

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

March 17, 2004 -- 7:00pm

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

Mayor Weatherby called the meeting to order at 7:02pm.

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

ABSENT: Councilor Sherry Lillard

STAFF PRESENT: Mary Jo Briggs, City Administrator
Ken Johnson, Chief of Police
Bob Cochran, Public Works Director
Laura Zentner, Finance Director
John Andersen, Community Development
Director
Melissa Slotemaker, Associate Planner
Caren Huson, City Recorder

Councilor Raze stated that Councilor Lillard may arrive late due to a family emergency.

**II. CITIZEN
COMMUNICATIONS**

Mayor Weatherby called for persons wishing to speak on non-agenda items.

Dave Clapp, 1811 NE 213th Avenue, Fairview, stated that he was opposed to the proposed expansion of Park Cleone; he and 35 citizens of the park area had signed a petition in opposition to the expansion. Mr. Clapp commented that the reasons the citizens do not want the expanded park include safety (high voltage power lines exist where proposed picnic tables and play structures are proposed), security (who would patrol the area and who will take care of the incidences that occur there), garbage, increased traffic, increased noise, and decreased property values. Mr. Clapp stated that he did not think any Council member would want a sports field in their back yard, and neither do the citizens who live in the area of Park Cleone.

Mayor Weatherby mentioned that he lives on NE Hancock and that

he was aware of the issues Mr. Clapp spoke of; this issue should concern everyone and needs to be resolved before the City moves forward on any expansion plans.

John Andersen, Community Development Director, described the process that would be used in studying the expansion of Park Cleone, adding that staff was only in the planning stage. Councilor Cornelius stated that Council had made no decision on the expansion of Park Cleone. Director Andersen explained that the expansion of Park Cleone was an idea that developed with the creation of the update of the City's Parks Master Plan in 1998. A consultant, at that time, had looked at whether it was possible to place a sports facility in that area which is depicted on a map which has been circulating among the citizens. The plan as depicted on the map was never adopted; it was only a conceptual idea of the consultant's. The proposed plan of a sports facility and expanded Park Cleone came up in the Community Visioning process as a result of input from Old Town that they wanted to see more improvements in the Park Cleone area with additional facilities in the park. A preliminary discussion took place with Pacific Cop who indicated that they would be willing to cooperate with the City in our planning process. A letter was sent to citizens on NE 213th Avenue to attend a March 31, 2004 meeting on Park Cleone, which will be the first public meeting to discuss expansion of the park. Director Andersen added that staff would perform a survey, hold additional meetings with property owners in spring and summer, and then hold design discussions in late summer and creation of a plan in early fall; however, all was dependent on whether the City decides to move forward with the study. All stakeholders have to agree that the expansion is a good idea and would be beneficial to the community; we must consider design and evaluate fiscal realities.

Councilor Raze stated that he understood Mr. Clapp's position and that he made some very good points; however, the City needs to address facilities for kids in our City. One of the reasons this idea was floated was the fact that the land that Pacific Corp owns is already there and would not need to be purchased by the City. Mr. Clapp commented that he did not even learn of the proposal through the City; Pacific Corp had contacted him. Councilor Raze asked everyone in the audience to be a part of the process; parking must be self-contained with a parking lot dedicated to the park. The park will absolutely need to be kept clean and it would not be the property owners' responsibility. Councilor Raze stated that he was an advocate for a place for kids to play in all areas of the City. Councilor Raze added that an age restriction could always be placed on the park as to who could use the soccer fields as younger kids will not be a problem.

Councilor Owen questioned whether the City had looked into Reynolds Middle School having a soccer field. Director Andersen

responded that the City works with the School District, but the schools are not sufficient any longer due to our tremendous growth. There is no longer any extra land at the Middle School to place a soccer field. Councilor Owen stated that he thought the City needed to look at other options and areas of the City, such as the Alcoa site. If the City is required to maintain the park, it will not happen as the City does not have the money to maintain an expanded Park Cleone.

