



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

**November 16, 2005 – 7:00 p.m.**

**I. CALL TO ORDER/ ROLL CALL Mayor Weatherby called the meeting to order at 7:00 p.m.**

**PRESENT: Mayor Mike Weatherby  
Councilor Barbara Jones  
Councilor Larry Cooper  
Councilor James Raze  
Councilor Ken Quinby  
Councilor Steve Owen**

**ABSENT: Councilor Darrell Cornelius**

**STAFF PRESENT: Jan Wellman, City Administrator  
Tamara DeRidder, Community Development  
Director  
Connie Hansen, City of Fairview Secretary**

Mayor Weatherby led the Pledge of Allegiance.

**II. PLEDGE OF ALLEGIANCE**

Mayor Weatherby called for anyone who wished to address the Council on a non-agenda item to come forth. Hearing none the meeting continued.

**III. CITIZENS WISHING TO SPEAK ON NON-AGENDA ITEMS**

Mayor Weatherby called for a motion on the Consent Agenda. One change to the minutes was noted for the word "presentation" to be added following the Investments Manager Workshop heading.

**IV. CONSENT AGENDA**

- A. MINUTES – OCTOBER 19, 2005**
- B. RESOLUTION 26-2005 – SEC. 457B DEFERRED COMP PLAN**

Councilor Owen moved and Councilor Jones seconded to accept the Consent Agenda.

**AYES: 6**

NOES: 0  
ABSTAIN: 0

The Consent Agenda was approved by the Council

V. **COUNCIL BUSINESS**  
**A. RESOLUTION 27-2005 – WATER MANAGEMENT AND CONSERVATION PLAN**

Mayor Weatherby called for the staff report on Resolution 27-2005 – Water Management and Conservation Plan.

Bob Cochran, Public Works Director and Jeanne LeJeune, a consultant hired to assist with this task presented the staff report. When the City of Fairview was issued the Water Right Permit for Well #8, a condition was placed on that permit by the Oregon Water Resources Department. This condition reads: *“Within two years of permit issuance, the permittee shall submit a Water Management and Conservation Plan consistent with OAR Chapter 690, Division 86.”* Per the OARs, the Water Management and Conservation Plan is divided into six chapters.

Chapter 1 addresses the steps taken to develop the City’s plan. Chapter 2 describes the City’s water system. Chapter 3 discusses the proposed Water Conservation Programs including 17-tasks and a proposed necessary budget. Some tasks are completed by city staff and others require the assistance of additional consultant resources. There are two classes of conservation projects. One could be immediately implemented while the second would require further study, planning, and funding. Chapter 4 addresses water curtailment and includes an Ordinance and Resolution to be adopted by the Council in the future, once the Plan is approved. Chapter 5 discusses the Water Supply Element and how Fairview plans to meet build-out water demands. Chapter 6 addresses the Additional Requirements listed in the Water Rights Permit.

Director Cochran stated that public notification is a component of this process. The City notified the public through a press release in the Gresham Outlook, the City of Fairview’s newsletter, and offered an opportunity to provide ideas and input via the City’s website. Surrounding jurisdictions were also contacted seeking their input into Fairview’s Plan. Very few public comments were received. The Draft Plan was placed on the website, at the library, in City Hall, given to the Park’s Committee, and a notice sent to the Outlook.

Jeanne LeJeune reviewed the conservation projects listed in the Draft Plan. Some of the projects are required and some are discretionary. A water audit was mandatory and staff conducted this to determine the level of usage and peak times for water consumption. Other components included testing the city’s water meters, a water rate analysis, ongoing maintenance, lead detection, public information and education, and a plan for continuing to monitor water use throughout the city.

Ms. LeJeune stated that the City has done a good job with limited resources. The Draft Plan brought out other resources that can be utilized and, developed the conservation program steps for meeting the OAR requirements. LeJeune recommends that the City join the Regional Water Consortium. The benefit is

that there are brochures, programs, and other resources that can be utilized by the City for a number of the requirements. There is a cost, but if the City had to develop all of the materials and programs on their own it would cost more than joining the Regional Water Consortium.

