

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

October 1, 2003 -- 7:00pm

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

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

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

ABSENT: Councilor Sherry Lillard

STAFF PRESENT: Mary Jo Briggs, City Administrator
Gilbert Jackson, Chief of Police
Bob Cochran, Public Works Director
Caren Huson, City Recorder
Tammy Shannon, Code Enforcement Officer

**II. CITIZEN
COMMUNICATIONS**

Mayor Weatherby called for persons wishing to speak on non-agenda items. Craig Jorgenson, Fairview, spoke on behalf of the new formed Fairview Village Business Association, stating that all businesses who attended said it was a good idea, and those who could not attend said it was a good idea. Meetings of the Association will occur at Fairview City Hall on the 2nd and 4th Mondays of each month at 7:00pm. Mr. Jorgenson reported that four business members had been elected to the Board of the Association, and the group had agreed that parking on Village Street was not a problem at this time, and that nothing should change in regards to parking. The Association asks that before any parking changes are made, that the City meet with the Association for their input. The Association will be using a consensus method, so anything that is brought before the Council by the Association will be a unanimous decision of the group.

Shawn Stanfill, Fairview, stated that the Village Business Association united as a group partly due to his situation in which he had a buyer for his business on Village Street, but after the potential buyer spoke to City staff regarding parking, the buyer had backed out of the deal. In Mr. Stanfill's opinion, the zoning interpretation for his property had changed in the course of two weeks. Mr. Stanfill asked the Council to order the City administration to leave potential buyers alone.

III. CONSENT AGENDA

Councilor Owen moved and Councilor Edwards seconded the motion to approve the Consent Agenda, consisting of: an Intergovernmental

Agreement for Regional Emergency Management; Resolution 23-2003, A RESOLUTION DECLARING CITY ITEM AS SURPLUS PROPERTY; and, the Minutes of September 3, 2003.

AYES: 6
NOES: 0
ABSTAINED: 0

IV. COUNCIL BUSINESS

A. ORDINANCE 12-2003 Amending Chapter 8.10 of the Fairview Municipal Code - “Nuisances”

Caren Huson, City Recorder, reported that before the Council was Ordinance 12-2003 which would amend the Fairview Municipal Code Chapter 8.10, “Nuisances”. Earlier this year, Council adopted an annual goal to preserve the character of Old Town, with part of that achievement to include enhanced nuisance and code enforcement. Recorder Huson stated that a staff committee formed of representatives of each City department met monthly over the summer to review the City’s Nuisance Code. The Committee conducted a tour of the City, reviewed Nuisance Codes of other jurisdictions, and invited the Troutdale Code Enforcement Officer to attend a meeting to discuss their process. A Council Work Session on Code Enforcement was held in June of 2003.

Recorder Huson commented that the intent of the Committee was to provide a monthly written update on Code Enforcement to the Council beginning in November 2003. Recorder Huson introduced Tammy Shannon, Fairview’s Code Enforcement Officer.

Councilor Owen asked Ms. Shannon to review the major amendments to the Nuisance Code. Ms. Shannon explained each subject and the reasoning behind the proposed change.

Mayor Weatherby stated that it appeared as if the revised ordinance would be more consistent with those of other jurisdictions.

Councilor Edwards moved and Councilor Owen seconded the motion to read Ordinance 12-2003 by title only.

AYES: 6
NOES: 0
ABSTAINED: 0

Recorder Huson read Ordinance 12-2003 by title only.

Councilor Edwards moved and Councilor Owen seconded the motion to adopt Ordinance 12-2003, AN ORDINANCE AMENDING FAIRVIEW MUNICIPAL CODE CHAPTER 8.10, “NUISANCES”.

AYES: 6
NOES: 0
ABSTAINED: 0

B. SHARED PARKING AGREEMENT

Administrator Briggs stated that before the Council was an agreement for renting 21 additional parking spaces from Lot U of

Fairview Village, noting that two spelling corrections were noted on the draft agreement.

Councilor Trees asked if there would be a separate set of rules and conditions per the rental agreement. Administrator Briggs responded that a set of rules and conditions would evolve over time. The main intent at this time was to reserve these spaces for staff, visitors, and residents of the Village; the spaces will not be used for boat storage, vehicle storage, etc. Councilor Trees questioned if the developer could recall some of the 21 spaces at any time. Administrator Briggs responded that spaces could be recalled with 90-days notice by either party, and that the agreement would have to be renegotiated should that occur.