Councilor Trees suggested that a committee be formed of soccer families who might be able to help the City scout out other locations in Fairview for a soccer field; perhaps there was a better location that could solve this problem.

Steve Killian, 2040 NE 213th Avenue, stated that he has lived in his home for 10 years and that the issue of who will pay for the park expansion and maintenance is of no importance; the issue is night time activity in Park Cleone. It ends up being the citizens that have to keep an eye out on the park and their properties; there is graffiti all over the park right now; a porta-potty was burned down five years ago and it has never been replaced; benches are being cut up, and all this happens at night. Mr. Killian did not think it would be safe for the kids and the people who live in the area if the park was expanded. Councilor Raze stated that he agreed with Mr. Killian that there are areas of Park Cleone that can not be viewed from the street; all concerns need to be addressed.

Gerald Rossiter, 2037 NE 213th Avenue, Fairview, stated that right now there is a big problem with water from the Pacific Corp site coming into neighbors yards, so there will be the added expense of placing drainage, not to mention adding or replacing fencing.

Mayor Weatherby thanked the citizens for their input.

III. CONSENT AGENDA

Councilor Owen moved and Councilor Cooper seconded the motion to approve the Consent Agenda, consisting of the Minutes of March 3, 2004 (2 sets).

AYES: 5
NOES: 0
ABSTAINED: 1 (Raze)

IV. COUNCIL BUSINESS

A. Intergovernmental Agreement - Aging and Disability Services

Nancy Harp, Community Services Manager for Multnomah County Aging and Disability Services, stated that she was seeking the Council's support in this year's funding. Ms. Harp commented that their report, as included in the County packet, shows that they have continued to increase the amount of services they provide to Fairview citizens. They have seen the majority of growth in home delivery and

congregate meals. Ms. Harp reported that last year, their funding was cut somewhat by the County, but that East County Ministries had picked up a number of rides that they were not capable of providing.

Ms. Harp commented that in regards to the County I-Tax, Aging and Disability services has been allocated \$2.6 million which has been split into five different programs: backfilling cuts from the State level; Multnomah Project Independence Program which was initiated to help those who are young and disabled and cut off from Medicaid; Special Needs Fund (health coverage, home services, wheelchair replacement, scooter repair, etc); prescription support for those who have lost their health coverage; and backfilling transportation funds that were cut, along with continuing to provide housing assistance.

Mayor Weatherby stated that if the City approves this funding, we will always pay for the service. It is the County's responsibility to provide this service to County citizens. Fairview residents pay property taxes and now also the hefty County Itax, and the County recently hired a library director which is the highest paid in the United States. Ms. Harp mentioned that, years ago, communities came together in wanting to build this service; the money that Fairview provides goes to that outreach.

Councilor Owen questioned whether Ms. Harp had already visited the Cities of Troutdale and Wood Village. Ms. Harp responded that Troutdale has agreed to fund this year, but may not next year; Wood Village has never participated in the partnership. Councilor Owen thanked Ms. Harp for her continued efforts. Councilor Cornelius asked if Ms. Harp had any idea of the cost Aging Services incur for Fairview seniors. Ms. Harp responded that \$50,000 had been spent just for Fairview residents in the terms of meals and rides. Councilor Cornelius stated that the amount the City provides to this service is a pittance in relation to the services that the County provides to Fairview senior citizens, and that he was in favor of voting to approve the request.

Councilor Owen moved and Councilor Cornelius seconded the motion to renew the Intergovernmental Agreement with Multnomah County Aging and Disability Services in the requested amount of \$1,750, with the money to be used from the Community Support budget line item. Mayor Weatherby stated that he thinks Fairview citizens already pay taxes to provide these services.

