

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

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**March 2, 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  
Caren Huson, City Recorder

Mayor Weatherby presented a plaque to Jim Jennings, Fairview's Municipal Court Judge from 1986 thru February 2005, and thanked him for his dedicated service to the City of Fairview.

**II. CITIZEN  
COMMUNICATIONS**

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

Samantha Keely, representing the Girl Scouts of America, stated that she works to bring scouting to girls who live in low income housing. Her Council had received grant money for the third year, and her Council services the entire Portland metro area. They are partnering with the Housing Authority of Portland to serve girls in the Fairview Oaks/Woods Apartments, and is trying to recruit volunteers and community members to take a role in the lives of local girls. Ms. Keely indicated that it would be a self-sustaining, viable group that would be run by volunteers. The Program focuses on social issues, conflict resolution, self defense, etc, and the goal is to have 50 girls participate with 12 adult women volunteers. The age groups service are 5-17.

Councilor Cornelius asked if the program for the low income girls was different from a regular Girl Scout program. Ms. Keely responded that it is slightly different as it is personalized to the girls in the troop. It has been determined that girls of public housing have certain issues that they would like assistance with, but they will also go through the regular program; it was all about what the girls wanted to do. Since they receive grant funds, they are able to bring specialists in for certain issues, but the girls would still be involved in the cookie program, camping, first aid, finance, etc. They will poll the girls and find out what they want to learn and do, and the troop leaders will

show them leadership and planning.

Councilor Trees questioned if this was an on-going program with the Oaks/Woods. Ms. Keely responded no, she was currently looking for adult volunteers to train first and get on board before she actually starts forming the scout troop. It is her hope that the troops are formed in April or May.

Councilor Quinby asked if Ms. Keely had a list of all HAP properties in Fairview and whether she had dropped off flyers or brochures in various locations. Ms. Keely responded that she had brought brochures with her to leave at City Hall, and that an article would also appear in the Fairview City Hall Newsletter. In addition, she would be visiting the other HAP properties in Fairview.

Mayor Weatherby stated that Ms. Keely was a very good representative for the Girl Scouts and thanked her for her presentation.

**III. CONSENT AGENDA**

Councilor Owen moved and Councilor Quinby seconded the motion to approve the Consent Agenda, consisting of: Resolution 10-2005, A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A CONTRACT WITH THE RODRIGUEZ CORPORATION FOR THE "2005 CITY HALL PAINTING", and the Minutes of February 2 and 16, 2005..

AYES: 7  
NOES: 0  
ABSTAINED: 0

**IV. COUNCIL BUSINESS**

**A. RESOLUTION 9-2005  
Youth Membership on  
Advisory Committees**

Jan Wellman, City Administrator, reported that Resolution 9-2005 would repeal and replace Resolution 29-1993 regarding youth membership on advisory committees. The age limit has been removed, along with the mention of term limits.

Councilor Quinby moved and Councilor Raze seconded the motion to adopt Resolution 9-2005, A RESOLUTION REGARDING YOUTH MEMBERSHIP ON ADVISORY COMMITTEES AND REPEALING RESOLUTION 29-1993.

AYES: 7  
NOES: 0  
ABSTAINED: 0

**B. APPOINTMENT  
Parks Committee  
Youth Membership**

Caren Huson, City Recorder, stated that Council had just approved Resolution 9-2005 regarding youth membership on advisory committees. Before the Council was an application from Emily Pulliam for youth membership on the Fairview Parks Advisory Committee; it was at Council's discretion whether they would like to appoint Ms. Pulliam and also Council's discretion on determining her term on the Committee.

Councilor Raze mentioned that Emily Pulliam had previously testified before the Council on an issue in her neighborhood and he thought she would be a good addition to the Parks Committee.

Councilor Raze moved and Councilor Owen seconded the motion to appoint Emily Pulliam to the Fairview Parks Advisory Committee (youth membership) for a term of one year.

AYES: 7  
NOES: 0  
ABSTAINED: 0

**C. UPDATE  
Fairview Summertime  
Festival**

Councilor Jones reported that the fourth annual Fairview Summertime Festival would occur on Saturday, July 30, 2005, from 11:00am to 8:00pm. The Festival will take on a 50's atmosphere this year, with the addition of a 50's car show, food, craft, and antique dealers, carnival games, and several contests. The Festival Committee has been meeting since January 2005 and has determined that these additions are necessary to make the Festival a success and to draw more attendees. The Committee is requesting one more addition to the Festival: a Wine/Beer Garden (Garden). The Garden would be operated by a private vendor under strict regulations and would provide additional revenue to the City so that we may continue to offer the Festival free of charge; the City would collect applications fees for food and craft vendors, along with car show entrants. Fairview Municipal Code Chapter 12.30.070 states that no alcoholic beverages are to be sold in any park or part thereof unless it is specifically authorized by the City Council. In conclusion, Councilor Jones stated that the Festival Committee was asking Council to waive the regulation of alcohol sales in the Community Park for July 30, 2005 only.

Councilor Owen questioned what thoughts Chief Johnson has on serving alcohol and what measures need to take place to adequately police the Beer Garden. Chief Johnson responded that if it was Council's desire to have a Beer Garden, then the Fairview Police Department would make it work. He has been involved in various functions that have had beer/wine gardens and he did not think the City would encounter any problems as long as regulations were in place.

