



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

September 7, 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 Darrell Cornelius
Councilor Barbara Jones
Councilor Steve Owen
Councilor James Raze
Councilor Ken Quinby
- STAFF PRESENT:** Jan Wellman, City Administrator
Laura Zentner, Finance Director
Tamara DeRidder, Community
Development Director
Bob Cochran, Public Works Director
Ken Johnson, Chief of Police
Connie Hansen, City of Fairview Secretary
- II. PLEDGE OF ALLEGIANCE** Mayor Weatherby led the Pledge of Allegiance to the Flag.
- III. SWEAR-IN NEW POLICE
OFFICER, GARY KIRBY** Mayor Weatherby called for Ken Johnson, Chief of Police, and Officer Gary Kirby to come forward for the swearing in ceremony. Chief Johnson also asked Officer Kirby's family to join him for the ceremony.
- Chief Johnson performed the swearing in ceremony and congratulated Officer Kirby on joining the Fairview Police Department.
- IV. PRESENTATION OF A
CERTIFICATE OF
APPRECIATION TO
PATRICIA MARTIN** Mayor Weatherby stated that a certificate of appreciation, for Patricia Martin for her service as a Planning Commissioner, was to be presented tonight. However, Administrator Wellman reported that due to another commitment, Ms. Martin was not able to attend the meeting and that the certificate would be delivered to her home.
- V. CITIZENS WISHING TO
SPEAK ON NON-AGENDA
ITEMS** Mayor Weatherby called for persons wishing to speak on non-agenda items. As there was no response, the session continued.
- Mayor Weatherby announced that Councilor Jim Trees had resigned from Council position number six, as he no longer resided in Fairview. Both the Mayor and Councilors expressed their gratitude for the time and effort that Councilor Trees put forth on behalf of the citizens of Fairview.

Administrator Wellman stated that the vacant council position would be announced both in the newspaper, on the city's website and in the public posting areas within Fairview. Administrator Wellman also reported that applicant interviews would occur at a Special Council Work Session on Wednesday, October 12, 2005 and that an appointment would follow during a Special Council Meeting that same evening.

VI. CONSENT AGENDA
A. MINUTES – JULY 20, 2005

B. MINUTES – AUGUST 3,
2005

Councilor Owen moved and Councilor Quinby seconded the motion to approve the Consent Agenda, consisting of the Minutes of July 20, 2005 and August 3, 2005.

AYES: 6
NOES: 0
ABSTAIN: 0

VII. COUNCIL BUSINESS

A. RESOLUTION 23-2005 –
OLD TOWN INFLOW
INFILTRATION
REDUCTION PROGRAM

Mayor Weatherby called for the staff report on Resolution 23-2005.

Bob Cochran, Public Works Director, stated that in the year 2000, the city adopted the City of Fairview Capital Improvements Plan and that in Section 4, *Sanitary Sewer System*, the need for a systematic pipe replacement program was addressed.

Director Cochran remarked that the Old Town area of the City had older, defective sewer pipes that increase the amount of inflow and infiltration that enters the City's sanitary sewer system. Director Cochran noted that Resolution 23-2005 was to approve contracting with Wallis Engineering to perform a pilot project to assess the condition of the pipes, the cost effectiveness of the project, and the scope of work required for replacement of the pipes. Director Cochran stated that the goal was to reduce the amount of rainwater and groundwater that entered the pipes.

Director Cochran stated that in March 2005, the City advertised in the Daily Journal of Commerce and on the League of Oregon Cities website for engineering services associated with the Old Town Inflow and Infiltration Program. Wallis Engineering was chosen from the firms that sent in their Statement of Qualifications. The funds for the project became available on July 1, 2005.

Council inquired as to why the resolution was coming to Council so late. Director Cochran responded that the Resolution was originally scheduled to be presented at the second meeting in August but that meeting had been canceled. Additionally, there were details that had to be negotiated with Wallis Engineering to obtain pricing for the various components of the contract.

Mayor Weatherby called for additional questions or comments. As there were none, the session continued.

Councilor Raze moved and Councilor Owen seconded the motion to approve Resolution 23-2005, OLD TOWN INFLOW INFILTRATION REDUCTION PROGRAM.

