MINUTES
CITY OF FAIRVIEW
CITY COUNCIL
March 21, 2018

Council Members
Ted Tosterud, Mayor
Cathi Forsythe
Mike Weatherby
Keith Kudrna
Lisa Barton Mullins
Natalie Voruz
Brian Cooper

Staff
Nolan Young, City Administrator
Allan Berry, Public Works Director
Lesa Folger, Finance Director
Harry Smith, Police Chief
Heather Martin, City Attorney
Devree Leymaster, City Recorder

WORK SESSION (6:00 PM)

1. DISCUSS DEVELOPMENT INCENTIVE PROGRAM EXTENSION/AMENDMENTS

City Administrator Young shared that Exhibit A of Resolution 22-2018 has the amended time extension text as directed by Council at the last meeting. Mayor Tosterud commented on the wordiness of the proposed amendment and the lack of clarity in the language. He proposed the language be simplified and more concise.

Councilor Cooper requested an estimate for the current applications likely to meet the deadline. Director Berry replied they are on track to waive approximately four million. CA Young shared that the increased property tax revenue for those properties would be approximately $160,000 annually.

Councilor Cooper questions if this is fiscally responsible; understanding that this is citizen money. They know there are significant capital improvement projects in the near future in which SDC funds could be used i.e. Public Works facility, Sandy Blvd. trunk line, etc.

Mayor Tosterud commented if the properties are not developed, then property tax revenue does not grow. Look beyond today and into the future; the city needs to grow. Councilor Voruz shared her concern for the lack of housing and commented encouraging development, including housing, will impact rents. Council President Weatherby remarked it is important to grow the community and the services available; need to work with developers so they are able to build.

Councilor Kudrna commented there is a lot of active construction in East County. Developers have known about the programs deadline for two years. He does want to work with developers; but the city is using reserves to do business i.e. storm water. He questioned why the program has to be all or nothing; why not more balanced to benefit each side.

Audience members Dean Hurford and Lynnia Woods, local business owners/developers, shared some of their thoughts. Local developers are now feeling the market confidence to make the investments in development. The incentive program may be the reason a developer is able to move forward with a project. Their request is for Council to extend the program through December 31, 2018 to give property owner/developers with projects time to get through the application and land use process. They agreed the proposed amendments could be simplified and proposed removing the pre-app and application language and just referring the land use approval. The application process is outlined in the municipal code and is a given.

Mr. Hurford, in the spirit of compromise, would support removing the 0.75% building valuation permit credit from the program. He understands that this is labor intensive for staff to track and for the developer the "true" credit is an unknown until the end. Direct Berry explained how the potential

credit is determined and the staff labor required to track the detailed information required to calculate the credit.

CA Young summarized three options that emerged from the discussion: 1) Application submitted by June 30, 2018, land use approval by December 31, 2018, and building permit application submitted by June 30, 2019; 2) land use approval by December 31, 2018 and building permit application submitted by December 31, 2019; and 3) no extension.

Council supported option one. Mayor Tosterud pulled the item from Council Business and proposed staff rewrite the section and the item be considered for adoption at the April 4 meeting. Council concurred. Council also supported removing the section regarding the building valuation permit credit and directed staff to include the change in the rewrite.

2. SOCIAL MEDIA DISCUSSION

Deferred due to time.

COUNCIL MEETING (7:00 PM)

1. CALL TO ORDER

ROLL CALL
PLEDGE OF ALLEGIANCE

2. CITIZENS WISHING TO SPEAK ON NON-AGENDA ITEM

Mr. Steve Prom, Fairview, OR spoke about parking and that customers want to be able to park close to the business there are visiting. The Ceeley project would have a significant impact on parking. He commented the Council held a March 7 executive session; following which the application process for the Ceeley project was identified as a Type 1 process, which does not require Planning Commission approval. He asserted that Council did not have the courage to stand firm and require the project be a Type III process due to the fear of being challenged in a law suit. He implied the applicant/developer's support of Mayor Tosterud during the election swayed Mayor Tosterud to support the Type I process. He asserted that the citizens should not have to go to the Land Use Board of Appeals (LUBA), but that the Council should be standing up for its constituents.

Mayor Tosterud stated his affiliation with the applicant regarding the election was asking permission to post an election sign on his property; which he approved.

Councilor Kudrna stated Council is not able to share the facts presented during a work session and believes Council made the right decision for the city; and stands by that decision.

Councilor Barton Mullins commented that Mr. Prom was out of line and that Council presented with all the information, made the best decision with the information they had; looking out for all of the citizens.

3. CONSENT AGENDA

a. Minutes of March 7, 2018
b. Appoint Building Official: Resolution 14-2018

Councilor Cooper moved to approve the consent agenda and Councilor Barton Mullins seconded. The motion passed unanimously.

AYES: 7
NOES: 0
ABSTAINED: 0

4. PRESENTATION

a. Comprehensive Annual Financial Report (CAFR) for Fiscal Year Ended June 30, 2017
Rob Tremper, Dickey and Tremper, LLP presented the findings of the annual financial audit. He reported they issued a clean audit; the financial statements are reported materially correct for the various opinion units. He commented staff was well prepared for the audit and noted the improvements in utility billing and capital asset reporting. Mr. Tremper shared the three areas that required major estimation: depreciation expense, allowance for doubtful debt, and the actuary liability for PERS. He remarked no material corrections were needed, but there was one deficiency reported regarding the Halsey Corridor Grant. There were some difficulties with the administrative requirements. Most have been corrected and the city is in compliance with the grant.

