

**MINUTES
FAIRVIEW CITY COUNCIL REGULAR MEETING
FAIRVIEW CITY HALL
300 HARRISON
FAIRVIEW, OREGON 97024**

AUGUST 5, 1998 -- 7:30pm

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

Mayor Vonderharr called the meeting to order at 7:30pm.

PRESENT: Mayor Roger Vonderharr
Councilor Ken Quinby
Councilor Sherry Lillard (arrived 7:35pm)
Councilor Dave McCutcheon
Councilor Len Edwards
Councilor Steve Owen

ABSENT: Councilor James Raze

STAFF PRESENT: Marilyn Holstrom, City Administrator
Bob Cochran, City Engineer
Caren Huson, City Recorder

II. CONSENT AGENDA

Councilor McCutcheon moved and Councilor Edwards seconded the motion to approve the Consent Agenda, consisting of: a Liquor License Approval for the Texaco StarMart, and the Minutes of July 15, 1998.

AYES: 5
NOES: 0
ABSTAINED: 0

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

Mayor Vonderharr called for persons wishing to speak on non-agenda items. As there was no response, the session continued.

Councilor Lillard entered the meeting at 7:35pm.

IV. COUNCIL BUSINESS

**A.RESOLUTION - Annual Solid
Waste Rate Review**

Bob Cochran, City Engineer, reported that Fairview participates through an Intergovernmental Agreement with the City of Gresham to perform Solid Waste management. Engineer Cochran introduced Tam Driscoll of Gresham who was present to discuss rates and the Year 9 report.

Tam Driscoll, City of Gresham, stated that the Resolution before the Council was basically the same as the previous year, but with three small housekeeping issues amended this year: 1) increase reinstatement fee from \$5.00 to \$10.00 and define that this fee is charged only upon service reinstatement; 2) setting a timeline for when Late Payment Charges can accrue; and, 3) sets the rate according to market price for replacement of a Curby and clarifies Curby allotment. Ms. Driscoll stated that no increases in residential commercial, or multi-family rates were being requested this year, and that since 1992, the cities have held fast on the most

popular solid waste service of a 32-gallon can.

Councilor Lillard questioned how much a Curby currently costs. Ms. Driscoll responded that a residential customer may obtain two Curby's at no cost, and then if they need to replace one, the current market cost was around \$5.00. Councilor Lillard asked if there was a grace period for late payments. Ms. Driscoll responded that there was currently a 30-day grace period for payments.

Councilor Owen moved and Councilor Edwards seconded the motion to approve Resolution 19-1998, A RESOLUTION ESTABLISHING FEES AND CHARGES FOR SOLID WASTE COLLECTION SERVICE, CHAPTER 8, HEALTH AND SAFETY, OF THE FAIRVIEW MUNICIPAL CODE, AND REPEALING RESOLUTION NO. 30-1997.

AYES: 6
NOES: 0
ABSTAINED: 0

**B.RESOLUTION -
Year Nine Annual Waste Reduction Plan**

Councilor Owen requested that the Year Nine Annual Waste Reduction Plan be pulled until such time as the Solid Waste Citizen Advisory Committee (SWCAC) has recommended its adoption. Ms. Driscoll concurred, adding that Metro has approved the Plan, but an official motion was never made by the SWCAC. Mayor Vonderharr commented that he would agree in removing the item until SWCAC had reviewed it, as the group would feel they were meeting for no reason. Marilyn Holstrom, City Administrator, suggested that the Plan be placed on the Council's September 2nd Agenda.

Councilor Edwards moved and Councilor Lillard seconded the motion to remove the Year Nine Annual Waste Reduction Plan from the agenda, to be heard at the Council's September 2, 1998 meeting.

AYES: 6
NOES: 0
ABSTAINED: 0

**C.ORDINANCE -
Animal Control Enactment Reading**

Administrator Holstrom requested that the Animal Control Ordinance Enactment Reading be postponed to the Council's August 19th Agenda.

Councilor Edwards moved and Councilor Lillard seconded the motion to postpone the Animal Control Ordinance Enactment to the Council's August 19th meeting.

AYES: 6
NOES: 0
ABSTAINED: 0

V.CITY ADMINISTRATOR REPORT

Administrator Holstrom reported that the Council may have seen an article in the newspaper regarding the undergrounding of utilities, commenting that this was an issue the City has been pursuing for a long time. Administrator Holstrom stated that she will be placing a briefing item on the Council's next agenda regarding everything that is known to date on funding for utility undergrounding.

Administrator Holstrom reported that City Planner John Pettis had announced his resignation, and that a job announcement was placed in The Oregonian for his replacement. Administrator Holstrom reminded the Council that the next Street Faire would be held on NE 228th Court, August 27th, 6:00-8:00pm.