Council noted that the dues are \$3,000 per year and would rise to \$3,810 in 2010. Councilor Quinby asked if there was a less expensive way to achieve the same thing. Director Cochran stated that the benefit for the dollar is very inexpensive for what the City would have to do to satisfy the state requirements. The pamphlets, water reduction kits (250 kits for free), we acquire a lot of material, and get credit for the advertising – that the Consortium pays for are major benefits. The City would not get credit unless it joined the group. In staff's opinion the \$3,000 is well worth it. Council discussion noted that education is a positive means to impact water use to help preserve the city's resources.

Mayor Weatherby called for a motion on Resolution 27-2005: A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF FAIRVIEW ADOPTING A "DRAFT" WATER MANAGEMENT AND CONSERVATION PLAN.

Councilor Owen moved and Councilor Quinby seconded the motion to approve RESOLUTION 27-2005.

AYES: 6  
NOES: 0  
ABSTAIN: 0

There was a question as to whether this action required a public hearing. Director Cochran said he would investigate this issue and bring Resolution 27-2005 back to Council on December 7, 2005.

The motion to approve Resolution 27-2005: A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF FAIRVIEW ADOPTING A "DRAFT" WATER MANAGEMENT AND CONSERVATION PLAN was rescinded.

**ORDINANCE 9-2005 –  
PRETREATMENT OF SANITARY  
SEWAGE**

Mayor Weatherby called for the staff report on ORDINANCE 9-2005 – REVISIONS TO THE FAIRVIEW MUNICIPAL CODE CHAPTER 13.25 – WASTEWATER INDUSTRIAL PRETREATMENT PROGRAM.

Director Cochran stated that this ordinance revises Chapter 13.25 of the Fairview Municipal Code. The City of Fairview conveys all of its sanitary sewage to the City of Gresham's Waste Water Treatment Plant (WWTP) for treatment. To ensure that all sewage (specifically industrial discharges) received at the WWTP can be properly treated; Gresham has implemented an Industrial Pretreatment Program. This program requires an Industrial Discharge Permit from all industries that discharge sewage containing materials that may be of concern to the WWTP. This permit sets limits on the type and strengths of discharges so that the WWTP can meet the discharge permit requirements. The City of Gresham issues the permits, provides the discharge audits, and the enforcement for the industrial pretreatment program within Fairview city limits.

The City of Fairview has been required to maintain an industrial pretreatment ordinance to enforce the pretreatment requirements. This section of the FMC references the City of Gresham's Revised Code Article 4.05 Definitions, 4.15.060 Application to City Service Area; Article 4.45 Pretreatment, and Article 4.40.040 General Discharge Prohibitions into the Sanitary Sewer

System and has adopted them by reference. According to agreements between the Cities of Gresham and Fairview, Fairview is required to update our code each and every time Gresham revises theirs. Ordinance 9-2005 fulfills the City of Fairview's obligation to update our Code.

Mayor Weatherby called for a motion to read Ordinance 9-2005 by title only.

Councilor Quinby moved and Councilor Jones seconded the motion to approve the reading of Ordinance 9-2005 by title only.

AYES: 6  
NOES: 0  
ABSTAIN: 0

The motion to read Ordinance 9-2005 by title only was approved by a unanimous vote of the Council present.

Mayor Weatherby called for a motion to approve ORDIANCE 9-2005 for first reading by title only.

Councilor Quinby moved and Councilor Raze seconded the motion to approve the first reading of Ordinance 9-2005 by title only.

AYES: 6  
NOES: 0  
ABSTAIN: 0

The motion to approve Ordinance 9-2005 for first reading by title only was approved by a unanimous vote of the Council present.

Mayor Weatherby called for a motion to approve ORDIANCNE 9-2005 for a second reading by title only.

Councilor Quinby moved and Councilor Cooper seconded the motion to approve the second reading of Ordinance 9-2005 by title only.

AYES: 6  
NOES: 0  
ABSTAIN: 0

The motion to approve Ordinance 9-2005 for the second reading by title only was approved by a unanimous vote of the Council present.

## **VI. STAFF REPORTS**

Mayor Weatherby called for the staff reports.

Ken Johnson, Chief of Police, stated that far too often a Police Chief reports bad news, however, tonight there is a good item to report. In May of 2005 an individual entered Smith Memorial Presbyterian Church and stole money that the children of the church had been collecting for two years. Two weeks ago the person who stole the money brought it in and added \$80.00 to the fund. He asked for forgiveness from the church and the church members forgave him. This was very gratifying for all concerned.