AYES: 5
NOES: 1 (Weatherby)
ABSTAINED: 0

V. PUBLIC HEARING

A. Comprehensive Plan Chapters 5 through 8

Melissa Slotemaker, Associate Planner, stated that this public

hearing was a continuation of the public hearing from March 3, 2004, where Chapters 1 through 4 of the draft Comprehensive Plan were discussed. At Council's Work Session earlier in the evening, Council had reviewed and discussed Chapters 5 through 8 of the draft Plan.

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

Councilor Owen moved and Councilor Raze seconded the motion to continue the public hearing on the Draft Comprehensive Plan to April 21, 2004 at 7:00pm.

AYES: 6
NOES: 0
ABSTAINED: 0

Councilor Trees questioned whether Council would have time to review the updated Comprehensive Plan and all suggested changes.

Mary Jo Briggs, City Administrator, asked how far in advance Councilor Trees would like to see the final draft. Councilor Trees stated that he would like a work session scheduled to review the final product before it is brought to Council for adoption. Councilor Raze stated that providing Council with the final draft two weeks prior to a work session or adoption was fine.

VI. STAFF REPORTS

A. Police

Ken Johnson, Chief of Police, stated that this was his third month as Fairview's Chief, and that the Police Department had held a meeting in which they discussed where the Department wanted to go. Chief Johnson reported that a job offer had been made contingent upon successful background checks; the job offer was for a vacant Police Officer position. Chief Johnson added that he continues to work and revise the monthly Police Department written report that appears in the Council's packet. Councilor Raze suggested that Chief Johnson review the County report to see what information they provide.

Councilor Owen asked what the schedule was for replacing police cars. Chief Johnson responded that two cars were scheduled to be replaced in the next budget year.

Councilor Trees questioned the patrol of Salish Ponds. Chief Johnson stated that patrol of the Salish Ponds area increases in the summer months and that they rely on Reserve Officers for that increase in patrol.

B. Public Works

Bob Cochran, Public Works Director, reported that construction activity was increasing with the sunny weather; the Len Edwards Loop Trail construction would begin the following week, the reservoir construction on NE Halsey has already begun with final completion

being anticipated in December 2004. Work around the Community Center has begun for the Bonita Plaza, and work continues in the Community Garden in which seven citizens have signed up for a plot.

Councilor Cornelius questioned when the last layer of asphalt would be placed on Park Lane and when the sidewalks would be completed. Director Cochran responded that the final lift of asphalt would be placed when all construction work ends on Park Lane. Councilor Cornelius stated that he would like to see the sidewalks completed before that time for the safety of citizens.

C. Community Development

Director Andersen reported that staff would be making a presentation asking for State funds for additional path improvements needed in the Salish Ponds Wetlands Park. Staff has been working with the State on the Townsend Business Park to obtain a designation of an "opportunity site", and working with that State for some additional funding for the intersection of 223rd and Sandy for economic development projects. The Economic Development Committee continues to work on master planning for Fairview's industrial area and hope to have a draft plan available in the next couple months. Director Andersen commented that there were a number of projects underway: Market Place Apartments, Market Place Mixed Use Building, Bumpers Grill and Bar, etc, with many inquiries being received on Fairview's commercial areas. Progress continues to be made in the Code Enforcement area, and Sam Asbury, the Planning Commission Chairman who has been serving in Kuwait, will return home at the end of the month.

Councilor Owen commented that it appears as though only one building permit had been issued the previous month and questioned the progress being made on Fairview Marine Supply. Director Andersen responded that the owner has installed landscaping on the eastern side of the property, placed more materials in containers, and cleaned up the litter in the back portion of the property. Staff has requested that the owner place slats in the gate area to provide more screening of the site. The deadline is nearing for the owner to submit a site plan for continued use of the property, with the plan then having to go before the Planning Commission. Councilor Owen asked how the City's nuisance ordinance pertains to businesses on Sandy Boulevard, i.e, residential vs. commercial. Director Andersen responded that in regards to commercial use, the City can only impose conditions when a new use is proposed; the problem staff was currently having with code enforcement is due to pre-existing uses which limit enforcement actions. Councilor Cornelius questioned if Director Andersen could include total fees collected to date each month in terms of building permits, and the total amount paid to Troutdale to date in terms of inspections, so that the City has an actual number to compare. Director Andersen responded that in April, Troutdale is to provide the City with a quarterly report. Councilor Cornelius stated that the citizens who testified tonight

regarding Park Cleone proves that the City needs to keep its citizens informed; he would like to see the Department Directors include a report in each newsletter of what is on the horizon or currently being considered by the City.

