

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

January 15, 2003 -- 7:30pm

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

Mayor Weatherby called the meeting to order at 7:30pm.

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

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 Weatherby 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 Lillard seconded the motion to approve the Consent Agenda, consisting of Ordinance 1-2003, AN ORDINANCE FOR STATE SHARED REVENUES, and the Minutes of December 4, 2002 .

AYES: 7
NOES: 0
ABSTAINED: 0

- IV. **PUBLIC HEARINGS**
 - A. **RESOLUTION 1-2003
Transferring a portion
of Wistful Vista right-
of-way to Multnomah
County**

Bob Cochran, Public Works Director, reported that in 1993, Multnomah County constructed the section of 207th Avenue between NE Halsey and Interstate 84. The original property investigation by the County determined that a portion of the property known as the Wistful Vista right-of-way was under County jurisdiction, In 2002,

while finalizing the property ownership for 207th between NE Glisan and Sandy Boulevard, it was discovered that the Wistful Vista right-of-way actually was within the City of Fairview's jurisdiction as acquired through annexation from the County in 1989. Upon this discovery, the County requested that the City transfer jurisdiction of this right-of-way to the County to complete its authority over all property within 207th Avenue. Director Cochran stated that approval of Resolution 1-2003 would allow the City Attorney to draft language necessary for the transfer of jurisdiction over this right-of-way to the County.

Councilor Raze questioned if the additional vacation of Wistful Vista had been worked on with the property owners west of 205th. Director Cochran responded that work had only been done with the Schatz property which has received 25 feet of Wistful Vista so far.

Councilor Lillard asked what the benefit was to Multnomah County in receiving this land. Director Cochran responded that it would allow the County to maintain their part of the road; if the City continued to own the land, we would have to maintain it.

Councilor Trees stated that the map in the staff report depicts a different name than Wistful Vista. Director Cochran responded that that was an error on the map.

Mayor Weatherby opened the public hearing. Receiving no testimony, Mayor Weatherby closed the public hearing.

Councilor Raze moved and Councilor Owen seconded the motion to approve Resolution 1-2003, A RESOLUTION ORDERING A TRANSFER OF A PORTION OF THE WISTFUL VISTA RIGHT-OF-WAY TO MULTNOMAH COUNTY.

AYES: 7
NOES: 0
ABSTAINED: 0

B. RESOLUTION 2-2003
Columbia South
Shore
Wellfield Wellhead
Protection Program
Reference Manual

Director Cochran reported that it has taken several years of work to finally produce the Columbia South Shore Wellfield Wellhead Protection Program Reference Manual. The cities of Fairview, Gresham, Portland, and businesses and industries all participated in its creation. Director Cochran commented that the estimated cost of Fairview for the Wellfield Wellhead Protection Program will be between \$1,000 and \$2,000, and once initial inspections are done, that figure will drop considerably.

Councilor Edwards stated that he was a member of the Committee that worked on the Program for two years and that many intelligent

people worked on compiling the manual.

Mayor Weatherby opened the public hearing. Receiving no testimony, Mayor Weatherby closed the public hearing.

Councilor Edwards moved and Councilor Cornelius seconded the motion to approve Resolution 2-2003, A RESOLUTION ADOPTING THE COLUMBIA SOUTH SHORE WELLFIELD PROTECTION PLAN REFERENCE MANUAL.

AYES: 7
NOES: 0
ABSTAINED: 0

V. COUNCIL BUSINESS

**A. ELECTION OF
COUNCIL
PRESIDENT**

Mayor Weatherby stated that the Fairview Charter requires that a Council President be elected at the first meeting of each odd-numbered year. In his absence, the Council President would preside over Council meetings and would function as Mayor should he be unable to perform the functions of his office. Mayor Weatherby asked for nominations.

Councilor Edwards nominated Steve Owen for Council President; Councilor Lillard seconded the nomination.

Receiving no further nominations, Councilor Edwards moved and Councilor Lillard seconded the motion to close the nominations.

AYES: 7
NOES: 0
ABSTAINED: 0

Councilor Lillard moved and Councilor Raze seconded the motion to elect Councilor Owen as Council President.

