

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

February 16, 2005 -- 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 Barbara Jones
Councilor Steve Owen
Councilor James Raze
Councilor Ken Quinby
Councilor Jim Trees

STAFF PRESENT: Jan Wellman, City Administrator
Ken Johnson, Chief of Police
Bob Cochran, Public Works Director
Laura Zentner, Finance Director
John Andersen, Community Development Director
Pam Beery, City Attorney
Caren Huson, City Recorder

- II. FLAG
CEREMONY/PLEDGE OF
ALLEGIANCE**

Venturing Crew 174 presented the colors and led the Council in the Pledge of Allegiance.

- III. PROCLAMATION
Scout Month**

Mayor Weatherby read a City of Fairview Proclamation into the record, proclaiming the month of February 2005 as Scout Month in Fairview.

- IV. PRESENTATION OF
PLAQUE**

Mayor Weatherby presented a plaque to Community Development Director John Andersen, thanking him for his years of service to the City of Fairview as he retires on February 28, 2005.

- V. CITIZEN
COMMUNICATIONS**

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

- VI. CONSENT AGENDA**

Councilor Raze requested that Item A, an Appointment to the Parks Committee by a Youth Member, be pulled from the Consent Agenda.
Councilor Cornelius requested that Item D, Award of Contract for the Fairview Community Center Phase 2, be pulled from the Consent

Agenda.

Councilor Owen moved and Councilor Quinby seconded the motion to approve the revised Consent Agenda consisting of Resolution 5-2005, A RESOLUTION REMOVING A PROJECT FROM THE STORM DRAINAGE MASTER PLAN FOR NORTHEAST FAIRVIEW; and, Resolution 6-2005, A RESOLUTION UPDATING THE CITY OF FAIRVIEW STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION WITH CURRENT VERSIONS OF REFERENCED DOCUMENTS.

AYES: 7
NOES: 0
ABSTAINED: 0

Councilor Raze indicated that the original City Resolution which addressed youth membership on a Fairview Board or Committee needed some revision before a youth appointment could be made to the Parks Committee.

Councilor Cornelius commented that he was confused by the numbers on the Contract Award for the Fairview Community Center Phase 2. Bob Cochran, Public Works Director, explained that the City had received a grant for \$71,000 for the project; \$53,000 covered the landscaping, and \$18,000 was to be used to remodel the ramps for ADA compliance. The grant required that the City match the project with at least \$5,000 which is coming from Street Fund; the remaining \$9,000 for the project would be taken from Parks SDCs which is justified as the Community Center is listed as a park resource in the City's Parks Master Plan.

Councilor Cornelius moved and Councilor Raze seconded the motion to approve Resolution 7-2005, A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A CONTRACT WITH D&A GENERAL CONTRACTORS INC. FOR THE CONSTRUCTION OF THE COMMUNITY CENTER PHASE 2 PROJECT.

AYES: 7
NOES: 0
ABSTAINED: 0

VII. COUNCIL BUSINESS

A. RESOLUTION 8-2005 Public Contracting Rules

Jan Wellman, City Administrator, reported that in 2003, the Oregon Legislature enacted a new Public Contracting Code (Code). The new Code has an operative date of March 1, 2005, and will apply to public contracts first advertised, or if not advertised, then entered into on or

after March 1, 2005. Resolution 8-2005 acknowledges that the City will be bound by the Model Rules, except to the extent that the City is required to develop its own rules for public contracting. The resolution establishes the City Council as the Contract Review Board and delegates day-to-day public contracting duties to the City Administrator. Administrator Wellman introduced City Attorney David Doughman.

Mr. Doughman reported that the impetus for the Legislature in creating the new public contracting code was to clean up the current contracting code and attempt to divide it into sections such as “goods and services” and “public improvement contracting”. Mr. Doughman stated that he was recommending that the City be bound by the model rules with some additions: personal service contracts and the delegation of authority. The Council would be the Contract Review Board and the city staff would act as the contracting agency. Mr. Doughman indicated that the new model rules offer a lot of flexibility. Councilor Quinby moved and Councilor Owen seconded the motion to adopt resolution 8-2005, A RESOLUTION ADOPTING PUBLIC CONTRACTING RULES.

AYES: 7
NOES: 0
ABSTAINED: 0

VIII. STAFF REPORTS

A. Police

Ken Johnson, Chief of Police, reported that the department has begun their part-time Investigator program which will be assisted by other day shift officers. A new process is beginning in the Police Department: if someone is a victim in Fairview and have filed a report, they will receive a phone call from one of our investigators within five days. Also, the department is going to expand its domestic violence education program. Chief Johnson stated that March 26th will kick off their Youth Bicycle Safety Program.

