

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

January 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
John Andersen, Community Development
Director
Caren Huson, City Recorder

**II. CITIZEN
COMMUNICATIONS**

Mayor Weatherby called for persons wishing to speak on non-agenda items. As there was no response, the session continued.

III. COUNCIL BUSINESS

**A. Youth Basketball
Program**

Norm Cooper, Fairview resident and member of the Fairview Parks Advisory Committee, stated that the proposed Youth Basketball Program would be funded primarily by registration fees. Fairview Associate Planner Melissa Slotemaker would be the City liaison. The Youth Basketball Program would be for kids in Grades 3-6, and the Advisory Board was recommending that a minimum of 56 players were needed, and a \$20 registration fee per player would net \$1,120, which would leave a shortfall in funds for equipment and vests for the players. Mr. Cooper indicated that \$327.68 in supplies would be retained by the City Parks Department. Mr. Cooper was requesting that the Council place \$659.60 in reserve for the program in order to cover costs, considering that if they receive maximum registration of 86 players, that they would then only need \$179.68.

Councilor Lillard commended Mr. Cooper for trying to get the program in place and added that she would actually like to see more

basketballs purchased so that they could be loaned out to players. Mr. Cooper responded that normally players are asked to bring their own basketballs so that there are plenty to play with; the basketballs to be purchased would be used only in actual games. Councilor Lillard questioned if the schools were willing to participate. Mr. Cooper responded that the schools had not received any information yet; once Council approves additional funds, flyers would be delivered to each school to distribute. Councilor Lillard stated that she thought it looked like a good program and was in favor of the proposal.

Councilor Raze commented that Mr. Cooper was a good contributing member to the Parks Committee and asked whether scholarships would be offered for the Basketball Program. Mr. Cooper responded that scholarships were not included in expenses this year, but there is a maximum cost of \$50 per family should someone have three or four children interested. Councilor Raze stated that all coaches should go through a background check. Mr. Cooper responded that he had already spoken to the Fairview Police Department who agreed to perform the background checks.

Councilor Trees commented that he was very happy about the proposal and asked if Reynolds coaches would be used. Mr. Cooper responded yes and added that all players will play equal time.

Councilor Lillard moved and Councilor Cornelius seconded the motion to set aside \$700 from the City for the 2004 Youth Basketball Program. Mayor Weatherby stated that Mr. Cooper had his total support. Councilor Raze asked what fund the \$700 would come from. Mary Jo Briggs, City Administrator, indicated that the funds would be taken from the Council's discretionary fund. Mr. Cooper added that they recognized there could potentially be a liability problem, so each registration form will contain a "hold harmless" clause for the City of Fairview and Mr. Cooper

AYES: 7
NOES: 0
ABSTAINED: 0

**B. RESOLUTION 2-2004
Parking**

Administrator Briggs stated that revised information was before the Council to replace the staff report and Resolution that the Council received in their packet.

Pam Beery, City Attorney, reported that the revised information before the Council stems from Council's discussion in December 2003 on Village parking. The direction from Council at the December meeting made it clear to staff that the previously adopted resolution concerning how parking would be evaluated by Planning

staff was not clear. Before the Council was a revised proposal (attached hereto to these minutes) for Resolution 2-2004 which amends Resolution 11-2003; clarification is shown in underlined text. Attorney Beery added that Resolution 2-2004 will not amend the Fairview Municipal Code, that it does not change any regulations in place for Fairview Village, and that it does not discriminate in staff's review of proposals. Resolution 2-2004 only amends former Resolution 11-2003 and is advisory only, expressing the Council's keen interest in this area. Councilor Cornelius added that Resolution 2-2004 is not only advisory to staff, but also to the Planning Commission.

Caren Huson, City Recorder, announced that Holt and Everhart had submitted written testimony on Resolution 2-2004 and that it was also before the Council.

Councilor Owen moved and Councilor Cornelius seconded the motion to approve Resolution 2-2004, A RESOLUTION AMENDING RESOLUTION NO. 11-2003 CONCERNING PARKING IN THE FAIRVIEW TOWN CENTER.

AYES: 7
NOES: 0
ABSTAINED: 0

C. DISCUSSION
Fire Feasibility Study

Riley Caton, Gresham Fire Chief, stated that he was present to provide any help that he could in understanding the Fire Feasibility Study. In his review of the Study, he found the document to be accurate and truthful, and Gresham's legal staff finds the information contained in the document to be correct.