AYES: 6
NOES: 0

ABSTAIN: 0

Mayor Weatherby noted that this was the first reading of this ordinance and called for the staff report.

**B. ORDINANCE 8-2005 –
DANGEROUS BUILDING
ORDINANCE: FIRST
READING**

Tamara DeRidder, Community Development Director, stated that this ordinance was originally presented to the Council in a Work Session on August 3, 2005. At that time, Council formed a Sub-Committee to craft the language for the Ordinance. Councilors Raze and Quinby worked with Director DeRidder and the City Attorney's office to develop a draft ordinance with language that reflected the concerns of the Council for protection of private property rights, due process, and clarification of the support of other agencies in determining whether a building is dangerous.

Director DeRidder stated that the revised document was now being presented to Council under the recommendation by the Sub-Committee, staff and the City Attorney.

Mayor Weatherby called for questions or statements from the Council. Councilor Raze reported that the ordinance was thoroughly revised and reviewed with staff and the City Attorney and that he supported the ordinance as written as he believed it represented the direction provided by Council.

Councilor Cornelius stated that the work crafting the Ordinance was appreciated and that Councilors Raze and Quinby were very concerned with assuring the Ordinance did not grant excessive powers to the "government" to take away private property.

Councilor Quinby stated that he believed the proposed Ordinance had appropriate measures in it to protect private property and he approved of it as written.

As there were no other questions or concerns, Mayor Weatherby called for a motion for the first reading of Ordinance 8-2005.

Councilor Owen moved and Councilor Jones seconded the motion for the first reading of Ordinance 8-2005, DANGEROUS BUILDING ORDINANCE.

**AYES: 6
NOES: 0
ABSTAIN: 0**

Administrator Wellman read into the record the first reading of Ordinance 8-2005, DANGEROUS BUILDING ORDINANCE, by title only. Following this, Administrator Wellman noted that the second reading of the Ordinance would occur during the September 21, 2005 Council Meeting and would take effect 30 days later, if passed.

**VIII. CITY ADMINISTRATOR
REPORT**

Administrator Wellman reported that the Council packet included a response letter from the City of Gresham on the proposed Fire Services Contract with the cities of Wood Village, Troutdale and Fairview. Administrator Wellman stated that the Ad Hoc Fire Service Study Committee had proposed a ten-year contract, with a two-year ramp-up, a 3.5% annual increase in years 3 through 5, a 4% annual increase in years 6 through 10, and a 12% "opener" in years 6 through 10.

Administrator Wellman reported that in Gresham's response letter, all items were accepted except for the 12% opener- Gresham had proposed a 9.5% opener instead.

Administrator Wellman remarked that Council could approve the contract with the 9.5% opener or wait until after the next Ad Hoc Fire Service Study Committee meeting scheduled for September 15, 2005 before taking action. He asked the Council members for direction on the matter.

Mayor Weatherby suggested that a meeting with the Troutdale, Wood Village and Fairview City Councils would be beneficial in resolving the final stage of the negotiations.

Councilor Cornelius stated that the Committee had worked hard on the contract and that a one-week wait was appropriate. Councilor Cornelius also noted that the Committee could very well come back with the recommendation to accept the counter proposal or it might decide to further investigate the possibility of forming a separate fire district.

Councilor Raze agreed that the Ad Hoc Committee should be given the opportunity to review and make a recommendation on Gresham's counter proposal. He also noted that he would be inclined to accept the counter proposal from Gresham and asked Administrator Wellman if there would be any problem in waiting an additional week. Administrator Wellman responded that Fairview currently had a one-year contract with Gresham for fire services, so there was no immediate urgency. Councilor Raze stated he would like to see if the three cities were in consensus on the counter proposal.

Councilor Owen commented that Gresham's counter proposal should be referred back to the Ad Hoc Fire Service Study Committee and that a decision could be made at the next Council meeting on their recommendations.

Councilors Quinby and Jones stated that the Committee had worked hard on behalf of all three cities and therefore, the counter proposal should be presented to the Committee.

Mayor Weatherby reported that the Council would wait until after the Ad Hoc Fires Service Study Committee meeting, scheduled for September 15, 2005, before finalizing a decision.