AYES: 7
NOES: 0
ABSTAINED: 0

**B. PLANNING
COMMISSION
APPOINTMENTS**

Mayor Weatherby reported that following a process of advertising for applicants, Council had interviewed five applicants earlier in the evening for two vacant positions on the Planning Commission. Mayor Weatherby asked each Councilor to write their name on a piece of paper along with the two individuals they would like to appoint to the Planning Commission. Mayor Weatherby added that the Council had to choose from an excellent group of applicants and

that it would be a very difficult decision.

After having all votes passed to her, Caren Huson, City Recorder, announced that the majority of the votes were for Sam Asbury and Carol Glasgow.

Councilor Raze commented that he hated to see good people get way, and suggested that one of the applicants be asked to serve as an alternate to the Planning Commission should any member of the Commission resign before December 31, 2003. Councilor Cornelius agreed with the suggestion, clarifying that the alternate would not be allowed to vote or discuss an item unless they actually had to take over the term of one of the current Commissioners.

Councilor Lillard moved and Councilor Raze seconded the motion for Council to vote on an alternate Planning Commission for the year 2003.

AYES: 7

NOES: 0

ABSTAINED: 0

Council once again wrote their name and the name of the applicant they would like to have serve as an alternate to the Planning Commission. Recorder Huson announced that the majority of the votes were for Patricia Martin.

**C. ECONOMIC
DEVELOPMENT
COMMITTEE**

Mary Jo Briggs, City Administrator, reported that as part of the Economic Development Program, staff had searched for potential members within Fairview and also outside the community to serve on the Economic Development Committee. The proposed committee members bring training and years of experience in finance and real estate, as well as representing both the industrial property owners and existing business owners within Fairview. Staff was recommending that this group be appointed for a two-year period. This will allow the Committee to carry out its duties and begin the initial economic development activities that are so important to the City. The Committee's efforts would be evaluated in 18 months and a determination made at that time whether to continue the group's efforts, or if other methods are more appropriate. Administrator Briggs mentioned that staff was also requesting that the Committee be able to appoint additional members, such as retail/commercial experience and commercial brokerage experience.

Councilor Owen stated that he was fine with the Committee members as recommended and the additional two extra positions to be appointed by the Committee.

Councilor Raze commented that he had been appointed by the

Mayor to serve as the liaison to the Economic Development Committee, and that he was in favor of the Committee adding two to three positions as they see fit. Councilor Raze suggested that Council consider adding Larry Cooper to the Committee list tonight should he be interested. Mr. Cooper stated that he would be happy to serve on the Committee. Councilor Edwards concurred, stating that the Committee should decide on the two to three additional appointments, but that he would be the first to support Larry Cooper on the Committee. Councilors Lillard and Trees added that they always had felt that an additional citizen representative be on the committee and supported Mr. Cooper in that capacity.

Councillor Raze moved and Councilor Lillard seconded the motion to accept the recommended list of Economic Development Committee members, including Larry Cooper, with the Committee to add two to three positions as they require.

AYES: 7
NOES: 0
ABSTAINED: 0

VI. DEPARTMENTAL REPORTS

A. Police

Gilbert Jackson, Chief of Police, explained the police activity report to the new council members and stated that within the last month, part of the police workload dealt with a stabbing, two home invasions (robberies), and the apprehension of car thieves. **B.**

Public Works

C. Community Development

Director Cochran reported that the intersection improvements in Old Town had been completed and that they had received a great product from the contractor. Multnomah County has completed the sidewalk through Handy Park, and the next project in Old Town will be the development of the Plaza (extension of the Community Center). Director Cochran stated that he will have a meeting with the consultant regarding Reservoir No. 3 on Halsey, and that the rehabilitation of Well No. 5 was about half-way complete. Director Cochran commented that they had filled the Maintenance Worker I position for parks.

Councilor Owen asked if there was more construction planned for the well on 223rd Avenue. Director Cochran responded that the pump house still needed to be constructed.

John Andersen, Community Development Director, reported that much of his focus in the past month has been on economic development and Townsend Farms.

Councilor Owen requested an update on the 223rd/Sandy intersection improvements. Director Andersen responded that property has been purchased for the expansion of the intersection, and staff was

speaking to the property owner of Fairview Marine Supply regarding remodeling.

