

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

September 3, 2003 -- 7:00pm

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

Council President Owen called the meeting to order at 7:00pm.

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

ABSENT: Mayor Mike Weatherby

STAFF PRESENT: Mary Jo Briggs, City Administrator
 Bob Cochran, Public Works Director
 John Andersen, Community Development
 Director
 Caren Huson, City Recorder

Council President Owen stated that Mayor Weatherby was excused from the meeting.

**II. CITIZEN
COMMUNICATIONS**

Council President Owen called for persons wishing to speak on non-agenda items.

Peggy Trees, Fairview, read adopted Fairview Resolution 11-2003 aloud, and commented that the resolution provided direction to the Planning Commission and staff. However, at the Planning Commission meeting of September 2, 2003, the Commission indicated that they did not know about the resolution. Ms. Trees stated that she remembered why the resolution was approved and it was because things were promised, though not in writing, by the developer. Ms. Trees stated that she has been fighting the parking problem in Fairview Village since July 2002, and wanted to know why the Council had not spoken with staff and explained the importance of Resolution 11-2003; in addition, the Planning Commission should have understood the resolution thoroughly. Last night, the Commission had approved a mixed use development which would take 4 parking spaces from Tract V and approved 9 on-street parking spaces across the street from the library. Ms. Trees reported that Resolution 11-2003 indicates that a parking study needs to be performed and added that she felt the DKS parking study was bogus; an impartial person is needed to sit during peak hours and count how many people go through the Post Office. Ms. Trees stated that everyone says they can not do anything about the past, but the resolution Council passed gave the power to change things now. Ms.

Trees asked what help she could expect from the Council regarding the parking problems in Fairview Village, and she would like to know why the Planning Commission did not look at off-street parking last night when they approved the mixed use development.

Council President Owen stated that he did not personally attend the Planning Commission meeting the previous evening, so he could not make a determination on why they did or did not do something. Council President Owen asked City Administrator Mary Jo Briggs for a synopsis of the events.

Administrator Briggs cautioned the Council to be very cautious and make no decisions right away as the City must abide by the rules which state that an item may be repealed within a certain amount of time. Council President Owen asked that the timeline of events be put into writing for Ms. Trees.

Ms. Trees questioned how many parking spaces have been allocated for meeting the requirements of "reserved" since July 2002, as she would like to know how many parking spaces that would leave in Tracts V, U and X. Ms. Trees stated that she also would like to know how many shared parking spaces are available, apart from the ones already reserved, how many parking permits have been spoken for, who has a right to a permit and how the City plans to meet the parking demands of the businesses on Village Street right now, as according to the City Code, 56 spaces are currently needed. Ms. Trees requested that all of the answers to her questions be placed in writing from the City.

Councilor Lillard asked who Ms. Trees was representing. Ms. Trees responded that she was representing herself, and added that at the previous Planning Commission meeting, the Associate Planner had been rude while Ms. Trees was testifying. Ms. Trees commented that City staff should treat citizens with respect. Councilor Owen requested that Ms. Trees present all her questions in writing to the Community Development Director. Administrator Briggs commented that staff had already responded to Ms. Trees' questions, but would be happy to do so again with Council direction; in addition, as a courtesy, any future complaints against staff should be brought directly to the attention of the City Administrator.

Councilor Raze stated that he knew for a fact that the City had spent a considerable amount, over and over again, in answering all of the questions that Ms. Trees was asking.

Councilor Cornelius commented that he would like to see the members of the Planning Commission polled to see who actually received a copy of Resolution 11-2003. Staff is relied upon to pass on information to the Planning Commission.

Michele Class, Fairview, stated that her Homeowners Association was unanimous in agreeing there was a parking problem in Fairview Village. Ms. Class indicated that she was appalled that the Planning Commission had given staff the authority to approve the businesses in the Village and their parking plans. Ms. Class asked if Fairview

was serving private enterprises or the citizens, and requested that Council not allow staff to make decisions on crucial issues.

David McCausland, Fairview, commented that he was concerned about the relationship of one of the Council members and their business in the Village, and asked if Councilor Trees was working for the people or himself. Councilor Trees responded that he did testify at the Planning Commission meeting as a citizen; he is a business owner and is a part of that class. Councilor Trees stated that he did not want anything more than what is fair and that he was not looking to gain anything; his ethics are in place, and if others had their ethics in place, we would not be having this problem.

