

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

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**July 17, 2002 -- 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: 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 called for persons wishing to speak on non-agenda items. As there was no response, the session continued.

**III. CONSENT AGENDA**

Councilor Owen moved and Councilor Quinby seconded the motion to approve the Consent Agenda, consisting of: an Annual Road Maintenance Agreement with Multnomah County; a Liquor License Change of Ownership for the Texaco Start Mart; and, the Minutes of June 19 and July 10, 2002.

AYES: 7  
NOES: 0  
ABSTAINED: 0

**IV. COUNCIL BUSINESS**

**A. UPDATE -  
Metro Policy Advisory**

David Ripma, Metro Policy Advisory Committee (MPAC)  
Representative for the cities of Fairview, Troutdale, and Wood

**Committee**

Village, distributed a memo to the Council and provided an update on MPAC. Mr. Ripma reported that the main issue MPAC was currently facing was the 2040 Plan and the expansion of the Urban Growth Boundary (UGB). Metro staff was spending considerable time on the proposal of analyzing the availability of jobs and housing lands “subregionally”. This would be a major change in state law and, if implemented, would greatly benefit Washington County at the expense of Multnomah and Clackamas Counties. Mr. Ripma stated that MPAC had yet to vote on whether to approve the subregional analysis. Councilor Raze commented that as far as the MPAC vote was concerned, win or lose it would still just be a recommendation. Mr. Ripma responded that that was correct, but the Metro Council’s vote could go either way.

Councilor Jones questioned what Multnomah and Clackamas Counties were doing to counter Washington County’s efforts in terms of industrial development. Mr. Ripma responded that he has argued forcefully against the idea of ensuring an “adequate” supply of industrial lands on the west side, as East County has underused industrial land available. Mayor Vonderharr stated that he felt the East County cities needed to push the issue with Multnomah County to take a lead role in the fight as East County has developable industrial land available. Mr. Ripma commented that he hoped County Commissioner Lisa Naito would vote in favor of the East County cities on the subregional issue.

Councilor Edwards asked if Mr. Ripma had informed MPAC of the industrial land that is available in East County. Mr. Ripma responded yes, but that Metro still felt that it was not enough. In addition, Mr. Ripma stated that his personal opinion was that Metro was not designed to help the small cities in the region. Councilor Raze suggested that the City speak with Rod Park and illustrate to him the importance of industrial uses in East County.

**B. ORDINANCE 7-2002  
Amendment to Park  
Rules and  
Regulations**

John Andersen, Community Development Director, reported that before the Council were amendments to the City’s Park Rules and Regulations. Director Andersen stated that since the City began expanding its park system in 1999, the Parks Committee has been reviewing the rules and regulations, and changes now need to be made to the regulations so that staff can provide more effective enforcement of our rules.

Councilor Quinby questioned if “floating devices” also referred to radio controlled boats. Director Andersen responded yes, adding that the City had received complaints on the usage of radio controlled boats on Salish Ponds. Councilor Quinby asked, other than fishing, what other uses there were for the ponds. Director Andersen responded that other uses would include passive wildlife viewing. Councilor Quinby commented that it seemed to him that the City was

taking away all recreational opportunities. Director Andersen mentioned that the proposed ordinance would allow staff to issue special permits for individuals who would like to use model boats on the ponds.

Councilor Lillard asked how other cities handle the use of boats on their waterways. Director Andersen responded that staff had asked Troutdale and Portland how they handled their waterways and it was similar to what staff was proposing tonight. Councilor Lillard stated that it seemed to her that we could allow model boats and earmark a certain water facility for that use and regulate it in some way. Councilor Lillard added that she would like to see wording added to the Ordinance which would prohibit paintball equipment.

Councilor Owen questioned if the Chief of Police had reviewed the proposed amendments. Director Andersen responded yes, and that some changes were included at the advice of the Chief. Councilor Jones asked what City parks were for. Director Andersen responded that the parks were for recreational use as long as it was safe.

Councilor Raze questioned if model boats were really that big of a problem. Gilbert Jackson, Chief of Police, responded that people have used radio controlled boats in Fairview for years, but that those boats were now gas powered, very loud, and could exceed 50mph. Councilor Raze commented that he was not in favor of sending the proposed ordinance back to the Parks Committee as they have discussed the rules and regulations several times; in addition, he would like to have model boats regulated rather than banned.

