

MINUTES
CITY OF FAIRVIEW
CITY COUNCIL REGULAR MEETING

JUNE 7, 2006 – 7:00PM

- I. ROLL CALL/CALL TO ORDER Mayor Weatherby called the meeting to order at 7:00PM.
- PRESENT: Mayor Mike Weatherby
Councilor Steve Owen
Councilor Barbara Jones
Councilor Darrell Cornelius
Councilor Jim Raze
Councilor Ken Quinby
Councilor Larry Cooper
- STAFF : Jan Wellman, City Administrator
Laura Zentner, Finance Director
Bob Cochran, Public Works Director
Ken Johnson, Police Chief
Tamara DeRidder, CD Director
Tammy Shannon, IT Tech
- II. PLEDGE OF ALLEGIANCE Mayor Weatherby led the Pledge of Allegiance.
- III. CITIZENS WISHING TO SPEAK ON NON-AGENDA ITEMS Mayor Weatherby called for any citizens wishing to speak on non-Agenda items. As there was no response, the session continued.
- IV. CONSENT AGENDA Councilor Owen moved and Councilor Jones seconded the motion to approve the Consent Agenda, consisting of: the MAY 3, 2006 MINUTES and THE REAUTHORIZATION OF THE IGA BETWEEN MULTNOMAH COUNTY AND THE CITY OF FAIRVIEW FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP FOR PROGRAM YEARS 2007-2010.
- AYES: 7
NOES: 0
ABSTAINED: 0
- V. CEREMONIAL MATTERS Mayor Weatherby reported that Councilor Raze would be presenting a certificate to Jerry and Patty Stevens for their volunteer work for the City of Fairview. Administrative Assistant Connie Hansen accepted the certificate on behalf of Jerry and Patty Stevens and detailed the many hours the Stevens' have spent volunteering for the City.
- Additionally, Councilor Raze presented a plaque to Connie Hansen, Administrative Assistant, for her outstanding service to the City. Ms. Hansen had accepted a job in the City of Prineville and would be leaving Fairview effective June 14, 2006.
- VI. PUBLIC HEARINGS
A. RESOLUTION 10-2006
Adoption of the Fiscal Year Finance Director Laura Zentner explained that Resolution 10-2006, Adoption of the Fiscal Year 2006-2007 Budget for the City of Fairview, was required to contain the following four elements:

2006-2007 Budget for the
City of Fairview

1. Budget Adoption for Fiscal Year 2006-2007;
2. Making appropriations by setting the legal limit the City is allowed to spend in each fund;
3. Levying the taxes with a tax rate of \$3.4902 per thousand dollars of assessed value; and,
4. Categorizing the taxes as General Government.

Director Zentner reported that on April 10, 2006, the Budget Committee had unanimously approved the Fiscal Year 2006-2007 Budget. Following this, the approved Budget had been submitted to the Tax Supervising and Conservation Commission for comments. The Tax Supervising and Conservation Commission certified the budget with no objections or recommendations, reporting that the estimates were judged to be reasonable for the purposes shown and that the document was judged to be in substantial compliance with local budget law.

Additionally, Director Zentner reported that the City had published the local Budget Law forms and notices for the Public Hearing being held tonight in the Outlook on May 20, 2006.

Director Zentner thanked the Budget Committee for their support during the budget process and requested approval of Resolution 10-2006, Adoption of the Fiscal Year 2006-2007 Budget for the City of Fairview.

Mayor Weatherby opened the Public Hearing and called for persons wishing to address Council regarding Resolution 10-2006. As there was no response, Mayor Weatherby closed the Public Hearing.

Councilor Cornelius urged the Budget Committee to be fiscally conservative by examining ways to increase reserves and decrease the increase in expenses so that funds could be set aside to retire some of the debt. Additionally, Councilor Cornelius noted that with tough years ahead, it would be beneficial to pay off the debt on City Hall.

Councilor Owen remarked that after having a very good meeting with Finance Director Zentner and having good discussions at the Budget Committee meetings, he was encouraged regarding the cost savings measures being taken. Councilor Owen noted the substantial increases in the beginning fund balance and the expense reductions/cost savings measures being taken by staff.

Both Mayor Weatherby and Councilor Raze commended Administrator Wellman, Finance Director Zentner, and staff for their efforts at reducing costs.

Councilor Raze moved and Councilor Owen seconded the motion to approve Resolution 10-2006, ADOPTION OF THE FISCAL YEAR 2006-2007 BUDGET FOR THE CITY OF FAIRVIEW.