Mayor Weatherby commented that the Study was a very comprehensive document and that he did not think the issue was over; he would like to see governance come from current City Councils and not another body elected at large. Chief Caton explained that the options presented in the Study ranged from status quo to annexation, including a 190 Agreement creating a regional fire authority. Chief Caton reported that in regards to fire issues, there were quite a few including funding and increasing calls for service. As time goes on, they will have a difficult time supplying the level of service they were currently providing. The Gresham Fire Department was working at containing costs, as they do not have an apparatus replacement fund; as Fire Chief, that worries him as he does not know how they will replace equipment in the future.

Councilor Trees asked if Chief Caton thought Gresham's response time would diminish because of costs. Chief Caton responded no; as call volume rises, the amount of time it takes for them to get to

people will increase. Councilor Trees questioned if the Fire Department kept track of fire calls per city. Chief Caton responded that they do, and that those statistics would be contained in the annual report which is just being completed.

Councilor Raze questioned if Clackamas County had been notified that they were a consideration for fire services. Chief Caton responded that they had been contacted by the Fire Study consultant and that he has also personally spoken with their Chief; they would be interested in vesting in an additional study. Clackamas County is a good fire department and were aggressive in wanting to serve a larger area. Councilor Raze commented that it appears that the favored option was Fire District 10. Chief Caton responded that he felt the document favored Clackamas Fire District 1; the key issue is that the residents of East County may not feel Clackamas would serve them well.

Councilor Owen asked if Fairview had been paying into the Fire Department's capital replacement fund. Chief Caton responded that what the cities have been asked to pay, per contract, was just to cover the cost of providing fire protection and does not include capital purchases. Councilor Owen questioned what option in the Study Chief Caton would choose. Chief Caton responded that he did not want to see reduced service simply because there was not enough money to go around; he also did not want Gresham to build an empire. Chief Caton would like to provide the same level of service, even slightly enhanced; in his mind, being annexed by a district is the option that would allow them to do that.

Councilor Raze questioned if all citizens of the affected jurisdictions would have to vote on annexing. Chief Caton responded yes. Gresham Mayor Chuck Becker had appointed a Task Force to make a recommendation from the Study by February 15, 2004.

Councilor Lillard asked why forming a new fire district wouldn't work. Chief Caton responded that there was a difference in forming a district and annexing a district; State law allows annexation to take place by a vote of citizens. In creating a district, a full financial plan must be done and presented to voters for approval in a double majority election and formation of a district itself has to be voted on and approved, so cost rises in forming a district vs. annexing.

Councilor Cooper questioned if Fire District 10 owned any equipment. Chief Caton responded that if annexation were to occur with Fire District 10, then an agreement would be created which would transfer equipment; they do own a training center and they do currently have some equipment.

Councilor Cornelius commented that the bottom line seemed to be that there is nothing for Fairview to do regarding the fire issue until Gresham makes a decision on what they have to do. Chief Caton responded that that was a fair statement; Mayor Becker will have continuing discussions with the other Mayors to discuss findings and such. Councilor Owen agreed, adding that he sees Gresham as being in the driver's seat on this issue and until the Task Force comes forward with a recommendation, there was nothing for Council to do at this point. Councilor Owen thanked Chief Caton for his presentation.

Councilor Raze stated that Fairview has been very satisfied with Gresham and their fire service. Mayor Weatherby commented that he would keep the Council fully apprised of all information he receives on the fire issue.

D. HONORING LEN EDWARDS

John Andersen, Community Development Director, distributed a map of the proposed Len Edwards Loop Trail. Councilor Owen commented that discussions were held on various options to honor Councilor Edwards, and that the committee was recommending the Len Edwards Loop Trail. Trail completion would cost about \$6,000 and there were some System Development Charge funds which could cover the cost of the project and he thought the trail would be appropriate to honor Councilor Edwards as he had a special place in his heart for Salish Ponds. Councilor Lillard added that the \$6,000 would cover the cost of completing the trail and placing a plaque.

Councilor Owen moved and Councilor Lillard seconded the motion to improve the trail around Salish Ponds and dedicate it as the Len Edwards Loop Trail.

AYES: 7
NOES: 0
ABSTAINED: 0

Mayor Weatherby indicated that he had a request from Helen Maguire to address the Council.

