

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

August 20, 2003 -- 7:00pm

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

Mayor Weatherby called the meeting to order at 7:00pm.

PRESENT: Mayor Mike Weatherby
Councilor Sherry Lillard
Councilor Steve Owen
Councilor Len Edwards
Councilor James Raze
Councilor Jim Trees

ABSENT: Councilor Darrell Cornelius

STAFF PRESENT: Mary Jo Briggs, City Administrator
Gilbert Jackson, Chief of Police
Jim Keyser, Police Officer
Bob Gazewood, Interim Finance Director
John Andersen, Community Development
Director
Caren Huson, City Recorder

Mayor Weatherby stated that Councilor Cornelius was excused from tonight's meeting.

**II. CITIZEN
COMMUNICATIONS**

Mayor Weatherby called for persons wishing to speak on non-agenda items.

John Andersen, Community Development Director, introduced Patricia Martin who was a new member on the Fairview Planning Commission; Council had previously appointed Ms. Martin as an alternate to the Commission. Councilor Raze commented that he remembered interviewing Ms. Martin and stated that he was happy to have her joining the City. Councilor Owen thanked Ms. Martin for wishing to participate in City Government.

Martin Overstreet, representing Amberhill Properties of Vancouver, stated that he needed Council's assistance and guidance. Mr. Overstreet reported that he had issues related to weed abatement in the City, and that on Monday he had contacted the City's Prosecuting Attorney, Carl Jepsen, stating that he would respond to a letter Mr. Jepsen had sent him. Mr. Overstreet

commented that he has not yet responded to that letter as he had uncovered some information that could embarrass the City. Tom Sponsler, City Attorney, stated that Mr. Overstreet was currently in a court process with the City and that any information he has should be presented to the Judge; Council concurred. Mary Jo Briggs, City Administrator, stated that she would set up a time to meet with Mr. Overstreet.

III. **CONSENT AGENDA**

Councilor Owen moved and Councilor Lillard seconded the motion to approve the Consent Agenda, consisting of the Minutes of July 16 and August 4, 2003.

AYES: 6
NOES: 0
ABSTAINED: 0

IV. **COUNCIL BUSINESS**

A. **ORDINANCE 9-2003 Amending Council Rules of Order**

Mayor Weatherby reported that a Council sub-committee had been formed to review the Council Rules of Order and minor changes were unanimously recommended. Mayor Weatherby stated that Ordinance 9-2003 was before the Council for consideration.

Councilor Owen stated that, as a member of the sub-committee, the proposed changes include: 1) the Mayor may cancel a Council meeting; 2) Council meeting adjournment time changed from 10:30pm to 9:30pm; 3) information on work sessions added; and, 4) information was added on placing an item on the Council Agenda.

Councilor Owen moved and Councilor Edwards seconded the motion to read Ordinance 9-2003 by title only.

Councilor Lillard stated that she would like to see more clarification under placing an item on the Council Agenda, and motioned that the words "five business days prior" to a Council meeting be added to the paragraph; Councilor Owen seconded the amendment.

AYES: 6
NOES: 0
ABSTAINED: 0

Councilor Trees stated that he would like to see the adjournment time of a Council meeting changed from 10:30pm to 10:00pm instead of the proposed 9:30pm, as that would still allow a three hour meeting. Councilors Edwards and Lillard responded that it really didn't matter what time the Council Rules stated as a motion to extend a meeting has never been denied.

Councilor Raze acknowledged the comments Councilor Cornelius

had Emailed to Council regarding the proposed ordinance and agreed with Councilor Cornelius that the Council should make every attempt to be accessible to citizens and hold meetings twice a month; however, if there is no official Council business to be discussed, he was not in favor of holding a meeting.

Councilor Owen stated that his original motion, along with the approved amended wording, was still on the floor; Councilor Edwards seconded. Mayor Weatherby called for the vote.

AYES: 6
NOES: 0
ABSTAINED: 0

Recorder Huson read Ordinance 9-2003 by title only. Councilor Owen moved and Councilor Lillard seconded the motion to adopt Ordinance 9-2003, AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF FAIRVIEW as amended.

