

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

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**April 21, 2004 -- 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 Sherry Lillard  
Councilor Steve Owen  
Councilor James Raze  
Councilor Larry Cooper  
Councilor Jim Trees

STAFF PRESENT: Mary Jo Briggs, City Administrator  
Ken Johnson, Chief of Police  
Bob Cochran, Public Works Director  
Linda Hulme, Engineering Technician  
John Andersen, Community Development  
Director  
Caren Huson, City Recorder

Councilor Cornelius stated that he and Councilor Owen had interviewed Kathleen Todd for the Citizen Council Advisory Committee, representing Region 2, and recommended her appointment to that Committee.

Councilor Lillard moved and Councilor Raze seconded the motion to appoint Kathleen Todd to the Citizen/Council Advisory Committee, representing Region 2.

AYES: 7  
NOES: 0  
ABSTAINED: 0

**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 Cornelius moved and Councilor Raze seconded the motion to approve the Consent Agenda, consisting of Resolution 7-2004, A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AMENDED INTERGOVERNMENTAL

AGREEMENT ON BEHALF OF THE CITY OF FAIRVIEW WITH THE REYNOLDS SCHOOL DISTRICT TO PROVIDE FOR SCHOOL RESOURCE OFFICER, and the Minutes of March 17, 2004.

AYES: 7  
NOES: 0

ABSTAINED: 0

**IV. COUNCIL BUSINESS**

**A. FUNDING REQUEST  
Heslin House  
Committee**

George Riley, Chairman of the Heslin House Committee, reported that the Committee was in a pinch and was requesting that the City assist them financially, if possible. The City owns the Heslin House, which is leased by the Fairview-Rockwood-Wilkes Historical Society.

Mr. Riley was requesting that the City assist in funding the reconstruction of the two front porches of the Heslin House. The Boy Scouts will be constructing the porches, but they have had a hard time in receiving donated materials and funds.

Robert Steenbergen, Boy Scout Troop 174, stated that he had visited 15 companies and donations have been slim. They currently have \$200 in materials from Home Depot and raised \$1,000 from a fund raiser. Tanya Steenbergen, Treasurer of the Scout Troop, added that they have not stopped trying to receive donations, but they were running up against a lot of roadblocks. Betty Gallagher, Historical Society Board Member, commented that before the Council was a running list of what the Historical Society had paid out for the Heslin House to date. Ms. Gallagher thanked Councilor Raze for his time, money, and supplies he has donated over the years, adding that once the front porches are completed, they could receive an occupancy permit and then begin hosting tours of the home.

Councilor Cooper questioned if the porch materials needed to be wood or if they could be synthetic. Mr. Riley responded that they wanted to use materials that were close to those that had originally been used in the construction of the house. Councilor Cooper indicated that the Committee could let him know if they were interested in any synthetic decking material.

Councilor Owen asked if the project costs were actually coming out greater than originally anticipated. Robert Steenbergen responded that they had not originally had a complete list of everything that would be needed, and they had thought it would cost about \$2,000 for the project, but prices have increased since last year. Councilor Owen commented that Mr. Steenbergen had bitten off quite a big Eagle Scout project. Councilor Owen questioned what the Heslin House Committee currently had in their budget for the Heslin House.

Ms. Gallagher responded that they had approximately \$8,700, but much of that money was being set aside for work that needs to be

done on the eaves and overhangs of the House as they are having bird problems with missing boards and dry rot. Councilor Owen asked if \$1,000 could be taken out of Parks SDCs for the project. Mary Jo Briggs, City Administrator, responded yes.

Councilor Raze stated that the Heslin House Committee has made great efforts in restoring the Heslin House, but that it has been slow going; however, he really would like to see the project completed. Councilor Raze added that he would like to see an action plan that lists every project that still needs to occur with the Heslin House, and he would like to see a budget.

Councilor Raze questioned what the estimated cost was for the front porch project. Ms. Steenbergen responded that the total cost would be about \$4,000. Councilor Raze stated that he would personally donate \$800.00 to the project if the Historical Society would allot \$1,800.00 and return with an action plan and budget.

Councilor Raze moved and Councilor Owen seconded the motion to fund \$1,000 from Parks SDCs for the Heslin House front porch project, with an action plan presented to Council in two weeks, and a budget within 30 days.

AYES: 7  
NOES: 0  
ABSTAINED: 0

Councilor Trees commented that he was not aware that SDC funds could be used for that purpose. Administrator Briggs responded that SDC funds are generally used for the purchase of property or park enhancements, and the Heslin House is part of the City's Parks Master Plan.

**B. FEE WAIVER  
REQUEST  
Bethel #1**

Cecelia Davis introduced her daughter, Tyne, who is Bethel Guardian for Bethel #1 of the International Order of Jobs Daughters. Ms. Davis stated that her 12-year old daughter, who could not be present, is the chair of a fundraiser, and they would like to have a fireworks stand in the Action Motorsports parking lot on NE Halsey Street. Ms. Davis was requesting that Council waive the \$300 temporary use fee, as they only net about \$700 in fireworks sales, and that would use almost half of their profits.

