded that staff had met with Pete Sandrock of Metro about a week ago, and that the discussion is on-going. However, staff was somewhat optimistic as Metro has asked the City to enter into an agreement with them and they were currently drafting that contract.

The contract will need to go through the Metro Council process, and there is a concern about setting a precedence, but it does appear more optimistic than in the past. Mayor Vonderharr stated that Metro would not be setting a precedence as they currently have contracts with Portland and other cities. Fairview has received support from Gresham, Troutdale, and Wood Village on this issue as they feel, as does Fairview, that it is a mistreatment to require Fairview to subsidize Metro regional facilities.

Councilor Owen commented that the monthly Police Activity Report seemed to show an increase in auto theft and he was wondering if that was in any one particular area of the City. Chief Jackson responded that auto theft was not limited to one area of the City, it just seems that several cars are stolen at one time. Chief Jackson added that most of the vehicles which were recovered in Fairview were not taken from Fairview.

#### **B. Public Works**

Bob Cochran, Public Works Director, reported that staff had been pursuing another source of drinking water, and that in September 2001, the City had submitted an application to State Water Resources for a new well permit. The City purchased property last year for a well site, and word was received from the State this week that our permit has been approved for Well No. 8.

Director Cochran stated that in July 1999, stormwater improvements were made to Salish Ponds. When Fairview Creek would fill, it would flood some streets and areas in Fairview. This year, when the heavy rains occurred, the detention facility in Salish Ponds did its job, allowing the Ponds to fill with water and eliminating any flooding in the area.

Director Cochran reported that in the wake of the September 11<sup>th</sup> attacks on the nation, that the Public Works staff took the opportunity to review the security of Fairview's drinking water. All facilities were reviewed and, where needed, improvements were made to increase security.

#### **A. Community**

Director Andersen reported that building permit activity had slowed down and that there had been very little new construction lately in Fairview; however, Land Use applications were increasing, including Fairview Village Apartments, Charles Court Townhomes, and the Lake Salish Apartments and Townhomes. Director Andersen commented that he had been receiving compliments on the recently revised development code as it was generally easier to use now. Director Andersen stated that staff was working on a Riparian Consensus Committee regarding enforcement of riparian zones around Fairview Lake, and that an open house would be held at the end of the month to accept public testimony. Director Andersen

mentioned that the Community Center has attracted more interest and that it was being used almost every week.

Councilor Edwards questioned if any industrial applications had been submitted. Director Andersen responded no.

Councilor Jones asked when the grand opening of the Community Park was anticipated to occur. Director Andersen responded that staff was planning the grand opening to occur on July 6, 2002.

Councilor Owen questioned when improvements would begin on the 223<sup>rd</sup> Avenue/Sandy Boulevard intersection. Director Andersen responded that the County has begun the process for the intersection improvements, and are currently in the design phase. It is anticipated that the intersection improvements will be completed by Fall 2002. Councilor Owen asked what type of permit had been issued to the site south of I-84 where all the fill dirt was being place. Director Andersen responded that only a Fill Permit had been issued for the site; no other applications have been filed.

**D. Finance**

Roy Wall, Finance Director, reported that the Municipal Court start time had been moved up ½-hour; this is a result of reviewing court operations and running a good court.

**E. Administration**

Administrator Briggs reported that Council's Goal Setting Session would be held on February 7, 2002, 6:00pm, and that the February 6, 2002 Council meeting had been cancelled.

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

Councilor Raze reported that the Heslin House was looking for volunteers to sand the floors; the floors are made of very soft wood and heavy equipment could not be used on them. Councilor Raze stated that the Parks Committee has met on several occasions and were trying to prioritize their goals; they are researching closer partnerships with schools to perhaps use their land for more recreational opportunities.

Councilor Lillard mentioned that a TriMet planning session would be held January 31, 2002, 5:00pm, at Gresham City Hall.

Councilor Owen reported that Larry Cooper, Chairman of the Multnomah County Drainage District, had attended a meeting of the Fairview Lake Property Owners to discuss the management of the Lake.

Councilors Jones, Edwards, and Quinby had no reports or concerns.

Mayor Vonderharr stated that he had attended a meeting with Senator Wyden and discussed Federal financial assistance in terms of transportation. Mayor Vonderharr reported that he had met with representatives from the State regarding economic development, and that one goal of his this year would be to form a Fairview Business

Association.

**VII. ADJOURNMENT**

Councilor Raze moved and Councilor Edwards seconded the motion to adjourn. Mayor Vonderharr adjourned the meeting at 8:54pm.

AYES: 7  
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