Councilor Owen questioned how many traffic warnings are given vs. citations. Chief Johnson responded that the average was about two warnings given out for every one citation.

B. Public Works

Director Cochran reported that Reservoir #3 was about 95% complete; the last coat of paint was still needed. Bids were opened yesterday for the painting of City Hall with the low bid coming in just under \$18,000. Director Cochran stated that the City’s landscaper has been very creative in getting work done in Fairview parks and that he was currently working with inmate crews in cleaning out stormdrains.

Councilor Trees asked about the \$2,407 invoice from Gresham. Director Cochran responded that Fairview contracts with Gresham for the sampling of water in Fairview Creek.

Director Cochran mentioned that Well #8 produces half of the water for the City, but there were some problems with that Well at the onset of production. Hydrogen Sulfide created an odor and the City began chlorinating the water. Because of that chlorination, residents around Fairview Lake have been experiencing discolored water. The City's Water Fund is pretty well depleted due to the cost of Well #8 and Reservoir #3, so once enough funds have been saved, staff will address the discoloration.

C. Community Development

John Andersen, Community Development Director, introduced Tamara DeRidder who would be serving as Acting Community Development Director beginning on March 1st. Ms. DeRidder has worked for the cities of Sandy, Oregon and Vancouver, Washington and has a variety of experience; she will provide a good service to Fairview. Ms. DeRidder commented that she was very pleased to be a part of the Fairview community.

Director Andersen reported that a written monthly Community Development report was before the Council and that January had been a very busy month for them with the issuance of 103 permits; it is anticipated that the department will have a very busy summer. Councilor Owen recognized that this would be the last Fairview Council meeting for Director Andersen and thanked him for his contributions and efforts to the City of Fairview.

Mayor Weatherby asked for an update on Fairview Marine Supply. Director Andersen responded that the City has had some success in getting the property cleaned up and that the business had complied with all conditions except one which requires that all boat parts be placed in containers.

Councilor Raze thanked Director Andersen for all he has done for the City.

D. City Administrator

Administrator Wellman reported that a meeting was held with former City Councilor Larry Cooper who was representing his Fairview Village Homeowners Association; all problems have been solved. In turn, the City received a commitment from the Homeowners Association to assist with trails and pocket parks in the Village. Administrator Wellman stated that a good meeting had been held with the Housing Authority of Portland regarding payment in lieu of taxes; the City received an offer from them to set up a satellite Police office in the Fairview Oaks/Woods apartment complex, along with having security cameras placed on the property. Administrator

Wellman commented that he continues to be involved in the Ad Hoc Fire Services Committee and they are getting near the end of their charge and will have a recommendation to Council by March 31st. Four alternatives were being reviewed; a letter was received from Fire District 14 indicating that they were not interested in entering into a contract with the three cities.

E. City Attorney

Pam Beery, City Attorney, stated that their written report was before Council. During the past month, they have been involved with the water reservoir contract, public contracting resolution, Drainage District #1 stormwater management issue, and a NPDES Permit.

Councilor Cornelius asked for clarification of a tort claim from a Mr. Snyder. Administrator Wellman responded that the tort claim was from an incident that happened in town; the claim was turned over to the City's insurance company who in turn denied it.

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

Councilor Cornelius reported that a meeting would occur the following afternoon on fire service which is a public meeting; the scope of the committee's work is being narrowed down.

Councilor Jones stated that at the next Council meeting an update will be given on the City's Summertime Festival.

Councilor Owen recognized all of the Boy Scouts who were in attendance at the meeting.

Councilor Trees reported that a Port of Portland meeting would be held at the Lake House at Blue Lake on February 24, 2005, 6:30pm, regarding the Airport Noise Compatibility Report.

Councilors Raze and Quinby had no reports or concerns. Mayor Weatherby announced that in addition to Metro attending the East Metro Cities Regional Issues Forum the following evening, that Multnomah County Chair Diane Linn would also be in attendance.

X. ADJOURNMENT

Councilor Owen moved and Councilor Raze seconded the motion to adjourn. Mayor Weatherby adjourned the meeting at 8:00pm.

AYES: 7
NOES: 0
ABSTAINED: 0

Mayor Mike Weatherby

Dated:

Caren C. Huson Quiniones
City Recorder