AYES: 6
NOES: 0
ABSTAINED: 0

Mayor Weatherby noted that he had been informed that there was one additional citizen wishing to speak on a non-agenda item.

Joe Parks, 22020-A NE Chinook Way, Fairview, stated that he was a new resident in Fairview, recently moving from New Orleans. Mr. Paris indicated that he was a son of a librarian and professional athlete, and commented that the Fairview community had been beautifully planned. He loves it here and he has a topic that he would like the Council to discuss. Mr. Paris would like the City of Fairview to consider hosting an authentic Mardi Gras. Being from New Orleans, he would welcome to opportunity to work with a committee on making it happen.

Mayor Weatherby suggested that Mr. Paris attend the next Citizen/Council Alliance Committee meeting and present his proposal to them as a first step. Councilor Raze added that the topic needed some thought and an exchange of information.

**A. ORDINANCE 8-2003
Amending Hotel and
Motel Tax in Support
of Tourism Program
of the West Columbia
Gorge Chamber of
Commerce**

Administrator Briggs presented the staff report, stating that the West Columbia Gorge Chamber of Commerce fosters tourism in the City of Fairview. To support their efforts, the Transient Lodging Tax of 6% is being recommended to be increased to 7% with the 1% increase to be passed through to the Chamber of Commerce to help fund their tourism activities. Administrator Briggs asked Roger Vonderharr, Chairman of the Chamber, to speak to the Council.

Mr. Vonderharr stated that the Chamber has been working on this tax proposal since the first of the year, adding that a large percentage of

the Chamber committee members are from Fairview, so there is an interest of our businesses in being a member of the Chamber. Mr. Vonderharr commented that there were a couple glitches in the proposed ordinance that he was concerned about as all participating cities have to pass a similar ordinance, so there could not be several different ordinances on the books.

Stuart Miller, Manager of the Portland-Fairview RV Park, stated that the scope of the Chamber is to build commerce in the area which is in step for tourism; however, he fears that the language in the proposed ordinance was too restrictive in what the Chamber may use the funds for; if somebody tried to push it, they could potentially charge the Chamber with co-mingling funds. City Attorney Sponsler stated that the wording was not intended to be restrictive and that he actually felt it was broad in scope; however, Item D of the proposed ordinance could be changed by adding the words, "and development of commerce" at the end of the sentence.

Councilor Raze questioned if Wood Village had approved a similar ordinance. Mr. Miller responded that Wood Village was their next step, and added that Fairview's ordinance provides an effective date, but the entire Chamber is contingent upon all cities participating. If Wood Village does not buy into the Chamber, then the Chamber can not meet the date as stated in our ordinance. City Attorney Sponsler suggested that, if it was the Council's wish, they could read Ordinance 8-2003 by title only tonight and then consider holding the second reading at a future time, once they know that Wood Village will participate.

Councilor Lillard commented that she would prefer to hold the first and second readings of the ordinance tonight as she feels Mr. Miller will have more of a chance in getting Wood Village to participate if they know Fairview is behind the idea 100%.

Councilor Raze moved and Councilor Owen seconded the motion to read Ordinance 8-2003 by title only, with the addition of the amended wording to Item D, and with adoption of the ordinance to occur at a later date.

AYES: 6
NOES: 0
ABSTAINED: 0

Recorder Huson read Ordinance 8-2003 by title only.

Mayor Weatherby thanked Mr. Vonderharr and Mr. Stuart for their participation in the West Gorge Chamber of Commerce.

C. DISCUSSION
Emergency

Administrator Briggs introduced Police Chief Gilbert Jackson and Officer Jim Keyser who would review Council's role in the City's Emergency Operations Plan.

Operations Plan

Officer Keyser reported that in May 2002, he was asked to take on the Emergency Operations Plan project. In the last 15 months, a team has reviewed material from many various agencies, looked at improving and updating communications with city and county governments, and established a resource list for the City. The City's Public Works Department established a detailed resource list, put together a response to alert levels, established an alternative fuel source, and performed a test at City Hall to determine what exactly our generator was capable of handling. A list was put together which indicates what City Hall needs in order to be functional in an emergency. Officer Keyser reviewed the Incident Command System, explaining that there is only one Incident Commander for each emergency event.