Administrator Holstrom stated that there was a possibility of purchasing land for a park in the Fairview Lake area, but due to soil contamination problems, the City halted the purchase. Interlachen PUD had sent a letter to the Division of State Lands regarding the MBM Group (the Fairview Lake Estates developer) regarding the bridge they intended to build across Fairview Creek, complaining that they thought the soils were contaminated and constructing a bridge would disturb the soils, contaminate the water, and then contaminate the Interlachen PUD wells. The Division of State Lands (DSL) placed a Stop Work order on the MBM Group, but later learned that they did not have any jurisdiction over lakes or soil contamination. MBM Group submitted a soil containment program to DSL who approved the program and bridge construction is currently underway. Administrator Holstrom reported that the City would now order a Level II Environmental Assessment contamination study to be performed on the possible park site, that that a purchase would not be made of the park site until the City has results back from the study. Councilor Quinby questioned if there was any chance that the seller of the land would participate in the cost of the Level II Assessment. Administrator Holstrom responded that she thought the seller was a little unhappy that the City was even moving forward with the Assessment, but she could certainly ask them if they would consider participating. Mayor Vonderharr commented that funds for the Assessment were available from the Parks SDC Fund.

Administrator Holstrom commented that Ted Hockaday had agreed to Chair the campaign committee for the proposed Park Maintenance Levy should the Council approve the levy to be placed on the November 1998 ballot. Administrator Holstrom stated that the City had received a great deal of interest in its Request for Proposals from architects for the new City Hall; ten proposals were submitted which the Screening Committee was currently reviewing. Once the top two or three firms were chosen, the City Hall Committee would then interview the architectural firms on August 31st.

Administrator Holstrom stated that Fairview has been receiving more exposure in newspapers lately as we have two new reporters: Jackie Scott of The Oregonian, and Curtis Smith of The Outlook. Administrator Holstrom commented that Ms. Scott cares about the area and works very hard to report fair stories; Ms. Scott may phone those individuals who choose to run for Council on the November ballot.

Administrator Holstrom reported that the City's Holiday Party would take place on Saturday, December 12th, and would be held at The Lake House at Blue Lake.

VI.MAYOR/COMMITTEE REPORTS AND COUNCIL CONCERNS

Councilor Owen reported that the Airport Noise Abatement Committee was in the process of reorganizing, which was moving very slowly. He has attended two or three meetings with the Port of Portland and primarily the Wilkes Neighborhood Group. Councilor Owen stated that he has heard a lot of citizen comment and was trying to get a handle on how many citizens in Fairview have been attending the Port of Portland meetings, as some do receive mailings from the Port. Councilor Owen commented that the Port would like to add some new navigational items to the south runway and that the public would be invited to comment on the proposed equipment, as the equipment could have the potential of adding significant air traffic over residential areas.

Councilor Lillard reported that she had attended an East Multnomah County Transportation Committee (EMCTC) meeting the previous Monday evening, in which Joe Walsh was present from TriMet and attempted to push through the north-south connector between the Gateway Transit Center and the Airport, and that it sounded as if they would do whatever they wanted regardless of what EMCTC has

to say. Councilor Ripma of Troutdale was upset about TriMet's proposal and said that the EMCTC did not like the idea whatsoever, and that TriMet would have to give the EMCTC more concrete information in terms of numbers and logistics. Councilor Lillard reported that at the same meeting, the EMCTC was informed that the 207th Avenue connector from Halsey to Glisan would not be open for another year due to irregular soil compaction and water seepage. Multnomah County had suggested that they could asphalt the roadway and open it through to Glisan Street, but without sidewalks, streetlights, etc. Councilor Lillard commented that she had told the County that that was unacceptable and dangerous as proper lighting was absolutely necessary. Mayor Vonderharr stated that his concern was that the County did not have the 207th Connector on the front burner and questioned why it took them so long to step in and determine what the problem was. Administrator Holstrom commented that the County had to wait until the soils dried out before they could perform any testing on the compaction. Mayor Vonderharr stressed that the 207th Connector will not be a dead issue with Fairview as we have been promised completion of the Connector for two years.

Councilor McCutcheon asked that staff look into the situation on Harrison Street where a trailer was in a front yard with someone living in it.

Councilor Edwards stated that he would not be able to attend the August 19th Council meeting; Councilors Lillard and Owen also stated that they would not be able to attend. Administrator Holstrom stated that staff would confirm that the four remaining members of the Council would be present on August 19th in order to have a quorum.

Councilor Quinby had no reports or concerns.

Mayor Vonderharr reported that he had attended a Portland Convention Center kick-off event for expansion, and that he would be attending the Oregon Mayor's Conference next week and try to discover what was going on in regards to the State and cities.

**VII. EXECUTIVE SESSION - ORS
192.660(1)(h) City Administrator
Evaluation**

At 8:16pm, Councilor McCutcheon moved and Councilor Lillard seconded the motion to adjourn into Executive Session per ORS 192.660(1)(h).

AYES: 6
NOES: 0
ABSTAINED: 0

At 8:55pm, Councilor McCutcheon moved and Councilor Edwards seconded the motion to adjourn out of Executive Session and back into the Regular Session.

AYES: 6
NOES: 0
ABSTAINED: 0

The Council, having given careful consideration to all factors, gave the City Administrator the following overall rating: this individual has continued to perform in a truly extraordinary manner and her future as City Administrator is very important to the success of the City.

VIII. ADJOURNMENT

Councilor Quinby moved and Councilor Lillard seconded the motion to adjourn. Mayor Vonderharr adjourned the meeting at 9:10pm.

AYES: 6
NOES: 0
ABSTAINED: 0

Mayor Roger Vonderharr

Dated:

Caren C. Huson Quiniones
City Recorder