

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

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**June 18, 2003 -- 7:00pm**

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

Mayor Weatherby called the meeting to order at 7:06pm.

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

ABSENT: Councilor Len Edwards

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  
Pam Beery, City Attorney  
Caren Huson, City Recorder

Mayor Weatherby stated that Councilor Edwards was excused from the meeting.

Mayor Weatherby noted that Metro Councilor Rod Park was in the audience. Councilor Park reported that it appears as though a resolution was underway in support of the 223<sup>rd</sup> Avenue underpass improvements. The Joint Policy Advisory Committee on Transportation had adopted a resolution in support of the improvements. State Representative Karen Minnis was a major proponent for the improvements, as were the Mayors of Fairview, Gresham, Troutdale and Wood Village, along with Multnomah County Commissioners.

Councilor Lillard thanked Councilor Park for being supportive of the project. Councilor Raze commented that former Mayor Roger Vonderharr deserves a lot of the credit for pushing for the improvements during his eight years as Mayor. Mayor Weatherby thanked Councilor Park for his assistance and support on the project.

**II. CITIZEN COMMUNICATIONS**

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

Arlen Anderson of Fairview stated that he lived right next to the property where the City is proposing to construct a new reservoir on Halsey Street. Mr. Anderson commented that when the City first purchased the property, Public Works Director Bob Cochran had assured him that the reservoir would be located on the back part of the property, but now he has been told the reservoir will be close to the road and a direct view from his kitchen window. Mr. Anderson added that he feels a second reservoir, right next to another reservoir, would have a negative impact on property values and in attracting businesses along Halsey Street; it would make more sense to locate the reservoir on the back of the property.

Councilor Raze commented that it was difficult to hide a water tower no matter where it is situated; it would have cost the City an additional \$100,000 to locate the reservoir on the back of the property. Mr. Anderson stated that the overall impact on the community is also at issue. Councilor Raze responded that there had been much discussion on the placement of the reservoir, but the final decision was to place it near the street.

**III. CONSENT AGENDA**

Councilor Lillard requested that the Liquor License application for the 2 Amigos Restaurant be removed from the consent agenda.

Councilor Owen moved and Councilor Cornelius seconded the motion to approve the revised Consent Agenda, consisting of: Resolution 13-2003, A RESOLUTION STATING THE CITY'S QUALIFICATION FOR STATE-SHARED REVENUE FUNDS; Resolution 15-2003, A RESOLUTION DECLARING CITY ITEMS AS SURPLUS PROPERTY AND INDICATING INTENT AND METHOD FOR DISPOSAL OF SUCH PROPERTY; an Intergovernmental Agreement for Community Development Block Grants; and, the Minutes of May 21 and June 4, 2003 .

AYES: 6  
NOES: 0  
ABSTAINED: 0

Discussion ensued regarding the 2 Amigos Restaurant Liquor License Application.

Councilor Lillard moved and Councilor Owen seconded the motion to approve the Liquor License application for the 2 Amigos Restaurant.

AYES: 6  
NOES: 0

ABSTAINED: 0

**IV. PUBLIC HEARING**

**A. FISCAL YEAR 2003-04 FAIRVIEW BUDGET**

Roy Wall, Finance Director, stated that before the Council was a resolution to adopt the 2003/04 City of Fairview Budget. On April 14, 2003, the Fairview Budget Committee had approved the budget for consideration by the City Council; a certification letter from the Tax Supervisory and Conservation Commission was included in the Council packet.

Councilor Cornelius questioned if the line item in respect to the Community Development Director's salary was corrected due to the omission in last year's budget. Director Wall responded yes. Mayor Weatherby opened the public hearing; receiving no response, Mayor Weatherby closed the public hearing.

Councilor Owen moved to approve Resolution 14-2003, A RESOLUTION ADOPTING BUDGET, MAKING APPROPRIATIONS, LEVYING TAXES AND AUTHORIZING THE LEVY.

AYES: 6  
NOES: 0  
ABSTAINED: 0

Councilor Cornelius moved and Councilor Trees seconded the motion that the specific expenditure of \$54,000 to Fairview Development Corporation from Fund 41 (System Development Charges) for Parks and Open Space, come to Council for individual review and approval following review by the City Attorney as necessary.

Councilor Owen clarified that at the point of reimbursement to Holt & Everhart, that a discussion come before Council. Councilor Cornelius responded that that was correct.

Mayor Vonderharr called for the vote.

AYES: 6  
NOES: 0  
ABSTAINED: 0

Councilor Cornelius stated that the Budget Committee had used a Portland Consumer Price Index (CPI) which is released every six months to determine the cost of living adjustment for non-represented employees. This index is not one that is commonly used for the west coast of the United States. The Western States CPI (CPI-W) is the primary index used in the western states and is published monthly.

Councilor Cornelius commented that the CPI-W shows a 2% increase, and he was proposing a compromise of 1.5% as the City has good employees and they need to be properly paid.

Councilor Cornelius moved and Councilor Lillard seconded the motion to change the cost of living as proposed by the Budget Committee of 0.85% to 1.5% for all non-represented City employees.