Administrator Wellman reported that there would be an Executive Session to discuss the Village Street claims and also a Work Session prior to the regular Council Meeting on September 21, 2005. Administrator Wellman also reported that the October 5, 2005 Council Meeting would most likely be canceled as there were no agenda items. For the October 19, 2005 Work Session, Administrator Wellman reported that an investment advisor would make a presentation to both the City Council and Budget Committees concerning investment options. Finance Director Zentner would also present first quarter financial forecasts at the same time.

**IX. MAYOR/COMMITTEE
REPORTS & COUNCIL
CONCERNS
A. FINANCIAL REPORT –**

Mayor Weatherby called for Committee Reports and/or Council concerns.

Councilor Jones provided a financial report regarding the *Summer on*

**SUMMER ON THE
GREEN FESTIVAL:
COUNCILOR JONES**

the Green Festival which occurred on July 30, 2005 in the Fairview Community Park. Councilor Jones stated that attendance was greatly increased over the prior year's Festival. Councilor Jones reported that the prior three Festivals had been analyzed and the attractions that worked were enhanced while those items that had proved unsuccessful were either downsized or eliminated altogether.

Councilor Jones stated that the identity of the event had been changed this year to "*Fairview's Summer on the Green*" to provide more of an identifier for the city and part of the intent of this new identity was to provide one logo that could be used for fall, Christmas and other events in the city.

Councilor Jones stated that this year's event was attended by over 2,500 people and included a classic car show, over 28 vendors and five food vendors. This year's event also included a beer and wine garden for the first time. Councilor Jones reported that the children's area was a huge draw with approximately 1,200 tickets sold for the games and jumper, and that partnering with the Gresham Explorers group was a great success. She also reported that the support from Fairview's business community and other community members volunteering their time for the event was phenomenal. Sponsorships and donations were used to supply prizes for the raffle as well as advertising costs and supplies. Councilor Jones expressed thanks to the city, Bumper's Grill and Bar, KISN radio, Townsend Farms, Dirt & Aggregate Interchange, 12-Mile Disposal, Holt & Everhart, Five Star Storage, Minit Mart, Chevron, the Outlook, La Petite Academy and everyone else who made the event such a success. A Fairview resident won the guitar donated in part by Nokie Edwards for the raffle. Councilor Jones reported that volunteers, including members of the Council, put in over 400 hours on the event and made *Fairview's Summer on the Green* a true community event.

Councilor Jones stated that the event was so successful it almost made money and that the planning on next year's event had already begun. Councilor Jones thanked everyone on the Council, the staff and the volunteers who truly made the event such a success.

Councilor Raze commended Councilor Jones, the staff and volunteers for a job very well done and suggested that recognition be given in the next city newsletter.

Councilor Quinby asked as to how the funds were accounted for as there seemed to be crossover in the financials from prior years. Councilor Jones responded that some of the expenses were incurred in the 2004/05 budget year as deposits had to be made for such items as the entertainment, tents, etc.

Councilor Owen stated that he had received many positive comments about the event and that the classic car event had generated a great deal of interest from people wanting to enter their cars in the event next year. Councilor Owen thanked Councilor Jones, the staff and volunteers for all of their hard work.

Councilor Cornelius noted that he would like to see a true profit and loss statement for next year. Finance Director Zentner responded that the statement provided was an overview of all the goods received as well as the expenditures. Councilor Jones reported that this was the first time there had been a financial statement for the event and that

the statement could be enhanced as necessary in the future. This concluded the report on *Fairview's Summer on the Green Festival*. Councilor Cornelius announced that he wished to express his gratitude to former Councilor Jim Trees for his conscientious hard work over the past 2 ½ years on the Fairview City Council.

Mayor Weatherby reported that Metro would be having their second meeting with mayors from the various cities on Friday, September 16, 2005 and that he was planning to attend.

Councilor Raze reported that the new soccer field at Woodland Elementary School was close to completion but that no one would be able to play on the field until next year, as the grass needed time to completely grow.

There were no other Council concerns.

XI. ADJOURNMENT

Councilor Owen moved and Councilor Jones seconded the motion to adjourn. Mayor Weatherby adjourned the meeting at 7:53 p.m.

AYES: 6
NOES: 0
ABSTAINED: 0

Mayor Mike Weatherby

Dated:

Jan Wellman
City Recorder

Dated: