

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

August 4, 2004 -- 7:00pm

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

Mayor Weatherby called the meeting to order at 7:05pm.

PRESENT: Mayor Mike Weatherby
Councilor Darrell Cornelius
Councilor Steve Owen
Councilor Larry Cooper
Councilor Jim Trees

ABSENT: Councilor Sherry Lillard
Councilor Jim Raze

STAFF PRESENT: Bob Cochran, Interim City Administrator
John Andersen, Community Development
Director
Caren Huson, City Recorder

Mayor Weatherby announced that Councilors Lillard and Raze were excused from the meeting.

**II. CITIZEN
COMMUNICATIONS**

Helen Maguire, Fairview, read a statement into the record which is attached and incorporated hereto to these minutes. In responding to Ms. Maguire's claims of unethical behavior regarding political signs, Mayor Weatherby stated that he did not appreciate Ms. Maguire's comments and that, personally, he could endorse and support any candidate he wished. Mayor Weatherby added that he did not twist anyone's arm to remove Ms. Maguire's signs, adding that everyone has a right to support the candidate of their choice; he simply asked them to consider allowing other signs on their property. Anyone may place any political sign they wish on their property.

III. CONSENT AGENDA

Councilor Owen moved and Councilor Cooper seconded the motion to approve the Consent Agenda, consisting of: an appointment to the Parks Committee; an Intergovernmental Agreement for Community Development Block Grants; and, the Minutes of July 7 and 21, 2004.

AYES: 5
NOES: 0
ABSTAINED: 0

IV. PUBLIC HEARING

A. PROCESSING FEE Fairview Business Licenses

John Andersen, Community Development Director, reported that the City of Fairview created a new Business License approval process that requires business licenses to be circulated to various departments and programs. It is the City's policy that permit processes should be self-supporting, thereby assuring that the person receiving the permit is paying for the processing of that application. The City currently charges \$50 annually for all business licenses in Fairview. This fee was adequate for the simple review, bookkeeping and tracking process used until the new process was created. To pay for the increased time and cost of circulating the new Commercial and Industrial Business License application, it is necessary to increase the processing fee for those businesses that will be circulated to the various departments, which is only the commercial and industrial businesses; not non-resident builders, landscapers, etc. That new fee is proposed to be \$50 in addition to the original business license fee.

Councilor Trees questioned if the additional review had been required previously. Director Andersen responded no. Councilor Trees asked if business license applications were sent to the building official or fire marshal prior to the recent process. Director Andersen responded no.

Councilor Cornelius commented that he had no problem with the additional \$50 fee and questioned whether the additional fee would apply to license renewals. Director Andersen responded that the additional fee would only be required if there was a change to the business. Councilor Cornelius asked if there would be a process where existing business licenses would be reviewed to the occupancy permit to ensure there are no violations. Director Andersen responded that at the time of renewal, staff would review the uses; if it is felt that there could be an issue, they would be charged the additional fee for review. Councilor Cornelius questioned whether all departments would have to sign-off on the permit. Director Andersen responded that the applications would be reviewed and signed-off by the Community Development and Police Departments; if additional review is necessary, they will be routed to the building official and fire marshal. Councilor Cornelius commented that there did not seem to be an appeal procedure listed in the process. Director Andersen stated that all business licenses are approved; the City's Code does not provide provisions on denying a business license. Councilor Cornelius mentioned that he would like to see the Code reviewed so that the City is allowed to deny a business license; Council concurred.

Councilor Trees asked if the business owner would be expected to

notify the City of a change of use. Director Andersen responded that there is an area to complete on the application regarding a change of use. Councilor Trees questioned if the Fire Marshal would be allowed to inspect any building that contains a business, including a Home Occupation. Director Andersen responded that the Fire Marshal has the ability to inspect a commercial business but not a home occupation.

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

Councilor Cornelius moved and Councilor Cooper seconded the motion to approve an additional \$50 fee for commercial and industrial business license review.

AYES: 5
NOES: 0
ABSTAINED: 0

V. COUNCIL BUSINESS

A. INTERGOVERNMENT AGREEMENT Soccer Field

Director Andersen reported that, in recent months, Fairview has been in discussion with Reynolds School District to construct a soccer field at Woodland Elementary School as a replacement for the soccer field originally proposed for lands adjoining Park Cleone. In discussions with the School Superintendent, the District is very supportive of soccer as a community activity and they would like to see the unfinished field at Woodland Elementary completed and available to both the District and City activities. With Councilor Raze's guidance, an agreement has been drafted that authorizes the City to complete the soccer field at Woodland Elementary for a cost not to exceed \$200,000, and in exchange the City would be provided use of the facility at least 30% of the time, at times mutually agreed to by approval of an annual use calendar. City funding for this project will come from the Park System Development Charges paid by new development that has occurred in Fairview. In conclusion, Director Andersen stated that the Reynolds School District has already approved the agreement, and Council was now being asked to approve the agreement. Director Andersen added that he had just been handed a petition signed by Fairview citizens who are in support of the soccer field.

Mayor Weatherby questioned how much was in the Parks SDC fund. Director Andersen responded \$400,000.

Councilor Cornelius stated that he was in favor of the agreement and asked what the status was on the maintenance of the soccer field. Director Andersen responded that the School District has taken on

the maintenance of the field and are in discussions with soccer organizations to assist in that maintenance activity.

Councilor Owen commented that he knew Fairview staff had worked very hard to bring this agreement together and that he was delighted to see the citizen petition in support of the soccer field. Councilor Owen stated that Councilor Raze deserves a lot of recognition for this project as he was a major player in pulling everything together.

Councilor Owen moved and Councilor Cornelius seconded the motion to approve the Mayor signing the Agreement and Lease with Reynolds School District providing for the construction and use of a soccer field at Woodland Elementary School.

AYES: 5
NOES: 0
ABSTAINED: 0

VI. CITY ADMINISTRATOR REPORT

Bob Cochran, Interim City Administrator, stated that he had met with the designer of the proposed soccer field and had received the construction schedule. In addition, he had met with Mike Snyder, the City negotiator in regards to the employee's union. Administrator Cochran commented that a surprise party was held for Public Works Maintenance Worker Ralph Horn who celebrated his 20th year with the City.

VII. MAYOR/COMMITTEE REPORTS AND COUNCIL CONCERNS

Councilor Cornelius reported that the City had received a request from Wood Village to approve an amendment to the Town Center Memorandum of Understanding. It had been reported in the Outlook that the City would consider that request on August 18th, but rather it will be considered after that date; some answers are needed about the 1997 agreement.

Councilor Owen stated that the Citizen/Council Alliance was working on a Street Faire that they will host in Pelfrey Park on Thursday, August 26th, 6:00pm to 8:00pm. In addition, the Alliance will host a Fairview candidates forum on October 6, 2004.

Councilor Trees stated that he thought the Summertime Festival went

very well and was very organized.

Councilor Cooper and Mayor Weatherby had no reports or concerns.

VIII. EXECUTIVE SESSION

At 7:50pm, Mayor Weatherby adjourned the Council into Executive Session per ORS 192.660(2)(a) - employment of public officers, employees and agents.

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Mayor Mike Weatherby

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Dated:

Caren C. Huson Quiniones
City Recorder