Chief Johnson reported that one year ago the Police Department received a

grant to develop a new policy manual. The manual has gone through many revisions, but is now ready for implementation. The City of Fairview, as part of the development to improve standards, has applied for State Accreditation through the Oregon Accreditation Alliance, which was formed under the direction and authority of the Oregon Association of Chief's of Police, the Oregon State Sheriff's Association, and the Association of the Public Safety Communications Officials. This is a nationally recognized organization. The Fairview Police Department will begin the accreditation process in the very near future. A comprehensive review of all aspects of the department will be completed and new systems, programs, and processes will be developed along the way. At the end of this process the department will join a very elite group of police departments that can stand in the forefront of comprehensive policies, procedures and systems that ensure our officers are delivering the very best service possible to our citizens and insulating the City from future litigation.

Mayor Weatherby and the Council stated that they appreciate the department's efforts to make this level of commitment to a higher level of professionalism.

Bob Cochran, Director of Public Works, stated that the staff had attended a conference last week to make a presentation concerning how the City responded to the positive E-Coli test results and detailed what actions were taken to resolve that situation. The presentation had been requested because the City's response was viewed by other jurisdictions as being very effective.

Public Works staff continues to work with Wallis Engineering on the Old Town Inflow and Infiltration Project. The research, testing, and report are almost complete. Staff will bring the final report with a cost analysis to the Council in June.

Director Cochran stated that he attended a meeting with the Fairview Lake Property Owners Association. Part of the discussion centered on the raising and lowering of the lake water levels. The city is now controlling the levels of the lake. This first year was a learning process and staff will continue to work closely with the Drainage District to fine-tune the procedures.

Tamara DeRidder, Community Development Director, stated that staff has been very busy processing over 100 building related permits this last month. This was over a third of what was produced for the entire year. This has been an unprecedented building season. Additionally, staff has been busy with land use applications throughout the city with a great deal of interest in the Townsend Business Park. Applications are being processed for presentation to the Planning Commission in the near future.

The Four-City grant is waiting for a final decision from DLCD concerning funding. Multnomah County is attempting to get IOF funding from OR Dept of Transportation for the improvements to 223<sup>rd</sup> Avenue and Sandy Blvd. Councilor Quinby asked about the replacement of the railroad over crossing on 223<sup>rd</sup> Avenue. Director DeRidder and Director Cochran noted that it is scheduled for replacement in January 2007.

Jan Wellman, City Administrator, stated that the Finance Director's report was in the Council packets.

Administrator Wellman stated that there are three upcoming events that are important to note. The Four-Cities meeting is scheduled for December 1, 2005 from 6:00 to 9:30 p.m. The agenda is being finalized and should be available

soon. On December 12, 2005 from 6 to 8:00 p.m. there is the Staff/Council Holiday Party, which will be held at the clubhouse at the Lodges at Lake Salish. The Volunteer recognition event will be held on December 15, 2005 in the Council Chambers from 6 to 8:30 p.m.

Administrator Wellman noted that the City Attorney's report was in the Council packets for their review.

This completed the staff reports.

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

Mayor Weatherby called for Committee reports and Council concerns.

Councilor Jones stated that the Fairview Summer on the Green Committee is in the process of planning for next year's event. Councilor Jones noted that there is a need for volunteers and asked anyone who was interested to contact Connie Hansen in the Community Development Department.

Councilors Owen, Raze, and Quinby had no reports for this session Councilor Cooper stated that MPAC would like to schedule a time to report to the Council on their program.

Mayor Weatherby stated he had attended the League of Oregon Cities conference and there were a number of very excellent presentations on upcoming legislation, telecommunications, and franchise fees.

**VIII. ADJOURNMENT**

Mayor Weatherby called for a motion to adjourn the meeting.

Councilor Owen moved and Councilor Raze seconded the motion to adjourn the meeting. A consensus approved the motion.

Mayor Weatherby adjourned the meeting at 8:10 p.m.

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**Mayor Mike Weatherby**  
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**Dated:**

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**Jan Wellman, City Recorder**  
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**Dated:**