Mayor Weatherby asked if Bethel 1 included the Fairview area. Ms. Davis responded that Bethel 1 covers the area from Aloha to Vancouver, Washington and out to Eagle Creek.

Councilor Lillard mentioned that her church staffs two fireworks stands in Gresham a year and that they coordinate with the vendor to

receive half the profits, with the vendor paying any fees, and asked if Gresham charges fees for a temporary use. John Andersen, Community Development Director, responded yes. Ms. Davis stated that their vendor was Western Fireworks, but that Bethel 1 must provide their own stand, pay for the fire department permit and insurance. Councilor Lillard commented that by waiving the fee for this fireworks stand, that a precedence might be set for future fireworks stands in Fairview.

Councilor Owen questioned the hard cost for the City for a temporary use permit, not including staff time. Director Andersen responded that it was probably around \$150.

Councilor Cornelius commented that the City allows other groups to use the Council Chamber free of charge, and the kids of Bethel 1 do good work and he did not think the City should impose a fee on them.

Councilor Owen moved and Councilor Cooper seconded the motion to waive the \$300 temporary use permit fee for Bethel #1 with the idea that they will provide 15 hours of community service to Fairview by the end of the summer which could be scheduled through the Department Directors.

AYES: 7  
NOES: 0  
ABSTAINED: 0

**C. RESOLUTION 5-2004  
Placement of Liens  
(Marjorie Meadows)**

Bob Cochran, Public Works Director, introduced Engineering Technician Linda Hulme. Director Cochran reported that last summer, Public Works had performed some improvements in the Marjorie Meadows neighborhood; Council had authorized staff, through an ordinance, to have homeowners pay for the repairs. 21 homeowners complied and repaired sidewalks on their accord, 4 of them requested that the City do the work and bill them back; 1 has already paid the City, but the other 3 wish to have their property liened.

Councilor Cooper questioned if the City charged an interest on the liens. Director Cochran responded no, just the cost of the project is listed as a lien.

Councilor Owen moved and Councilor Raze seconded the motion to adopt Resolution 5-2004, A RESOLUTION DECLARING LIENS AGAINST PROPERTIES IN FAIRVIEW AS DEFINED IN FAIRVIEW ORDINANCE 8-1990.

AYES: 7  
NOES: 0

ABSTAINED: 0

**D. RESOLUTION 6-2004  
Capital Improvement  
Plan Water Section  
Update**

Director Cochran reported that before the Council was Resolution 6-2004 which would update the City's Capital Improvement Plan (CIP) section on water. In 2002, staff developed a CIP that dealt with all infrastructure in the City; since that time, projects have been completed and the feel of the water system has changed. A new well has been drilled and a reservoir added.

Director Cochran stated that the 2004 Water Section Update lists five projects that are necessary to complete the City water system. Those projects include: Well #8B; Well #3 Replacement; Reservoir #1 Rehabilitation; Marine Drive Loop; and, Village Street Loop.

Councilor Cornelius asked if Well #8 would be a back-up well. Director Cochran responded that it would technically be a redundant well. Councilor Cornelius stated that the City paid a lot of money to purchase the property for Well #8; there is currently a well and pump house on the site and it appears as though there is quite a distance proposed between the existing well and Well #8, which seems like a waste of property. Director Cochran responded that when the project is pursued, a hydrologist would be hired to determine the appropriate distance from the existing well; the drawing Councilor Cornelius was referring to was conceptual only, adding that the project was several years out. Councilor Raze added that siting was important for both properties and stated that if any buildings are proposed in the future that maybe facilities could be placed inside the structures for added security.

Councilor Cornelius commented that Well #3 recently had quite a bit of equipment replaced on it and asked if that equipment will be able to be moved when the well is replaced. Director Cochran responded no as the sizing is wrong, but the equipment would have some resale value.

Councilor Owen stated that Fairview's water does not seem to be very clear and asked that that be a topic at a future Council workshop. Director Cochran reported that when Well #8 was drilled, it had two elements that caused problems in the water system. CH2M Hill had performed a review of our water quality and he was proposing that some of the numbers be firmed up and taken care of as there still are taste and odor issues.

Councilor Owen moved and Councilor Cooper seconded the motion to adopt Resolution 6-2004, A RESOLUTION ADOPTING AN UPDATED SECTION (SECTION 3 - 2004 WATER SECTION UPDATE) TO THE 2000 CAPITAL IMPROVEMENT PLAN REPLACING THE WATER SYSTEM -2002 UPDATE TO THE

CAPITAL IMPROVEMENT PLAN (RESOLUTION 2-2002).