AYES: 7
NOES: 0
ABSTAINED: 0

B. RESOLUTION 9-2006
City's Qualification to Receive
State Shared Revenues

Finance Director Laura Zentner reported that the City receives State Shared Revenues from the State of Oregon, which included Liquor Tax, Cigarette Tax and State Shared Revenues. Director Zentner explained that these revenues are distributed to the cities based on a formula that included population. Additionally, Director Zentner detailed that State Shared Revenue Sharing Law ORS 221.770 requires cities to annually pass an Ordinance or Resolution requesting the receipt of these monies, and to meet the following requirements:

1. That two Public Hearings be held to talk about the proposed uses of the State Shared Revenues with certifications of the hearings; and,
2. That property taxes must have been levied in the preceding year.

Director Zentner reported that the first Public Hearing had occurred at the April 3, 2006 Budget Committee Meeting and that the second Public Hearing would be occurring at tonight's City Council meeting. Director Zentner recommended approval of Resolution 9-2006 following the Public Hearing.

Mayor Weatherby opened the Public Hearing and called for persons wishing to address Council regarding Resolution 9-2006. As there was no response, Mayor Weatherby closed the Public Hearing.

Councilor Owen moved and Councilor Jones seconded the motion to approve Resolution 9-2006, CITY'S QUALIFICATION TO RECEIVE STATE SHARED REVENUES.

AYES: 7
NOES: 0
ABSTAINED: 0

VII. COUNCIL BUSINESS
A. RESOLUTION 8-2006
Worker's Compensation
Insurance for City
Volunteers

Finance Director Laura Zentner reported that the City had routinely covered volunteers, including Police Reserves, City Council, Planning Commission, Budget Committee and others with Worker's Compensation Insurance to protect them from injuries arising out of, or in the scope of, their service to the City. Director Zentner also reported that the City's insurance carrier, City/County Insurance Services, had asked that Council reaffirm its practice of providing this coverage. Director Zentner recommended Council's approval of Resolution 8-2006.

Councilor Raze inquired as to how a premium was calculated on a volunteer without pay. Director Zentner responded that City/County Insurance Services required that rosters be kept detailing the number of hours each person volunteered. Director Zentner stated that the premium was calculated based on those hours and on an assumed wage. The assumed wage was determined by the specific volunteer category.

Councilor Cornelius asked if, for example, a Police Reserve Officer was injured while volunteering, how much he would be paid.

Councilor Jones responded, stating that if the injured volunteer was unable to perform the duties of his or her regular job, the wages from their paid employment would be included in the benefit calculation to determine an average monthly wage. The injured volunteer would then be compensated at 66 and 2/3 percent of the average monthly wage calculation.

Councilor Owen moved and Councilor Jones seconded the motion to approve Resolution 8-2006, WORKER'S COMPENSATION INSURANCE FOR CITY VOLUNTEERS.

AYES: 7
NOES: 0
ABSTAINED: 0

B. RESOLUTION 11-2006
Establishing an Investment
Policy for the City of Fairview

Finance Director Laura Zentner reported that Resolution 11-2006 would establish an investment policy for City funds under the terms of ORS 294.035, and that if passed, would authorize the Finance Director and City Administrator to act as the City's agents relative to investment of City funds. Director Zentner also reported that the City had historically invested all surplus funds in the State's Local Government Investment Pool (LGIP) and that the City currently had approximately \$8.1 million dollars invested with LGIP.

Councilor Cornelius remarked that it might be a good idea to take another look at possibly engaging the services of a private investment advisor. Director Zentner responded that the risk of loss could be greater for monies invested outside of the LGIP.

Councilor Owen moved and Councilor Raze seconded the motion to approve Resolution 11-2006, ESTABLISHING AN INVESTMENT POLICY FOR THE CITY OF FAIRVIEW.

AYES: 7
NOES: 0
ABSTAINED: 0

C. ORDINANCE 13-2006
Street Tree Maintenance

Public Works Director Bob Cochran reported that, for years, the City has used Fairview Municipal Code Chapter 12.25 – Trees and Shrubs for enforcement of street tree nuisances. This code was Adopted under Ordinance 7-1983. Director Cochran noted that although this code may have worked adequately with the areas it addressed in 1983 (primarily the Old Town area without formal Street trees and sidewalks), it did not meet the current needs of staff concerning street trees and shrubs placed in planting strips. Director Cochran noted that staff had rewritten the chapter to set enforceable standards of clearance and declare any violation of these standards as a nuisance to be addressed under Title 8 of the Fairview Municipal Code, Chapter 8.10, Nuisances, Section 8.10.070 Abatement- General Procedures.

