



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

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**FEBRUARY 15, 2006 – 7:00 P.M.**

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

It was the consensus of the City Council to appoint Councilor Raze to preside over the meeting until the arrival of the Council President Steve Owen. Councilor Raze called the meeting to order at 7:00 p.m.

**PRESENT:** Councilor Steve Owen (Arrived at 7:15 p.m.)  
Councilor Jim Raze  
Councilor Darrell Cornelius  
Councilor Barbara Jones  
Councilor Ken Quinby  
Councilor Larry Cooper

**ABSENT:** Mayor Weatherby

**STAFF:** Jan Wellman, City Administrator  
Laura Zentner, Finance Director  
Tamara DeRidder, Community Development Director  
Ken Johnson, Chief of Police  
Bob Cochran, Public Works Director  
Linda Hulme, Engineering Technician  
Connie Hansen, Secretary

**II. FLAG CEREMONY/PLEDGE OF ALLEGIANCE**

**A. PRESENTATION OF THE COLORS – BOY SCOUTS OF AMERICA VENTURING CREW 174**

Councilor Raze called for the Boy Scouts to begin the flag ceremony.

The Boy Scouts of America Venturing Crew 174 performed the Flag Ceremony and led the Pledge of Allegiance. The Council thanked them for a great job.

**III. PROCLAMATION – SCOUT MONTH – FEBRUARY, 2006**

Jan Wellman, City Administrator read the proclamation and the Council presented a framed copy of the proclamation to the Boy Scouts.

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

Council President Owen arrived at 7:15 p.m. to preside over the meeting.

Councilor Owen called for any citizens wishing to address the Council on non-agenda items to come forward. Hearing none the meeting continued.

**V. CONSENT AGENDA**

**A. MINUTES – JANUARY 18, 2006**

**B. RESOLUTION 04-2006 – URGING CONGRESS TO REJECT LEGISLATION UNDULY RESTRICTING LOCAL GOVERNMENTS IN MANAGING PUBLIC RIGHTS OF WAY OR GRANTING FRANCHISES**

Councilor Owen called for a motion on the Consent Agenda. Councilor Quinby moved and Councilor Cooper seconded the motion to approve the consent agenda as written. The Consent Agenda was approved by a unanimous vote of the Council.

**VI. PUBLIC HEARINGS**

**A. RESOLUTION 05-2006 – APPROVING THE LOCAL SHARE PROJECT LIST FOR THE PROPOSED 2006 METRO NATURAL AREAS BOND MEASURE.**

Councilor Owen called for the staff report on Resolution 05-2006.

Administrator Wellman stated that Metro Councilor Rod Park presented the information on the proposed bond measure at the City Council meeting on February 1, 2006. Metro has scheduled this bond measure to go before the voters in November of 2006. City staff has been working on this project for the past five months in meetings between the other cities in Multnomah County, working with Metro, and internally meeting with the Parks Committee and Council. Initially the “fair share” would have been based on per capita numbers, however, through negotiations the three smaller city’s staff members were able to have the formula changed to a \$200,000 set aside plus the per capita amount.

The bond measure, if approved by voters, is expected to generate approximately \$220 million dollars. Those funds will be used primarily for

the acquisition, preservation and development of natural areas. As a result of the "set aside", and the per capita amount, the City of Fairview stands to receive approximately \$465,730. The funds are for natural areas, acquisition, maintenance, and improvement of riparian areas. The funds cannot be used for developing recreational programs or improvements such as bathrooms, play structures, or play fields.

Metro has asked that the cities develop a list of potential projects in order to secure the funds if the bond measure passes. The list that was developed by Fairview's staff and the Parks Committee includes 1) security lighting for the Salish Ponds nature trail, the outhouse, and the two fishing docks; 2) Fairview's portion of the Gresham-Fairview Trail; 3) Salish Ponds Nature Park trail expansion, native plantings and interpretive signage; 4) Salish Ponds Nature Trail construction of boardwalks over sections of the trail that flood; and 5) acquisition of the Beal property at 223<sup>rd</sup> and Sandy Blvd. for a future nature park/open space. This list can be marginally adjusted, but these will be the specific projects that will be considered for funding.