Councilor Cooper asked if a decision had been made by the City to participate at the Columbia Corridor Association Business Fair. Director Andersen responded that the City intends to participate, but would like Troutdale or Gresham to join us in our presentation.

D. Finance

Laura Zentner, Finance Director, reported that the proposed 2004/2005 budget would be distributed the following week, which will provide the Council two weeks to review. Staff was reviewing the possibility of debt refinancing of water revenue bonds which could potentially save the City between \$150,000 and \$200,000. Director Zentner thanked the City's Finance staff for their assistance and flexibility. Councilor Raze asked if the current percentage rate on the water revenue bonds was a fixed 6%. Director Zentner responded that 6% was in the range and that it could fluctuate slightly either way.

E. City Administrator

Administrator Briggs reported that the truing up of building permit amounts will go back to the beginning of the fiscal year, but the quarterly report will cover January 1, 2004 through March 31, 2004. Councilor Cornelius commented that Troutdale needs to provide us with a correct and accurate report.

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

Councilor Cornelius noted that five members of the Citizen/Council Alliance had attended the Council's Work Session earlier in the evening regarding the Comprehensive Plan, adding that they are very dedicated. Councilor Cornelius stated that he was offended at how the Board of County Commissioners has abused the process, ignored the legal opinion of the State Attorney General, and have not used the public involvement process. Councilor Cornelius commented that it was very important for Council to keep involved with the people we represent.

Councilor Raze stated that there has to be some process where an idea can be floated without broadcasting it to the public. The Park Cleone issue has been discussed and tabled for a long time; nothing secretive occurred regarding Park Cleone. Councilor Cornelius commented that the public perception was that decisions were being made without them being aware, and there is a history of that in Fairview; however, not presently. Councilor Raze reported that renovation of the Heslin House has been slow going as the Eagle Scout is having a hard time coming up with donations for the construction of the front porch. The Historical Society needs to foster the project somewhat and start spending some of their funds for the front porch.

Councilor Cooper reported that he had attended the East Metro Regional Issues Forum and his personal feeling was that Fairview will take a hit on the fire service issue. Administrator Briggs commented that any escalation in fire costs will be devastating to Fairview budgets; she was working with Troutdale and Wood Village on this issue and a Council Work Session will be held in May; everyone needs to be well versed in our proposal and come to terms in what we think is fair.

Councilor Trees stated that it was nice to see all the citizens participating tonight in the process. Mayor Weatherby questioned what was happening with the Children's Theatre. Councilor Trees responded that the theatre was not active at this point and that he was trying to find someone who was interested in running the program.

Councilor Owen had no reports or concerns.

Mayor Weatherby reported that he had been networking to obtain funding for a stoplight at 223rd and Sandy; he had spoken with Karen Minnis and the Oregon Department of Transportation. Mayor Weatherby commented that he was very pleased with the working relationship he has with Ms. Minnis; she is very supportive of Fairview. Mayor Weatherby stated that it appears as though the Port of Portland is still interested in purchasing the Alcoa site; there is the possibility of the Port going to the State Legislature to create a special economic enhancement area.

VIII. ADJOURNMENT

Councilor Owen moved and Councilor Cooper seconded the motion to adjourn. Mayor Weatherby adjourned the meeting at 9:00pm.

AYES: 6
NOES: 0
ABSTAINED: 0

Mayor Mike Weatherby

Dated:

Caren C. Huson Quiniones
City Recorder