Councilor Owen stated that he did not disagree on the value of staff, but he did disagree on the idea of changing the cost of living to a higher percentage than what the Budget Committee recommended. The City has a Step System for employees and salary surveys are conducted every three years. Councilor Raze commented that he agreed with Councilor Owen and that he was not in favor of raising the cost to the City at this point given the financial status. Councilor Trees questioned what the dollar difference would be in changing the cost of living to 1.5%. Director Wall responded that it would cost the City an additional \$13,000.

Mayor Weatherby called for the vote:

AYES: 3 (Cornelius, Lillard, Trees)  
OPPOSED: 3 (Owen, Raze, Weatherby)  
ABSTAINED: 0

The City Recorder announced that the motion failed.

Councilor Owen stated that he would be in favor of a 1% cost of living increase for non-represented employees, which was the same amount negotiated in the Police Union Contract. Councilor Cornelius commented that he thought it was a bad precedence to base the cost of living on police negotiations as there are some non-economic statutes in the Police Contract, such as job security, and he would not vote in favor of a 1% increase.

Councilor Owen moved and Mayor Weatherby seconded the motion that the cost of living for non-represented employees be 1%.

AYES: 4  
NOES: 2 (Cornelius, Trees)  
ABSTAINED: 0

At 7:47pm, Mayor Weatherby called for a five-minute recess.

**V. COUNCIL BUSINESS**

**A. DISCUSSION  
Economic  
Development  
Incentives**

John Andersen, Community Development Director, reported that the Economic Development Committee has been searching for ways to promote Fairview for economic development. The Committee determined that the City needs to have available the same economic incentive programs that neighboring jurisdictions have. The Economic Development Committee's proposal was before the Council for discussion, with a final action to occur at a future Council meeting. The proposal basically contains criteria for waiving or reducing City of Fairview System Development Charges and/or Development Fees.

Councilor Trees asked if Fairview's Incentive Plan would be the same as Gresham's and include residential and multi-family. Director Andersen responded yes, as state law requires it; it is optional for commercial properties.

Councilor Cornelius questioned whether the incentive proposal would include waivers of building permit fees. Director Andersen responded no.

Councilor Owen asked what was meant by a priority lien. Director Andersen responded that a priority lien meant the City would be listed as having the first lien on a property, and in order for the City to collect a lien, the property would have to be sold. Councilor Owen questioned what the typical amount of time was to defer payment. Director Andersen responded that 10 years was the typical amount of time, and usually a business does not want to have a lien on their property as it affects their financing.

Councilor Raze suggested that staff review the difference between a priority lien vs. a junior lien placement.

**VI. DEPARTMENTAL  
REPORTS**

**A. Police**

Gilbert Jackson, Chief of Police, reported that the previous day was the last day of school for the School Resource Officer who would now go onto the night shift until September when school reopens.

**B. Community  
Development**

Director Andersen invited everyone to visit Lakeshore Park, as the Public Works crew had done an incredible job in landscaping. Development activities continues to be slow and is reflected in the department's written report to the Council. Much of Community Development's focus has been on economic development.

**C. Finance**

Director Wall reported that the City was part of the Verizon/Qwest Audit with the preliminary results showing that franchise fees being paid to Fairview were about right.

**D. Administration**

Administrator Briggs invited everyone to attend the Fairview Summertime Festival to be held on July 26, 2003. Administrator Briggs reminded the Council that she is receiving a lot of information regarding PGE, and that information from the League of Oregon Cities had been distributed to the Council.

**E. Legal**

City Attorney Pam Beery stated that her written report was before the Council.

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

Councilor Lillard reported that the second meeting of the Citizen/Council Alliance Committee had occurred, and that they are planning on inviting staff to make presentations from the Police and Public Works Departments. Councilor Lillard announced that a Watershed Action Plan Tour would take place on June 25, 2003, 6:30pm, beginning at Gresham City Hall.

Councilor Owen asked if there might be some value to having a student representative on the Council; the Citizen/Council Alliance discussed the fact that Gresham has had students sit on various committees. Councilor Owen suggested that the topic be placed on a future Work Session Agenda

Councilor Trees stated that a meeting of the Fairview Business Association would take place at 7:00am on July 3, 2003, at Fairview City Hall; everyone was invited to attend.

Councilors Cornelius and Raze had no reports or concerns.

Mayor Weatherby asked Council to inform the City Recorder if they were interested in participating on the East Multnomah County Democratic Forum. Mayor Weatherby stated that he was pleased to be at the tail end of the 25-year process to have improvements constructed on the 223<sup>rd</sup> Avenue underpass. Mayor Weatherby thanked State Representative Karen Minnis for her efforts, along with the efforts of Fairview's dedicated staff and Council. Mayor Weatherby added that the Mayors of the surrounding cities testified on Fairview's behalf, which has cemented the working relationship between the cities.

**VIII. ADJOURNMENT**

Councilor Raze moved and Councilor Trees seconded the motion to adjourn. Mayor Weatherby adjourned the meeting at 8:35pm.

AYES: 6  
NOES: 0  
ABSTAINED: 0

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Mayor Mike Weatherby

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Dated:

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Caren C. Huson Quiniones  
City Recorder