Council President Weatherby requested they provide a report that is easier to read and not so technical. Mr. Tremper replied government accounting standards have increased and they are required to provide the information in the report. He will take it under advisement and see what may be done in the future.

b. Public Safety Advisory Committee (PSAC) Update

Russell Williams, Chair acknowledged Chief Smith and Councilor Forsythe for their assistance and support with PSAC. He reported PSAC will continue to attend city events and distribute emergency preparedness information. They are working to schedule more emergency related seminars i.e. first aid seminar. They are also working on formalizing a Citizen Radio Program. Mr. Russell commented on the free Shredding Event on April 7 at City Hall. Up to two banker boxes per house hold will be accepted for shredding. Donations for the Oregon Food Bank will also be accepted.

Councilor Barton Mullins proposed identifying leaders in each area, or neighborhood, to be a liaison to citizens should there be a disaster/emergency. Mr. Williams replied PSAC is working to set up Neighborhood Watch Programs. Through that process a neighborhood leader could be identified.

5. CITY ADMINISTRATOR AND DIRECTOR REPORTS

Chief Smith presented the January and February MCSO reports. He noted they are maintaining the 60% self-initiated vs. 40% call response and the response time for priority one and two calls is reduced. He reported two speed studies were conducted, due to concerns of speeding. The study results indicated there is not a speeding problem. They did find one stop sign in the Village that is frequently missed. Most who ran the stop sign lived in the Village. The agreement with Home Forward has been finalized and two deputies have been assigned as primary liaisons.

Mayor Tosterud inquired about the fire at Fairview Elementary. Chief Smith answered the fire was in the new building under construction. It was on the roof and appears to be accidental. There were no injuries.

6. MAYOR/COMMITTEE REPORTS AND COUNCIL REPORTS

Councilor Barton Mullins shared the East Metro Economic Alliance (EMEA) is hosting a Prosperity Forum on May 4 at the Rockwood Boys and Girls Club from 9AM to 2PM. This will be a hands-on round table event and an opportunity to talk about East County as a whole. Everyone is invited.

Councilor Kudrna reported the PW Shop Design Build Committee selected one of the two contractors interviewed, and they are working on finalizing a contract. He commented on attending the 2018 State of the County Address at Reynolds High School.

Council President Weatherby noted the East County Recreation Board is making progress and the program is continuing to grow. He commented he has not heard anything from the East County Historical Organization (ECHO) and requested staff provide contact information so he may reach out.

Councilor Voruz asked for a Lakeshore Park update. Director Berry replied the bank stabilization is in process. The plants arrive Friday and a community planting is scheduled for Saturday. The play elements are tentatively scheduled to be installed late spring.

Councilor Cooper shared the ideas the Arts & Community Events Advisory Committee (ACEAC) has for Fairview's birthday celebration in May. The proposal is for three events: one focused on business; one on youth/family activities; and a social at city hall. He reported attending the recent Metro Policy Advisory Committee (MPAC) meeting. He noted they have strong opinions about transportation in the Metro area.

Mayor Tosterud reported attending the 2018 State of the County Address at Reynolds High School. He noted he will attend his first meeting with the Multnomah County Health Advisory Board tomorrow.

7. COUNCIL BUSINESS

a. Amend FMC Chapter 2.17 Renaming the Arts & Community Events Advisory Committee: ORD 2-2018

CR Leymaster read the first reading of the ordinance by title. There was no additional information to report.

b. Amend Development Incentive Program: Resolution 22-2018

Mayor Tosterud deferred to April 4, 2018.

8. PUBLIC HEARING

a. Amend FMC Title 18 Designating Planning Commission as the Historic Review Board: ORD 1-2018

CR Leymaster read the second reading of the ordinance by title Mayor Tosterud opened the public hearing. There was no comment. Mayor Tosterud closed the public hearing.

Council President Weatherby moved to approve Ordinance 1-2018 and Councilor Barton Mullins seconded. The motion passed unanimously.

AYES: 7
NOES: 0
ABSTAINED: 0

b. Amend FMC Chapter 2.17 Renaming the Arts & Community Events Advisory Committee: ORD 2-2018

CR Leymaster read the second reading of the ordinance by title Mayor Tosterud opened the public hearing. There was no comment. Mayor Tosterud closed the public hearing.

Councilor Barton Mullins moved to approve Ordinance 2-2018 and Councilor Cooper seconded. The motion passed unanimously.

AYES: 7
NOES: 0
ABSTAINED: 0

9. ADJOURNMENT

Councilor Barton Mullins moved to adjourn the meeting and Councilor Cooper seconded. The motion passed, and the meeting adjourned at 7:58 PM.

AYES: 7
NOES: 0
ABSTAINED: 0

EXECUTIVE SESSION

Council convened into Executive Session under the authority of 192.660(2)(i) - Evaluation of Employment Related Performance of a Chief Executive Officer at 8:06 PM.

Devree Leymaster
City Recorder

Ted Tosterud
Mayor

4-9-2018
Date of Signing

A complete recording and/or video of these proceedings is available.
Contact the City of Fairview City Recorder Office, 1300 NE Village St., Fairview, OR 97024, (503) 674-6224.