Additionally, Director Cochran reported that due to discussions from a recent Work Session regarding this Ordinance, changes

had been made to the height clearance on the street side from 12 ft. to 10 ft, and from 8 ft. to 6.5 ft on the sidewalk side.

Councilors Quinby and Cornelius expressed concerns regarding enforcement of the Ordinance and wanted to make sure that staff tempered enforcement with good judgment. Director Cochran responded that the intent of the Ordinance was in getting cars and pedestrians safely through the sidewalks and streets, and that inspection crews would not be using a heavy hand when addressing violations.

Councilor Jones asked if residents could be notified in some other way rather than registered letters, as many of the residents did not have the ability to get to the Post Office to sign for the letters during normal business hours. Director Cochran responded that a variety of avenues for notification had been employed, such as door hangers, reminder postcards, and regular mail.

Councilor Owen remarked that the Ordinance as written was the best compromise available and that he had confidence that the department would use flexibility when handling potential violations.

Councilor Owen moved and Councilor Raze seconded to read Ordinance 13-2006 by title only.

AYES: 7
NOES: 0
ABSTAINED: 0

City Administrator Jan Wellman read Ordinance 13- 2006, AN ORDINANCE AMENDING CHAPTER 12.25 (TREES AND SHRUBS) OF THE FAIRVIEW MUNICIPAL CODE AND CREATING MAINTENANCE STANDARDS FOR TREES AND SHRUBS LOCATED NEAR OR ADJACENT TO RIGHT-OF-WAYS, by title only.

Councilor Owen moved and Councilor Jones seconded the motion to adopt Ordinance 13-2006, AN ORDINANCE AMENDING CHAPTER 12.25 (TREES AND SHRUBS) OF THE FAIRVIEW MUNICIPAL CODE AND CREATING MAINTENANCE STANDARDS FOR TREES AND SHRUBS LOCATED NEAR OR ADJACENT TO RIGHT-OF-WAYS.

AYES: 7
NOES: 0
ABSTAINED: 0

VIII. CITY ADMINISTRATOR REPORT

City Administrator Jan Wellman reported that he and Public Works Director Bob Cochran had met with engineers at ODOT regarding the proposed new signage on Interstate 84. This signage would provide emphasis to the City of Gresham and effectively shortchange Fairview. Administrator Wellman reported that although the engineers were less than responsive, they were persuaded to consider some changes to the proposed signage.

Administrator Wellman stated that he was waiting for diagrams of the amended signs from the engineers. After reviewing the

changes, it would have to be decided whether or not the amended signs met the needs of the City, or if the situation would have to be pursued further.

Administrator Wellman also reported that Robert Maestre, Deputy Director of Community Services at Multnomah County, had volunteered County assistance with the construction of internal street signage for the City of Fairview.

IX. MAYOR/COMMITTEE REPORTS & COUNCIL CONCERNS

Councilor Cornelius mentioned that after the recent embezzlement problems at the City of West Linn, it might be time to revisit Fairview's internal controls by employing an outside agency to take a look at operations and make suggestions on how to improve controls. Administrator Wellman responded that it would be a good subject to bring up at the goal setting session scheduled for the June 21, 2006 Council meeting.

Councilor Jones reminded everyone to attend Fairview's Chili on the Green Festival on September 16, 2006.

Councilor Cooper reported that he had attended the East County Transportation meeting and that the 223rd Avenue Railroad Undercrossing project was still on track.

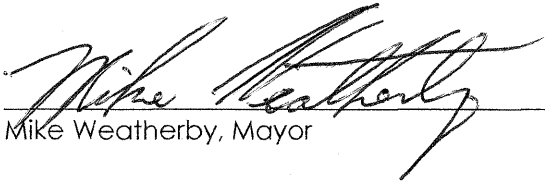
Councilors Owen and Raze had no reports.


Mayor Weatherby reported that there would be a segment aired on NBC's Today Show on Friday, June 9, featuring Fairview Village.

X. ADJOURNMENT

Councilor Owen moved and Councilor Jones seconded the motion to adjourn. Mayor Weatherby adjourned the meeting at 8:09 pm.

AYES: 7
NOES: 0
ABSTAINED: 0


Mike Weatherby, Mayor


Jan C. Wellman, City Recorder

June 22, 2006
Date of Signing