

**MINUTES
FAIRVIEW CITY COUNCIL WORK SESSION
FAIRVIEW CITY HALL
1300 NE VILLAGE STREET
FAIRVIEW, OREGON 97024**

December 8, 2004 -- 5:20pm

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

Mayor Weatherby called the meeting to order at 5:20pm.

PRESENT: Mayor Mike Weatherby
Councilor Darrell Cornelius
Councilor Steve Owen
Councilor James Raze
Councilor Larry Cooper
Council-Elect Ken Quinby
Council-Elect Barbara Jones
Councilor Jim Trees

ABSENT: Councilor Sherry Lillard

STAFF PRESENT: Jan Wellman, City Administrator
Ken Johnson, Chief of Police
John Andersen, Community Development
Director
Caren Huson, City Recorder

**II. POLICE DEPARTMENT
Policy Manual**

Ken Johnson, Chief of Police, reported that the City had the opportunity to have a policy manual created by Lexipol (a Law Enforcement Risk Management service) for the Police Department with the understanding that the City must buy-into their program for one year. Council consensus was to move forward with the policy manual with the understanding that Chief Johnson must budget for annual membership in Fiscal Year 2005/2006.

**III. DISCUSSION
International Building
Code and Fire Code**

John Andersen, Community Development Director, introduced Gus Lian, Gresham Deputy Fire Marshal. Director Andersen stated that, previously, Council had questions about the proposed adoption of new building and fire codes. One issue of concern dealt with reinspection fees and associated language with charging a fee for that reinspection.

Mr. Lian apologized as what was sent to Bob Cochran was an incomplete copy of the proposed ordinance which led to some of Council's confusion. Mr. Lian distributed copies of Gresham's Fire Ordinance, adding that the State had just adopted a new international

fire code. The Oregon Fire Code Committee reviewed the international code and found it to be more in line with the Uniform Fire Code that Oregon had been using for years. Gresham is an exempt agency from the State, which means they are allowed to act in autonomy under the international fire code. Mr. Lian commented that confusion came into play when part of the code, Fire Safety Inspection Program, was missing numbers 2 and 3 when the draft was given to Fairview staff. Currently, Fairview does not charge any fees for fire reinspections; Gresham has a cost recovery section which allows fees to be charged. Mr. Lian added that numbers 4 and 5 of the Gresham Fire Code would not need to be in Fairview's code as Fairview does not have a cost recovery section.

Councilor Cooper questioned if the cost of reinspection was borne by the City if businesses did not pay for it. Mr. Lian responded that as part of the service Gresham Fire provides to Fairview, that there is no charge for reinspections, even if they have to go back and reinspect eight times.

Mr. Lian explained that the Fairview Council actually just needed to include numbers 1 and 6 in their Fire Ordinance, and number 7 if that was important to Fairview.

Councilor Trees stated that he was concerned about number 6 regarding violations that had been found in the previous 12 months. Mr. Lian responded that Fairview's attorney would need to be consulted with in terms of any specific wording the Council may want. Mr. Lian added that if the City did not want to add any fees to the Fire Ordinance, that they could revise their nuisance code in terms of violations.

Councilor Cornelius asked if the City did not place any fees for reinspections, and violations continued to occur, what would be the final action by the Fire Inspectors. Mr. Lian responded that he has the ability under Oregon Law to cite the violators into court.

Council consensus was to have Fairview's Fire Ordinance read the same as Gresham's.

IV. PLANNING COMMISSION INTERVIEWS

Council asked each of the six applicants the same questions, with the understanding that clarification questions may occur by Council.

The standard questions which would be asked of each applicant were:

1. Please summarize for us what skills/experience you would bring

to
the Planning Commission.

2. What do you think the biggest issue facing Fairview is that the Planning Commission can influence?
3. If you are a Planning Commission member and are facing a very controversial development request, how would you go about making your decision.
4. How do you get the public involved in and informed about the issues in their City?

The applicants responded as follows:

Sherry Fox Hames:

1. Strongest skills are organization and self-motivation. Enjoys taking on challenges; enjoys learning and gaining knowledge.
2. Understands one big issue is the Village Street business code violations. 3. Would need to do research, look at the issues at hand and ask questions; look into legalities. Gather information.
4. Would talk to people within the community; send out flyers, hold meetings and invite the public to attend and discuss issues.

Council-Elect Quinby asked if a parking code was established for the City, what would Ms. Fox Hames suggest for a 2-bedroom apartment and a 3-bedroom single-family residence. Ms. Fox Hames responded that for an apartment she would recommend one covered parking space and on-street parking; for a 3-bedroom residence, 3 spaces should be provided on site and on-street parking allowed. Council-Elect Quinby asked for the definition of Smart Growth, Sustainable Development, and Rewilding. Ms. Fox Hames responded that she was not familiar with those terms.