Helen Maguire, Fairview resident, stated that she has been reviewing the City's enhanced website and complimented the City on it as it provides extensive information. Ms. Maguire added that one of the documents on the website is the draft of the new Comprehensive Plan which will incorporate several planning documents into one plan. Ms. Maguire asked if more public hearings would be held on the draft Comprehensive Plan. Administrator Briggs responded yes. Ms. Maguire questioned how much public discussion had already been held on the Plan. Administrator Briggs responded that a couple

citizen workshops had already been held, as well as the Planning Commission holding two hearings. Ms. Maguire commented that she hoped the City provided notice on the draft Plan as some citizens may be surprised as to what it will contain, and that she hoped some notification to the press would also be made. Administrator Briggs responded that notification had already been provided to the press and that the City would continue to do so. Administrator Briggs added that Tammy Shannon, Administrative Assistant, had designed the website, and that Eric Underwood, Economic Development, had prepared all of the GIS maps that were displayed on the web.

IV. STAFF REPORTS

A. Police

Ken Johnson, Chief of Police, presented two of his philosophies: 1) community policing is not a program - it is a philosophy about the police and community working in partnership to solve problems and that is how he hopes to continue; and, 2) he believes in treating people with dignity and respect. In reference to the armed robbery that occurred in Fairview, he was working that case with Gresham as they believe it is tied in with other robberies in the area. Crimestoppers will be offering a reward leading to the conviction.

B. Public Works

Bob Cochran, Public Works Director, reported that they have advertised for the construction of the Community Center Plaza and hope to have a contractor selected by February 5th. A pre-construction meeting would be held next week for Reservoir #3. Director Cochran stated that two phone calls were received about "exploding toilets" in Fairview Village which was due to some cleaning and flushing of the lines. Regarding the snow and ice the previous week, Public Works had plowed every street in Fairview and received comments of thanks from residents; it required 56 hours of overtime from the crew as they had 11 callouts during the storm.

Councilor Lillard commented that a lot of traffic goes back and forth to the Crestwood Shops, yet that street does not get plowed first. **C.**

Director Andersen reported that Planning had been working very hard on the Comprehensive Plan and the next hearing would be held on January 27, 2004. A notice was mailed to every property owner in the City asking them to be involved with the Comprehensive Plan process. Director Andersen stated that the City of Fairview was successful in persuading the Governor of Oregon to list the Townsend Property as one of the premier sites in Oregon for industrial use. Director Andersen added that Planning staff was working with Councilor Lillard to move forward with a Senior Center.

Councilor Cornelius asked what the charge was to receive a copy of the Draft Comprehensive Plan. Director Andersen responded that he thought the cost was about \$50 due to the size of the document, but

that it was available free of charge to review at the City's Planning counter and also on the City's website and at the Fairview-Columbia Library.

D. City Administrator

Administrator Briggs reported that the City was currently recruiting for Budget Committee and Planning Commission applicants, with all applications being due by 5:00pm on January 28, 2004. Council will interview each applicant and then appoint on February 4, 2004.

Councilor Cornelius commented that he noticed that one of the applicants for the Planning Commission vacancy was the current alternate; if she was chosen to be a regular member, would Council need to readvertise for an alternate or could they appoint from the current applications. Attorney Beery responded that the Council could appoint an alternate from among the current applications. Councilor Cornelius added that the Citizen/Council Alliance currently has two vacancies and if they could receive an updated list of Homeowner Associations in the City, then they could send out notices to them about the vacancies. Administrator Briggs stated that staff would work on updating the Homeowners Association list.

E. City Attorney

Attorney Beery stated that their written report was before the Council.

V. MAYOR/COMMITTEE REPORTS AND COUNCIL CONCERNS

Mayor Weatherby reviewed Council Committee assignments.

Councilor Lillard stated that the Council has a job to do when they look at fire services and needed to be proactive in any decisions that are made and actually make recommendations to Gresham, if needed.

Councilor Raze referenced a newspaper article in which Hiroshi Morihara is quoted as saying that East County needs to speak with one voice; yet the voice Mr. Morihara's wants to provide is only his own.

Councilors Cornelius, Owen, Cooper and Trees had no reports or concerns.

VI. ADJOURNMENT

Councilor Raze moved and Councilor Owen seconded the motion to adjourn. Mayor Weatherby adjourned the meeting at 8:56pm.

AYES: 7

NOES: 0
ABSTAINED: 0

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Mayor Mike Weatherby

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Dated:

Caren C. Huson Quiniones
City Recorder