Administrator Wellman stated that Council is being asked to submit a resolution and the list of projects by the end of the month in order for Fairview to receive a fair share of the funds if the bond measure passes. It is uncertain if Metro can convince the voters to pass this bond measure, but if it passes and Fairview has not submitted the resolution and project list then the citizens would still have to pay for the bond measure without receiving any benefit from it.

Councilor Owen called for questions from the Council.

Councilor Raze stated that the Parks Committee had developed a list of projects they felt would be beneficial to Fairview, but some of the projects did not fall into the approved categories so were removed from the list. The list is a placeholder for funds if the measure passes, but there are many other projects that would better fit the needs of the community.

Councilor Cornelius stated that he has concerns about the requirement to develop a list and pass a resolution before this goes to the voters in November. However, in the best interests of the citizens of Fairview it appears it is necessary to pass the resolution and forward the project list to Metro.

Councilor Owen opened the public hearing, and called for anyone in favor of the resolution to address the Council. As there was no one, Councilor Owen called for anyone in opposition to the resolution to address the Council. Hearing none, Councilor Owen closed the public hearing. Councilor Owen called for Council discussion.

Councilor Quinby stated that the Council had made a determination that there was enough open space or green spaces within the city, and that the city could use more recreational facilities for families. This has been a constant battle with Metro, as it appears that they are not interested in what the citizens of Fairview need or want. Spending this much money without adding the needed recreational facilities does not seem appropriate, however, to assure that Fairview receives its share of the funds the Council has little choice but to vote for the resolution.

Councilor Cornelius stated that if this resolution were to support the bond measure that he would vote against it because there is an outstanding bond measure that will remain in place for approximately eight more years. It is important to note that these funds will not be available for other, very important priorities such as health care, education and public safety. Unfortunately the Council is put into a position of having to pass a resolution in order to obtain funds if and when the measure passes.

Councilor Owen called for a motion on RESOLUTION 05-2006 APPROVING THE LOCAL SHARE PROJECT LIST FOR THE PROPOSED 2006 METRO NATURAL AREAS BOND MEASURE.

Councilor Raze moved and Councilor Cooper seconded the motion to approve RESOLUTION 05-2006 APPROVING THE LOCAL SHARE PROJECT LIST FOR THE PROPOSED 2006 METRO NATURAL AREAS BOND MEASURE.

AYES: 6  
NOES: 0  
ABSTAIN: 0

RESOLUTION 05-2006 APPROVING THE LOCAL SHARE PROJECT LIST FOR THE PROPOSED 2006 METRO NATURAL AREAS BOND MEASURE passed unanimously.

**VII. COUNCIL BUSINESS**  
**A. PRESENTATION BY STAFF AND WALLIS ENGINEERING CONCERNING THE OLD TOWN INFLOW AND INFILTRATION REDUCTION PROJECT.**

Councilor Owen called for the staff report.

Bob Cochran, Public Works Director and Trevis Smith from Wallis Engineering came forward to address the Council.

Director Cochran stated that Wallis Engineering has worked on a similar project in Washington and has been very helpful in the recent tests of the system to determine possible options for repairs to the sewer system with the goal of reducing inflow of storm water and groundwater into the sewer system, thereby reducing the cost of sewer treatment for the City. Staff is asking for Council direction on the options being presented tonight.

Staff has performed a number of tasks to determine the extent and type of problems in the sewer pipes. In 1999, the City grouted all manholes in Old Town that showed signs of leaking; in 2000 Council adopted the Capital Improvement Plan Update which included a "systematic pipe replacement program" to replace defective pipe and reduce I/I in the Old Town area; in 2001 staff cleaned and videoed all sewers in the City and smoke tested all of Fairview for illicit connections, and staff has been monitoring seasonal flows in the Old Town area. In September 2005, the City contracted with Wallis Engineering to study the Old Town area, make recommendations, develop construction documents, and manage construction.

The study that was completed by Wallis Engineering found several low points, flat grades, cracks, loose joints, but the overall integrity of the system seems to be sound. The pipes in Old Town were primarily installed in 1959 and are about 47 years old. The typical life of sewer pipe is 50-75 years. The expected life of the pipe (with some repairs) is estimated at 35-55 additional years. The laterals that exist are a high source of infiltration and will need to be replaced or repaired. Another aspect of the problem is the private connections from the residences to the public sewer lines. There are 109 homes that were constructed before 1959, 124 were constructed between 1960 and 1979, with 24 constructed after 1979, so the age of their existing pipes is a concern.