Councilor Trees questioned if Ms. Fox Hames had the time to devote to the Commission. Ms. Fox Hames responded yes. Councilor Trees asked if she felt it was important to hear both sides of an issue. Ms. Fox Hames responded absolutely.

Councilor Owen asked if Ms. Fox Hames had attended any Planning Commission meetings in Fairview. Ms. Fox Hames responded no.

Councilor Raze questioned if Ms. Fox Hames would be interested in another committee if she was not appointed to the Planning Commission. Ms. Fox Hames indicated that she would be happy to work on any committee.

Ken Heiner:

1. Resident of Fairview for 20 years, on the Planning Commission for 10 years. Has seen Fairview grow from a bedroom community to what it is now. Traveled around the world and has seen what good planning can do and what it has done. Background in electronics and educated to recognize what infrastructure means.
2. As we've grown, everyone seeks to have the Planning Commission side with them on decisions of land use. Need to try to preserve natural and aesthetic qualities of the community as well as building out.
3. Need to understand the City ordinances and apply the City Code; take into account landowners investment and desires. It comes down to applying the goals and compromising to meet the best for the City and the applicant.
4. Community planning events such as was held for the Village; technology we have today is the best vehicle.

Council-Elect Quinby asked if a parking code was established for the City, what would Mr. Heiner suggest for a 2-bedroom apartment and a 3-bedroom single-family residence. Mr. Heiner responded that it would depend upon the application, in part. If you were reviewing a 10,000 square foot lot, then a bit more parking is important; if talking about a 2-bedroom apartment, then 1.5 spaces is appropriate. Council-Elect Quinby asked for the definition of Smart Growth, Sustainable Development, and Rewilding. In terms of Smart Growth, Mr. Heiner responded that he believed that referred to planning prior to development for good land use decisions for generations to come. Sustainable development was difficult in an urban growth boundary, but we need to use the resources available and preserve the resources we want to protect. Mr. Heiner commented that he had never heard of rewilding, but it sounded like reverting back to the wild. Council-Elect Quinby questioned how Mr. Heiner thought the current Planning Commission was doing compared to previous Commissions. Mr. Heiner responded that ten years ago, development plans seemed more inadequate. Staff today are of equal caliber to those he served with previously on the Planning Commission, however, the Commission does now have someone with legal expertise sitting on it and people with previous planning experience. The City is better off today than they have ever been.

Councilor Cornelius asked what impact Measure 37 might have on the Planning Commission. Mr. Heiner responded that Measure 37 was a double-edge sword; they will see people who have previously

been denied their right to develop their property and he thought there would be a lot of litigation ahead of us. In addition, Measure 37 could be detrimental to Oregon Land Use Goal 5 to preserve open spaces, scenic and historic areas and natural resources. It will be a challenge to implement measure 37.

Councilor Raze commented that Mr. Heiner provides balance to the Planning Commission and has ten years of experience that the City could not afford to lose.

Steve Kaufman:

1. Experience on Historical Society, Parks Committee and Planning Commission.
2. The mix and type of developments; the biggest thing we can do is maintain consistency when we are making decisions, look at the big picture, and make decisions in line with the goals of the Comprehensive Plan.
3. Always review the site, review the documents that are provided, ask questions, listening to not only what the citizens testify but what the Planning Commission members contribute.
4. It's hard work, but you make it a point to get out and make contact and listen to what the citizens have to say. Do business with local businesses as you catch a lot of feedback that way.

Council-Elect Quinby asked if a parking code was established for the City, what would Mr. Kaufman suggest for a 2-bedroom apartment and a 3-bedroom single-family residence. Mr. Kaufman responded that if you do not allow any on-street parking, you need to provide more on-site parking. He was not sure that the averages the City currently uses right now work. Council-Elect Quinby asked for the definition of Smart Growth, Sustainable Development, and Rewilding. Mr. Kaufman responded that he was not familiar with the terms.

Councilor Raze questioned if Mr. Kaufman saw any difficulty in switching gears from residential to commercial/industrial growth. Mr. Kaufman responded that it was simply just a matter of switching gears; the City has development plans in place and the Commission's job will be to measure how a project lines up against the rules the City has in place. You deal with fact. Councilor Raze asked how attendance has been overall on the Planning Commission. Mr. Kaufman responded that attendance has been very good and did not think they had ever been close in not having a quorum.

Councilor Cornelius asked what impact Mr. Kaufman thought Measure 37 would have on the Planning Commission. Mr. Kaufman responded that he did not know at this point, but he was disheartened when it passed because he did not think it was written well. Councilor Cornelius questioned if Mr. Kaufman thought the Planning Commission should follow up on some of the conditions they place on developments. Mr. Kaufman responded that he thought that might be a good idea.