AYES: 7  
NOES: 0  
ABSTAINED: 0

**E. DISCUSSION  
Municipal Court  
Judge Request for  
Proposals**

Caren Huson, City Recorder, reported that in the Council's packet was a sample "Request for Proposals" for Fairview Municipal Court Judge. In an effort to use City resources as efficiently as possible, staff has started to review all City contracts, the first of which is Court Judge. Recorder Huson stated that the Judge selection process is outlined in the Request for Proposals, and added that the Fairview Charter stipulates that the Fairview Municipal Court Judge be filled by majority of the full Council. Staff was recommending that the Council authorize staff to announce and distribute the Request for Proposal for Municipal Court Judge.

Councilor Cornelius stated that he thought a couple City Councilors should sit down with the current Judge and discuss fees to see whether we can come to terms instead of using staff time for the Proposal process. Councilor Owen agreed that staff time should not be utilized for this process. Mayor Weatherby appointed Councilors Cornelius and Cooper to meet with the Judge and report back to Council before moving forward with the Request for Proposals.

**V. PUBLIC HEARING**

**A. COMPREHENSIVE  
PLAN  
Chapters 9-13**

Director Andersen reported that tonight's public hearing was a continuation of public hearings being held on the draft Comprehensive Plan. Testimony would be accepted tonight on Chapters 9 through 13 of the draft Plan.

Councilor Trees asked if the City would provide copies of the updated draft Plan for those who paid \$22 for the original draft. Director Andersen responded that if Council would like that to happen, that staff would honor that request. Anyone who purchased a copy of the original Draft should contact Planning staff.

Mayor Weatherby opened the public hearing; receiving no comments, Mayor Weatherby closed the public hearing.

**VI. STAFF REPORTS**

**A. Police**

Ken Johnson, Chief of Police, reported that the department's newest officer was doing an excellent job and would leave for the police academy on April 26<sup>th</sup> and return on June 2<sup>nd</sup>. Two officers had been sent to a 40-hour course to certify them as field training officers.

**B. Public Works**

Director Cochran reported that the Community Garden was complete, a reservoir was under construction, the Bonita Plaza was progressing, and that Spring Clean-up would occur on May 1<sup>st</sup>.

**C. Community Development**

Director Andersen reported that before the Council was a new format for Community Development's monthly reports. Presently, staff was preparing a display for a networking event being held by the Columbia Corridor Association. In addition, staff had hosted a tour of vacant land in Fairview for the Governor's Economic Recovery Team.

Councilor Cornelius commented that in reviewing the monthly report, it appears that the City could end up paying Troutdale \$500,000 for building inspection services and asked when Council would receive the first report from Troutdale on the Building Inspection Program. Director Andersen responded that Troutdale was currently working on the report and hopes to have it completed by the following week. Councilor Cornelius questioned if code enforcement matters were moving along as the Citizen/Council Advisory Committee has expressed some concerns about the timeframes on nuisance complaints. Director Andersen reported that code enforcement issues regarding land use seem to move quickly, but some people will contest legal aspects and that involves negotiations. Councilor Cornelius stated that the new report format was very good.

**D. City Administrator**

Administrator Briggs thanked the Budget Committee for their work as good progress was made for future economic stability for Fairview. Administrator Briggs mentioned that on May 5<sup>th</sup>, the County Roads Study would be coming back to Council in a workshop, and that County Commissioner Maria Rojo de Steffey would be in attendance.

**E. City Attorney**

Tom Sponsler, City Attorney, stated that their written report was before the Council.

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

Councilor Cooper reported that he had attended the Columbia Corridor Real Estate Symposium earlier in the day where it was reported that the market was picking up slightly and that it appears it will be a long haul for commercial/industrial development. Councilor Trees stated that volunteers were needed for the anti-graffiti committee, children's theatre, and local talent showcase.

Councilors Cornelius, Lillard, Owen, and Raze had no reports or concerns.

Mayor Weatherby stated that the Council and Budget Committee had done an excellent job on the budget. Councilor Raze thanked the Mayor for giving up his stipend. Mayor Weatherby commented that

he would like to have each Council member provide a quarterly report to Council on the committees they serve on. It should be a written report with an oral summary provided at a Council meeting; the first reports will be due on July 1<sup>st</sup>.

Mayor Weatherby reported that before the Council was a funding request for the Oregon Science and Technology Park, with his recommendation being that the City not participate. Councilor Cornelius concurred that he did not think it was worthwhile for Fairview to contribute financially. Council consensus was not to provide any funding.

**VIII. EXECUTIVE SESSION  
ORS 192.660(1)(h) -  
Current or potential  
litigation**

At 8:37pm, Mayor Weatherby adjourned the Council into Executive Session per ORS 192.660(1)(h) - current or potential litigation.

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

AYES: 7  
NOES: 0  
ABSTAINED: 0

**IX. ADJOURNMENT**

Councilor Owen moved and Councilor Lillard seconded the motion to adjourn. Mayor Weatherby adjourned the meeting at 9:16pm.

AYES: 7  
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