Wallis Engineering selected Harrison, Lincoln and Main streets to install flow totes for a pilot survey. The equipment is computerized and monitors the flow through the pipes. The information is downloaded once a month. The recorded flows due to I/I per capita exceed EPA guidelines. Harrison Street has the most problems.

Trevis Smith, of Wallis Engineering reviewed the cost estimates and options developed from the pilot study. The three options discussed were grouting, Cast in Place Pipe (CIPP) and open excavation. It is estimated that it would cost \$2.47 million to replace all pipe and laterals in Old Town using CIPP lining, with approximately 70% of the I/I being removed with programs that include lateral replacement. The CIPP lining is new, very good and is cost effective. It is a flexible material that can be sent into the pipes, which then hardens in place and does not require excavation. Director Cochran provided information on financing of the repairs for

Council direction. Over time the city will realize a benefit, after the initial capital outlay.

Director Cochran stated that, as already noted, the private lateral connections to the main sewer lines are part of the problem with the inflow, but it is not known at this point how many would need replacement. Three options for financing of replacement of those lines included the City paying for the replacement of problem laterals from the house to the main line; the City requiring the home owner to replace at their cost laterals that are defective; or the City can pay for the replacement of the laterals and seek reimbursement through several mechanisms. Director Cochran asked for Council direction on this project.

Council discussed the three options for replacement of the private laterals. The Council was opposed to city funds being used for this part of the project, as it sets a precedent for other projects and the cost would be higher because the city is required to pay prevailing wage rates. Additionally, gaining access to the private property would be difficult and require a great deal of staff time. The estimated cost of replacement for each homeowner was between \$3,500 and \$5,000. The Council directed that the homeowners would be responsible for the replacement, and for staff to review options two and three to see if there could be a way to lower the cost to the property owners, as well as ways to assist them with the repairs. Staff was also directed to obtain the City Attorney's opinion on how the City would place a lien on the property, what the proper process would be, and an estimate of staff time to deal with this project.

## **VIII. STAFF REPORTS**

Councilor Owen called for the staff reports.

### **A. Police**

Ken Johnson, Chief of Police stated that the new records management system was officially started this morning. Additional staff training will be done with the night shift and Fairview will assume the responsibility for the system and records.

The Policy Manual revision is moving forward and in the next 60 days it will be well on the way to completion. Staff has been working hard on the draft and will be providing copies for review at a later date to the Council.

Councilor Cornelius asked Chief Johnson to provide a report for Council on the amount of time that the officers spend in patrolling the Salish Pond trails and park. Councilor Cornelius asked that a report also be made on the amount of time spent patrolling Blue Lake Park and Chinook Landing. Cornelius noted that from past reports there was a great deal of time spent patrolling the Salish Ponds trails and if there is an inordinate amount of

time used for that purpose it would be good for the Council to know that information.

Councilor Quinby stated that the use of the two quad vehicles donated by Action Motor Sports has been helpful in those patrols and noted that security lights would be beneficial in certain areas of the park to help deter some of the problems. Councilor Quinby also asked if the department had received any information on the Homeland Security funds and to be sure to keep the Council informed. Chief Johnson stated that the department would be invited when the meeting time has been determined.

Councilor Raze asked about the problems with cars being broken into, as it seems from the log that there has been an increase. Chief Johnson stated that the police have to write a ticket when they catch someone, and even if the person is taken to the jail they are released quickly due to overcrowding. It is very frustrating, but staff is working on deterring these crimes.

#### **B. PUBLIC WORKS**

Director Cochran stated that a title report on the Wistful Vista vacation of the right of way is being conducted and staff will report once that has been completed.

Reservoir #3 was completed in 2005, but due to a dispute with the contractor there was a delay in use. A release has been received from the contractor so the city can now utilize the reservoir. The total cost for this project was just over \$4 million.

Public Works sent letters out to property owners about trimming their street trees. This is always a controversial issue, but the trimming is necessary so that people can use the sidewalks and have vision clearance when driving.