Michael Morasch:

1. Team player, familiar with construction, manages several family businesses.
2. Running out of land in the future; how to use the few resources the City will have left, and smaller in-fill issues.
3. Review the facts, get opinion from peers and mentors, listen to opposing views, like to hear both sides.
4. Always involved in prior communities.

Council-Elect Quinby asked for the definition of Smart Growth, Sustainable Development, and Rewilding. Mr. Morasch responded that he had heard of sustainable development, but had not heard of Smart Growth or Rewilding.

Council-Elect Jones questioned how Mr. Morasch would bring two parties together to reach consensus. Mr. Morasch responded that sometimes there is nothing you can do to make everyone happy; sometimes you end up on one side or the other and someone will be unhappy with the decision that is made. Mr. Morasch indicated that he speaks his mind, but he did not have to be the one who is right; majority rules and move on to the next issue.

Councilor Trees commented that the Planning Commission will require quite a bit of time. Mr. Morasch responded that he would take the time that was needed.

Councilor Cornelius asked if Mr. Morasch had been instrumental in the development of his food processing plants. Mr. Morasch responded yes, that he had worked with Portland Planners and Planning Commission.

Councilor Owen questioned if Mr. Morasch had attended any Planning Commission meetings in Fairview. Mr. Morasch responded no.

Councilor Cooper mentioned that if Mr. Morasch sat on the Planning Commission that he could have some of his neighbors come before him with development requests and asked if he would have a problem with that. Mr. Morasch responded that he would probably have to excuse himself from some items if it affected land uses in his neighborhood.

Gary Stonewall:

1. Served as alternate on the Planning Commission while Commissioner Asbury was on military duty. Served 10 years on the Troutdale Planning Commission.
2. Commercial development.
3. Must do your homework; ask questions of staff; cite all the issues.
4. Presence in the neighborhoods, keep neighbors informed, make yourself available.

Councilor Raze asked if Mr. Stonewall attended all Planning Commission meetings since he was an alternate. Mr. Stonewall responded that he watches the meetings on television.

Councilor Cornelius questioned if there was a significant difference in switching gears from residential development to commercial/industrial. Mr. Stonewall responded that it was a different ball game. With commercial, you are dealing with higher dollars and how it will fit in surrounding areas; commercial developers are a little different - very knowledgeable and know the rules almost better than you do. Councilor Cornelius asked what impact Mr. Stonewall thought Measure 37 would have on the Planning Commission. Mr. Stonewall responded that he did not think much will come from that; he understood that one must be a long-term owner of a property.

Councilor Trees asked if Mr. Stonewall would have any trouble with the time commitment that was involved in serving on the Commission. Mr. Stonewall responded that, being an empty nester, he had the time and enjoys volunteering.

Council-Elect Quinby asked for the definition of Smart Growth, Sustainable Development, and Rewilding. Mr. Stonewall responded that had not heard of those terms.

Ed Jones:

1. Several years in residential and commercial construction; worked

in commercial development in California; plans examiner for Washington county; familiar with processes for approving developments.

2. Water issue.
3. Research, contacting the right agencies, contacting people involved, find out the interests at stake.
4. Flyers, using the media and local paper, postings, etc.

Councilor Raze asked if Mr. Jones would have the time to devote to the Planning Commission. Mr. Jones responded that he had a fairly flexible schedule.

Councilor Owen questioned if Mr. Jones had attended any Planning Commission meeting in Fairview. Mr. Jones responded only once. Councilor Owen asked if Mr. Jones had any opinion about the meeting he attended. Mr. Jones responded that the meeting was pretty formal and professional.

Councilor Cornelius asked what Mr. Jones' job was at Washington County. Mr. Jones responded that he revises mechanical plans; revises some of the criteria for Tri-County; revised a checklist form; plan review, and commercial building inspection. Graduated from 4-year apprenticeship of mechanical and steamfitters; civil engineering and architectural engineering degrees. Councilor Cornelius asked if Mr. Jones saw Measure 37 impacting the role of the Planning Commission. Mr. Jones responded that he did not know.

Council-Elect Quinby asked for the definition of Smart Growth, Sustainable Development, and Rewilding. Mr. Jones responded that sustainable development sounded familiar, along with smart growth, but that he had not heard of rewilding.

Councilor Raze questioned if Mr. Jones would be interested in serving on other committees. Mr. Jones responded possibly.

Council discussed the candidates and Council-Elect Quinby described rewilding as the effort of selectively removing people from certain urban areas in order to turn the area back into the wild.

V. ADJOURNMENT

Mayor Weatherby adjourned the meeting at 8:30pm.

AYES: 6
NOES: 0
ABSTAINED: 0

Mayor Mike Weatherby

Dated:

Caren C. Huson Quiniones
City Recorder