D. Finance

Roy Wall, Finance Director, provided an update on the Multnomah County Business Income Tax which is distributed to the County and cities within the County; research is being performed on making it more stable.

Councilor Cornelius asked how Fairview's share of the Business Income Tax was determined. Director Wall responded that it was determined by population.

E. Administration

Administrator Briggs stated that the Port of Portland coordinates the Citizens Noise Advisory Committee which focuses on airplane noise; the cities of Fairview, Wood Village, and Troutdale share representation on the Committee and have alternated that representation. The City of Troutdale has proposed to appoint David Davis as the representative for the three cities on the Committee, and Council was being asked to support that appointment.

Councilor Owen moved and Councilor Raze seconded the motion to support the appointment of David Davis to the Citizens Noise Advisory Committee.

AYES: 7
NOES: 0
ABSTAINED: 0

Administrator Briggs announced that the Mayor has made the committee assignments for the year 2003 and that they were as follows: Councilor Cornelius to the West Columbia Gorge Chamber of Commerce; Councilor Owen to the Gresham Citizens Fire Advisory Committee and alternate to the Fairview Business Association; Councilor Lillard to the East Multnomah County Transportation Committee; Councilor Edwards to the Regional Emergency Management Policy Committee/Technical Committee; Councilor Raze to the Heslin House/Historical Society, Fairview Parks Committee, and Fairview Economic Development Committee; and, Councilor Trees to the Fairview Business Association and alternate to the Fairview Economic development Committee.

F. Legal

City Attorney Pam Beery provided background information to the new Councilors regarding how they serve the City of Fairview, and highlighted a few of the activities that they have been involved in within the last month.

**VII. MAYOR/COMMITTEE
REPORTS AND COUNCIL**

Mayor Weatherby stated that at the Council retreat held the previous Friday, Council discussed proposed changes to the Council Rules of

CONCERNS

Order. On the table is the proposal to change the start time of the meetings from 7:30pm to 7:00pm, formally move "Citizens Wishing to Speak" before the Consent Agenda, and deleting Council approval for the payment of bills. Mayor Weatherby added that Ordinance 2-2003 was before the Council tonight and depicts the proposed changes.

Councilor Owen moved and Councilor Lillard seconded the motion to have Ordinance 2-2003 read by title only.

AYES: 7
NOES: 0
ABSTAINED: 0

Recorder Huson read Ordinance 2-2003 by title only.

Councillor Owen moved and Councilor Lillard seconded the motion to adopt Ordinance 2-2003, AN ORDINANCE AMENDING THE FAIRVIEW MUNICIPAL CODE BY REVISING THE RULES OF ORDER GOVERNING COUNCIL PROCEEDINGS.

AYES: 7
NOES: 0
ABSTAINED: 0

Mayor Weatherby reported that he had attended the Four Mayors meeting with the major issue being a presentation by the Portland Development Commission (PDC) in which the PDC indicated that they are promoting the region and not just Portland.

Councilor Raze stated that new kitchen cabinets had been installed in the Heslin House, and that they were working on a security system for the house.

Councilor Edwards thanked the Council and staff for all their consideration and thoughtfulness for the last few months regarding the illness in his family.

Councilor Cornelius stated that he was honored to have been elected by the citizens of Fairview to serve on the Council, and added that he knew the Council would work well together.

Councilors Owen, Trees, and Lillard had no reports or concerns.

At 8:44pm, Councilor Owen moved and Councilor Lillard seconded the motion to adjourn into Executive Session per ORS 192.660(1)(d) - Labor Negotiator Consultations, and ORS 192.660(1)(h) - Current Litigation.

**VIII. EXECUTIVE SESSION
ORS 192.660(1)(d)
ORS 192.660(1)(h)**

AYES: 7
NOES: 0
ABSTAINED: 0

IX. ADJOURNMENT

As the Council would not adjourn back into Regular Session after the Executive Session, Mayor Weatherby adjourned the Regular Session meeting at 8:45pm.

AYES: 7
NOES: 0
ABSTAINED: 0

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Mayor Mike Weatherby

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Dated:

Caren C. Huson Quiniones
City Recorder