#### **C. COMMUNITY DEVELOPMENT**

Tamara DeRidder, Community Development Director stated that the asbestos testing at the Community Center showed only a very small amount in one area, which will be taken care of this week. The remodel of the interior can now move forward.

Townsend Farms brought in a land use application for a new Costco at 230<sup>th</sup> and Sandy Blvd. This application will be fast tracked.

Staff met with Multnomah County transportation on the proposed improvements for the intersection of Sandy Blvd. and 223<sup>rd</sup> Ave. The funding requirements for those improvements were that 45 jobs had to be

secured. The International Trucking and Costco applications made that a reality.

Director DeRidder stated that staff attended the MTAC meeting to discuss the proposed excise tax on new construction to pay for affordable housing in the metro area. Troutdale, Wood Village and Fairview staff and Councils are developing a letter to address their concerns over this proposal. The language in the proposal does not give any credit to those cities that have met their affordable housing goals.

Council discussed this proposed excise tax, with the outcome that they do not support this tax and since Fairview has more than met their goals for affordable housing it would not benefit the city in any way and would be money taken out of the local jurisdictions resources to fund projects elsewhere in the area. Administrator Wellman put information in the Council's mailboxes on this issue and noted there will be additional public meetings on this.

#### **D. FINANCE**

Laura Zentner, Finance Director, stated that the audit update for the 04/05 Fiscal Year was distributed to Council. Council was asked to return the documents if they did not want to keep them, as they are costly to print and extra copies can be utilized elsewhere.

The new utility billing clerk has been hired, her name is Christina Irish and she will be graduating from PSU this spring with a degree in accounting.

Director Zentner stated that the Budget Committee has three positions open and five applications have been received. Three of the applications are from the incumbents in those positions and two are new. Council will have the opportunity to interview the new applicants on March 1, 2006.

Director Zentner reported that the building permit fees have reached the \$200,000 mark, which means that the City will now be paying Troutdale 65% of the fees collected instead of 75%.

#### **E. CITY ADMINISTRATOR**

Administrator Wellman stated that he attended the City County Risk Management conference and obtained information on the insurance rates for the coming year. CCIS health insurance has a zero percent increase, which is good news for the City, as it should be reflective of potential cost increases from the Teamster's Trust, and this will help keep costs down. There is a 5% increase projected for property liability, workers comp, and auto rates.



A Four-Cities meeting will be held on March 9<sup>th</sup> at the Gresham City Hall in conference rooms A & B. Dinner starts at 6:00 p.m. Administrator Wellman asked if Council had any agenda items. Mayor Weatherby asked that the proposed Wood Village Casino be placed on the agenda.

**F. CITY ATTORNEY**

Administrator Wellman stated that the City Attorney's report was placed in the Council packets.

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

Councilor Owen called for committee reports or Council concerns.

Councilor Jones asked Administrator Wellman for a copy of the information from CCIS.

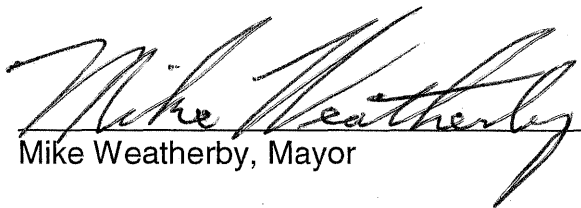
Councilor Quinby stated he had attended the Homeland Security meeting recently held in Salem. He would continue to monitor the progress for Oregon's preparations to become part of the national system.

**X. ADJOURNMENT**

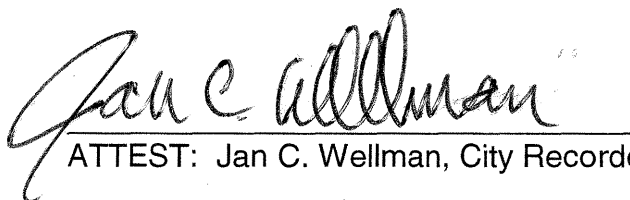
As there were no other reports or Council concerns, Councilor Owen called for a motion to adjourn.

Councilor Quinby moved and Councilor Raze seconded the motion to adjourn. The motion to adjourn was passed unanimously.

The meeting was adjourned at 8:45 p.m.

  
Mike Weatherby, Mayor

March 17, 2006  
Date of Signing

  
ATTEST: Jan C. Wellman, City Recorder