Councilor Owen asked what the plan was for setting up the Garden. Faith Wellman, Festival Committee member, responded that it would be in a contained, roped off area and handled by a private vendor who would provide an insurance waiver and the City would receive a portion of the profits. Nothing will be available outside the roped off area of the Garden. Chief Johnson added that the police would work with the vendor so as they would be required to have specialized individuals patrolling the Garden; there were professionals who did that for a living. Ms. Wellman added that the vendor would also be constrained by OLCC regulations.

Councilor Raze commented that he had not been in favor of a Beer/Wine Garden in the past for two reasons: 1) the Festival is a family function with small kids, and, 2) the City does not allow alcohol in any of its parks. However, if you go to Troutdale, their businesses sell the beverages, and the Street Dance in Gresham offers alcohol. Councilor Raze thought we should try the Garden this one time, and that this would not be an automatic waiver each year.

Councilor Quinby mentioned that West Linn has an Old Time Faire every year with a roped-off beer garden and there has never been a problem, so he was in favor of Fairview trying it this year.

Councilor Trees stated that he has never been opposed to a Beer Garden but he was concerned about security. Ms. Wellman responded that the Festival could hire uniformed security, but also have local police patrol the area. Councilor Trees indicated that he would like to know exactly how security would be provided.

Councilor Cornelius asked how much the vendor would pay to host a Beer Garden. Ms. Wellman responded that the City has never tried this before so she could not give an honest answer, but the City would take a percentage of profits and charge a sponsorship fee. Councilor Cornelius questioned if the intent of having the Beer Garden to attract more people. Ms. Wellman responded that the intent is to make revenue to pay for the Festival; it is simply another amenity for the citizens.

Councilor Quinby mentioned that people go to taverns expressly to drink, but in a Festival atmosphere, they wander around the vendors, eat, etc, and will not just sit for hours in a Beer Garden. Councilor Raze added that the City will have police on-site during the Festival anyway, so there will not be a problem.

Councilor Owen commented that he knows the Festival Committee is looking for a decision; he agrees that there are a lot of answers needed that the Committee does not have right now but he was confident the Police Department would take care of any situations that may occur.

Councilor Owen moved and Councilor Raze seconded the motion to allow alcohol to be sold in the Fairview Community Park on July 30, 2005, with a review of the Festival to occur shortly after that date.

Councilor Cornelius stated that the Beer Garden suggestion came up last year and Council voted it down. Councilor Cornelius personally felt that the Festival was a family function and did not think alcohol had a place had a family function; the parents will sit in the Beer Garden and just let their kids run around. In addition, he did not see the Beer Garden as a financial advantage.

Mayor Weatherby commented that he thought it was a good idea to try the Beer Garden this year.

AYES: 6  
NOES: 1 (Cornelius)  
ABSTAINED: 0

**VII. CITY ADMINISTRATOR REPORT**

Administrator Wellman reported that the City's proposed 2005/2006 he budget has been finalized and will go to the printer; Budget Committee meetings were scheduled for April 4, 11, and 18, 2005, beginning at 6:00pm. Administrator Wellman stated that he had met with Department Directors this week, and since there were no pressing issues to bring before Council, that the Council meetings of March 16<sup>th</sup> and April 6<sup>th</sup> were cancelled, unless something comes up at the last minute. Councilor Cornelius commented that he thought

the three City Councils were going to have a joint session to receive information all at the same time on the fire service issue. Administrator Wellman responded that nothing was definite as yet; if a joint meeting were to occur, it would probably happen towards the end of April.

Administrator Wellman distributed a letter to the Council from the Multnomah Drainage District No. 1; in response to that letter, the City had asked them for the legal authority which would allow them to assess the City. The City's Attorney reviewed the materials received from the Drainage District and prepared a response letter to the Drainage District which informed them that they do not have the legal authority to make an assessment and that the City does not intend to pay any assessment.

Administrator Wellman reported that Fairview's Associate Planner, Melissa Slotemaker, has been on maternity leave and submitted her letter of resignation earlier in the week. The City will advertise for that position with the hope of having someone on staff by mid-April.

Chief Johnson mentioned that staff had previously discussed with Council a grant the City received from the State for an East County Gang Enforcement Team; \$106,000 has been appropriated to Fairview, which will allow us to hire an additional officer for 18 months. The grant will not be received until June 1<sup>st</sup>, but the Academy to train officers will begin April 11<sup>th</sup>. Chief Johnson was asking the Council to allow him the ability to hire someone prior to June 1<sup>st</sup>, so that he may send them to the Academy for training, which would allow them to be on patrol by June 1<sup>st</sup> so that we may send an officer to participate in the Gang Enforcement Team for 18 months. Chief Johnson stated that he believed he could find the money in the budget to pay for an officer between April 11<sup>th</sup> and June 1<sup>st</sup>. Mayor Weatherby asked what the cost to the City would be to place an additional officer on the payroll between April 11<sup>th</sup> and June 1<sup>st</sup>. Chief Johnson responded that he thought it would be around \$5,000 to \$6,000. Councilor Cornelius questioned if the grant money would pay for 100% of the new officer's salary. Chief Johnson responded that it would pay 18-19 months of salary and benefits; the City would have to provide a car and costs associated with overtime. Council consensus was to move ahead and make an employment offer so that the individual could attend the Academy.

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

Councilor Jones thanked the Council for allowing the Festival Committee to move forward with the Beer Garden.

Councilors Cornelius, Owen, Raze, Quinby and Trees, along with Mayor Weatherby, had no reports or concerns.

**IX. ADJOURNMENT**

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

AYES: 7  
NOES: 0  
ABSTAINED: 0

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Mayor Mike Weatherby

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Dated:

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Caren C. Huson Quiniones  
City Recorder