Officer Keyser reviewed the Council's handbook and emphasized that the Council pay special attention to the first paragraph which states that they take care of their family first in any City emergency; Council's role is to support citizens and staff in a time of need. Administrator Briggs informed Council that they would all be given a first aid kit tonight to carry in their vehicles. In addition, the City requires Police personnel to take a CPR class every year and a first aid class every three years, and all staff is invited to participate. In the future, staff would be happy to notify the Council when this training is to occur so that they may also participate if desired.

Councilor Edwards questioned who would have to declare an emergency in order for the City to receive federal assistance. Officer Keyser responded that the City would sign a declaration of emergency which would then go to the County, then to the Governor, and then to the federal level.

Mayor Weatherby thanked staff for all their work in the Emergency Operations Plan.

V. DEPARTMENTAL REPORTS

A. Police

Chief Jackson reported that Officer Paul Wecks would soon be returning to the schools as a School Resource Officer. Councilor Raze mentioned that he thought continuity was very important in that job as the kids get to know the Officer. Discussion ensued regarding the stop signs that were placed at 207th and Sandy Boulevard; Administrator Briggs stated that staff would look into the issue of the signal that was removed.

B. Community Development

Director Andersen reported that there had been a slight increase in building permit activity during the last month, and that code enforcement activities were taking up much of staff's time. Director Andersen stated that he continues to work with the Pelfreys in obtaining additional play equipment in Pelfrey Park, and that staff continues their efforts in Economic Development.

Councilor Lillard stated that she heard a rumor that the Wood Village Walmart wanted to expand into a Superstore. Director Andersen responded that that was correct; Wood Village had made that decision about 9 months ago and the City, along with the County, had expressed our concerns.

Councilor Raze questioned if commercial or residential permits were up. Director Andersen responded that it was residential permits.

Mayor Weatherby asked if Director Andersen was finding that the 1% County employment tax was being an issue in attracting commercial enterprise to Fairview. Director Andersen responded that some property owners had stated that the tax might have something to do with it, but it was not a hard fact and was a complex issue.

C. Administration

Administrator Briggs introduced Bob Gazewood, Interim Finance Director. Mr. Gazewood stated that the auditor was on-site and has begun working on the City's audit review. The City Administrator had assigned Mr. Gazewood to review the City's cost allocation formula and review rental space charges that affect allocation monies in the Administrative Excise Charge fund. Also, an internal control survey study has been completed which he is reviewing.

Administrator Briggs reported that two members of the Citizen/Council Alliance will be moving out of Fairview, so staff was in the process of contacting the alternates that Council had previously appointed.

Administrator Briggs commented that all four City Managers, as well as staff, have been telling our legislators vehemently that we are opposed to any additional cost coming from the four cities for the Fire District 10 PERS issue.

D. Legal

City Attorney Sponsler stated that his written report was before the Council, and that he has personally been involved in reviewing proposed ordinances, nuisance code amendments, a new lease agreement with the Historical Society for the Heslin House, and that he had attended a meeting with the Municipal Court Judge to discuss Municipal Court procedures.

VI. MAYOR/COMMITTEE REPORTS AND COUNCIL CONCERNS

Councilor Trees stated that he was asked to assist with one of Fairview's Cub Scouts in the Pinewood Derby to be held in downtown Portland on August 29th, and that it would be great to have a lot of hometown support show up for the Derby.

Councilor Raze stated that Councilor Trees had done a great job in arranging the Talent Show at the Summertime Festival.

Mayor Weatherby, Councilors Edwards, Lillard and Owen had no reports or concerns.

VII. ADJOURNMENT

Councilor Owen moved and Councilor Raze seconded the motion to adjourn. Mayor Weatherby adjourned the meeting at 8:45pm.

AYES: 6
NOES: 0
ABSTAINED: 0

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Mayor Mike Weatherby

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Dated:

Caren C. Huson Quiniones
City Recorder