Councilor Cornelius mentioned that he is a City Councilor, but he is also a citizen and can exercise his right to testify. Councilor Trees stated that he was not opposed to development in Fairview and that he loves it here; he wants to see the Village area developed as much as anyone else and he has an interest in it being done right. Councilor Trees commented that he does not have a vendetta against the developer; it would not matter who the developer was, if they were proposing the same project he would still be opposed to it.

III. CONSENT AGENDA

Councilor Edwards moved and Councilor Lillard seconded the motion to approve the Consent Agenda, consisting of Ordinance 10-2003, AN ORDINANCE TERMINATING THE FRANCHISE OF WESTERN INTEGRATED NETWORKS OF OREGON OPERATING, LLC, AND RELEASING THE COMPANY FROM ITS OBLIGATIONS UNDER THE FRANCHISE; REPEALING ORDINANCE 16-2000; AND DECLARING AN EMERGENCY, and the Minutes of August 20, 2003.

AYES: 6
NOES: 0
ABSTAINED: 0

IV. PUBLIC HEARING

A. ORDINANCE 7-2003 Amendments to Development Code regarding Parking

John Andersen, Community Development Director, reported that one issue of concern to those using on-street parking in the Town Center is the adequacy of approved parking for uses developed within the Town Center. To assure on-street parking is not assumed to be part of the final solution, but rather is required to be part of the proposed parking solution and specifically calculated in the parking management plan, it is proposed to remove the word "shall" and insert the words "may as deemed appropriate by the Planning Commission." The Planning Commission was scheduled to hear this issue on Tuesday, September 2, 2003. The Commission listened to public testimony and continued the hearing to November 4, 2003. At this time, staff was requesting that the City Council table this item to their first regularly scheduled meeting in December in order to receive a Planning Commission recommendation.

Council President Owen opened the public hearing; receiving no testimony, Council President Owen closed the public hearing.

Councilor Lillard moved and Councilor Edwards seconded the motion

to table Ordinance 7-2003 until the Council's first regularly scheduled meeting in December 2003.

AYES: 6
NOES: 0
ABSTAINED: 0

V. COUNCIL BUSINESS

**A. DISCUSSION
Columbia Gorge
Gateway Vision**

Director Andersen reported that a consortium of local governments and private businesses now incorporating as the East Metro Economic Alliance (EMEA) has begun the development of a Vision for business development on the lands north of I-84, between 185th Avenue and the Sandy River. Basic elements of the vision include river-oriented, tourist-commercial development along the Columbia River, green and niche industry emphasis for our industrial area recruitment efforts, connecting 238th north to Sundial Road, and a continued commitment to the Oregon Science and Technology Park. The new title for the visioning document is "The Columbia-Cascade River District Vision".

Councilor Trees asked if Sundial Road was just an extension off of Marine Drive. Director Andersen responded yes, and that we did not want 223rd Avenue to become an arterial street such as 238th Avenue.

Councilor Cornelius questioned who the members of the Alliance were. Director Andersen responded that EMEA has representatives from the cities of Fairview, Gresham, Troutdale and Wood Village, a representative from Multnomah County, industrial land property owners in the area, LSI Logic, Mt. Hood Community College, area schools, The Outlook, etc.

Councilor Lillard stated that the Vision document was a very good product and that she was thrilled that we were going down this road together as the four cities; this is the first real effort we have seen of all four cities getting together to promote business in the area. Councilor Edwards concurred, stating that a document such as Vision was absolutely needed.

Administrator Briggs added that the real test of our mettle on the Vision are the transportation decisions that need to be made; the linkages of the roads was vital.

**VI. CITY ADMINISTRATOR
REPORT**

Administrator Briggs reported that interviews for the Finance Director position would occur the following week, and that the application process for Police Chief will close on September 15th. Administrator Briggs encouraged all Council to attend the League of Oregon Cities Conference to be held in November; anyone interested should contact the City Recorder.

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

Councilor Trees reported that he had assisted a cub scout in a Pinewood Derby race; they did not win but did pretty well.

Councilor Cornelius reminded everyone that Region 2 would be holding their Street Faire on September 9th at 5:30pm in the Community Park.

Councilors Raze, Edwards and Lillard had no reports or concerns.

Council President Owen wished to clarify that a previous Mayor had testified at both a Planning Commission and City Council meeting on an agenda item as a citizen, but that he had removed himself from the dais and did not vote on the issue.

VIII. ADJOURNMENT

Councilor Raze moved and Councilor Lillard seconded the motion to adjourn. Mayor Weatherby adjourned the meeting at 8:10pm.

AYES: 6
NOES: 0
ABSTAINED: 0

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Council President Steve Owen

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Dated:

Caren C. Huson Quiniones
City Recorder