Councilor Owen moved and Councilor Edwards seconded the motion to authorize the Mayor to sign the agreement for an additional 21 parking spaces in the Municipal Lot, noting that spelling should be corrected in Chapter 10 of the agreement.

AYES: 6
NOES: 0
ABSTAINED: 0

Mayor Weatherby stated that Administrator Briggs had done excellent work on the agreement.

**C. MAYOR
APPOINTMENTS**

Mayor Weatherby stated that some new opportunities had arisen for Council appointments and asked Councilor Trees if he would be interested in serving as Council liaison to the Anti-Vandalism Committee that Chief Gilbert Jackson would be organizing. Councilor Trees responded that he would be happy to serve on the Committee. Mayor Weatherby asked Councilor Edwards if he would be interested in serving on the Regional Emergency Management Policy Committee. Councilor Edwards stated that he would accept the appointment.

Mayor Weatherby addressed the request that Mr. Stanfill had made of the Council earlier in the evening. Mayor Weatherby stated that the City has a code and regulatory responsibilities; we are required to work with new businesses and groups, and abide by the laws of the State.

The City's sole purpose is to serve the citizens, which include the businesses; we can not make everyone happy, but we do what we can within the guidelines that are established.

Councilor Raze added that nothing could be changed at this point on a request coming as it did from Mr. Stanfill; Council needs to review each issue and perform research. Mr. Stanfill stated that the issue is whether staff interpreted the zoning code correctly. Mr. Stanfill added that there was a large body of information already out there in terms of minutes, tape recordings, video recordings, responses from the

City Attorney, etc. Councilor Raze commented that there needs to be an appeal process; Council needs to have complete information before they can make any changes.

Councilor Cornelius stated that he knew there were many Village Street business owners who were very concerned about the issue and what happened to Mr. Stanfill; Councilor Cornelius suggested that staff bring Council up to date on the issue at the October 15th Work Session. Mayor Weatherby responded that he felt Mr. Stanfill was speaking of a personnel issue in which Council should not be involved in. Councilor Raze commented that he thought a work session was a good idea.

Administrator Briggs stated that this was a very complicated issue and would welcome the chance to discuss the background in a Work Session along with some possible options, and that perhaps a representative from the Fairview Village Business Association could also attend the Work Session and provide feedback. Mayor Weatherby asked that Mr. Stanfill set up a meeting with him and the City Administrator.

V. CITY ADMINISTRATOR REPORT

Administrator Briggs reported that on Monday, October 6th, a Committee will review the Police Chief applications and narrow the field down to the top five to seven candidates; interviews would then take place on October 28th. Administrator Briggs stated that interviews had occurred once again for a new Finance Director and that she hoped to make a job offer by early next week.**VI.**

Councilor Raze reported that the Heslin House Committee was raring to go and complete the Heslin House renovation.

Councilor Trees stated that the City will be looking for volunteers to assist the Anti-Vandalism Committee, and that the Children's Theatre Group was not just for children and that more volunteers were needed.

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

MAYOR/COMMITTEE REPORTS AND COUNCIL CONCERNS

**VII. EXECUTIVE SESSION
Per ORS 192.660(1)c
Performance Evaluation of
Public Officers and
Employees**

At 7:56pm, Councilor Owen moved and Councilor Edwards seconded the motion to adjourn into Executive Session per ORS 192.660(1)c, Performance Evaluations of Public Officers and Employees.

AYES: 6
NOES: 0
ABSTAINED: 0

At 9:15pm, Councilor Owen moved and Councilor Edwards seconded the motion to adjourn out of Executive Session and back into the Regular Session.

AYES: 6
NOES: 0
ABSTAINED: 0

VIII. ADJOURNMENT

Councilor Owen moved and Councilor Edwards seconded the motion to adjourn. Mayor Weatherby adjourned the meeting at 9:15pm.

AYES: 6
NOES: 0
ABSTAINED: 0

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Mayor Mike Weatherby

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Dated:

Caren C. Huson Quiniones
City Recorder