Mayor Vonderharr mentioned that the noise level of some model boats were higher than the noise of a car on a street. If a vehicle was that loud, we would have it removed from the street. In addition, we can not ask residents near Salish Ponds to tolerate the high noise levels from the model boats.

Councilor Edwards stated that the reality is that the City must have rules and regulations to ensure safety for their residents.

Councilor Quinby asked who would educate those using model boats at Salish Ponds. Chief Jackson responded that it would be the Police who would speak with them and explain the permit process. Councilor Quinby questioned whether to not it would be just as easy to have the regulations posted and forego the permit process. Director Andersen responded that staff would probably only issue a permit to electrically powered model boats, unless the gasoline powered boats could meet certain regulations such as limited noise levels and limited speeds. Councilor Quinby commented that it

seemed as if the City was regulating and permitting everyone out of our parks instead of inviting them to use the parks.

Councilor Lillard stated that the enforcement of rules would be done the same as enforcement of driving laws. Also, permitting was a good way to limit occupancy.

Councilor Jones asked who would decide what activity would require a permit and what activity would not be allowed a permit. Director Andersen responded that staff would work out the guidelines with the Parks Committee. Councilor Jones stated that she understood the need for rules and she understood that the City does not have the resources to patrol the parks, but Fairview always brags about its 25% of open space and park land, yet no one can use them.

Councilor Lillard moved and Councilor Owen seconded the motion to read Ordinance 7-2002 by title only.

AYES: 5  
NOES: 2 (Quinby, Jones)

Recorder Huson read Ordinance 7-2002 by title only.

Pam Beery, City Attorney, stated that Ordinance 7-2002 would have to be read a second time at the Council's next meeting as a unanimous vote was not received to read it a first time.

**V. DEPARTMENTAL REPORTS**

Mayor Vonderharr asked consultant David Jacobs to provide a report on Well No. 8. Mr. Jacobs reported that staff had been working for two months to get Well No. 8 on line, and tomorrow morning staff would turn the well on as he had just received a test report this evening that the water was clear.

**A. Police**

Chief Jackson reported that the State Legislature had recently passed a set of rules for scooters and that they were very specific.

**B. Community Development**

Director Andersen reported that land use activity has focused on riparian uses, and that the Visioning process was moving forward with a meeting being held recently in the core area. A summary document would be sent to all residents in the City to comment on.

Councilor Owen commented that he noticed an application which was approved to remove Cottonwood trees at 222<sup>nd</sup> Avenue and Sandy Boulevard. Director Andersen reported that the landowner had received quite a bit of damage to their inventory due to falling tree limbs, so the City had required them to obtain a report from a Certified Arborist. The Arborist's report indicated that the trees were dangerous, so the City will allow them to remove the trees and to

replace them with Big Leaf Maple.

**C. Finance**

Roy Wall, Finance Director, reported that the first billing to Metro for the additional Fairview police trips through Blue Lake Park and Chinook Landing had been mailed this week. Director Wall stated that the City's insurance carrier has put together a Healthy Benefits program to assist employees in becoming more healthy in their lifestyles.

**D. Administration**

Mary Jo Briggs, City Administrator, announced the City's Summertime Festival which would take place on July 27<sup>th</sup>, and stated that attendance at the Blue Lake Park Fourth of July celebration had increased 40%, with about 10,000 people attending. Administrator Briggs offered her congratulations to Rob Fussell of Gresham who had recently been appointed as their permanent City Manager.

**E. Legal**

Ms. Berry stated that her written report was before the Council.

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

Councilor Owen reported that he had attended a Fire Advisory Committee meeting the previous week.

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

Mayor Vonderharr asked Chief Jackson to debrief the Council on the Fourth of July fireworks event at Blue Lake Park. Chief Jackson reported that there had been only one incident, a broken arm, but that it was not due to any violence in the park. This had been the third year for the fireworks display and unlike the first year when it took two hours to get all vehicles out of the park, this year it only took 45 minutes. Mayor Vonderharr reported that he has shared phone calls and has attended meetings regarding the \$1.6 million being given to East County for the gangs issue. Mayor Vonderharr stated that he and Administrator Briggs had been meeting with various entities regarding economic development, and that the Fairview Business Association is trying to become more active.

**VII. ADJOURNMENT**

Councilor Owen moved and Councilor Lillard seconded the motion to adjourn. Mayor Vonderharr adjourned the meeting at 9:30pm.

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