

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

DECEMBER 2, 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
Councilor Dave McCutcheon
Councilor Len Edwards
Councilor James Raze
Councilor Steve Owen

STAFF PRESENT: Marilyn Holstrom, City Administrator
John Andersen, Acting Planning Director
Caren Huson, City Recorder

II. CONSENT AGENDA

Councilor Quinby moved and Councilor Lillard seconded the motion to approve the Consent Agenda, consisting of the Minutes of November 18, 1998.

AYES: 7
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.

Ron Knight, 4023 NE 220th Avenue, Fairview, approached the podium and asked about the traffic pattern test which was performed between 220th and 223rd Avenues. Marilyn Holstrom, City Administrator, responded that the City's speed monitoring device was not working properly; as soon as it is working again, staff will perform new tests and would be glad to share the results with Mr. Knight. Mr. Knight stated that something had to be done in Fairview Lake Estates regarding the speeders and those who fail to stop at posted stop signs. Mayor Vonderharr commented that the Council had recently approved a process for a neighborhood to request speed humps, but accurate data was needed first.

As no one else approached the podium, the session continued.

IV. COUNCIL BUSINESS

**A. PRESENTATION -
Growth Management
Metro**

Brenda Bernards, Senior Regional Planner with Metro, approached the podium and distributed information to the Council. Ms. Bernards stated that she would be addressing Metro's Analysis of Regional Resources for Fish and Wildlife Protection, which falls under the State Land Use Planning Goal 5. Ms. Bernards reported that the project goal was to identify, map, analyze and determine appropriate measures for the protection, enhancement, and restoration of Goal 5 regional resources for fish and wildlife habitat, and that the project objections were: 1) identify gaps in

current protection of Goal 5 regional resources to protect, enhance, and restore fish and wildlife habitat; 2) identify a range of protection, enhancement, and restoration measures to address gaps and adequately protect fish and wildlife habitat; and, 3) serve in a coordination/technical assistance role for the Metro region. Ms. Bernards commented that Elizabeth McCallum, Troutdale Associate Planner, represents the East County region on the Metro Goal 5 Technical Advisory Committee (TAC), and that any comments the City of Fairview might have should be addressed to her for input. Ms. Bernards explained that the TAC was currently drafting a scope of work, scheduled to be completed this month, and that the entire project would probably take 18 months. Ms. Bernards commented that the TAC would review the entire watershed, identify regional resources, address gaps in current protection, and evaluate protection which was currently offered; the TAC will work on setting criteria and review an outline for scientific papers. Ms. Bernards stated that once the resources for fish and wildlife protection were identified and evaluated, a new Title 3 map may need to be created; however, she did not know at this point what the work program will mean for Fairview as the study has not begun.

Councilor Lillard questioned where the funds were expected to come from regarding any tasks that may be identified and need to be done. Ms. Bernards responded that the program was State mandated, so state and federal funding should be provided, along with technical assistance from Metro. Councilor Lillard asked if there was a timeframe established of when Metro would want all identified tasks to be completed. Ms. Bernards responded that she would not know the timeline until the scope of work was completed. Councilor Raze asked if Ms. Bernards could just provide a ballpark figure of what the program could cost the City of Fairview. Ms. Bernards responded that she did not know, but would take the question back to those more intimately involved in the financial analysis of the program. Mayor Vonderharr stated that the City did not have any funds for the program.

Ms. Bernards reported that Metro was also currently working on a regional parks system inventory; many larger cities in the Metro area have already made contributions to perform this inventory which will update the 1989 parks inventory. Ms. Bernards added that all cities would receive a questionnaire regarding their parks, and that Metro would be looking at the tree canopy in the region.

Malu Wilkinson, Metro Assistant Planner, approached the podium and stated that information had been provided in the Council's packet regarding affordable housing. Metro Council created the Affordable Housing Technical Advisory Committee (HTAC) to work with Metro staff in developing housing policies. HTAC consists of 25 voting members, and consists of representatives of local governments, home builders, the business and financial community, and affordable housing advocates. Ms. Wilkinson indicated that the key tasks of HTAC are to define what fair share is, look at the housing needs of the entire region, and develop a fair share allocation formula. Ms. Wilkinson reported that by June 1999, HTAC will recommend fair share affordable housing targets for each jurisdiction to the Metro Council and MPAC, and that the entire process would be very public.

Councilor McCutcheon questioned that since the affordable housing strategy was a regional plan, if Portland was at buildout and Fairview had vacant land, would that mean that Fairview would have to provide affordable housing for Portland. Ms. Wilkinson responded that criteria would be established to define what would be needed. Councilor McCutcheon asked if the strategy would be approached on a per capita basis. Ms. Wilkinson responded that policy had not been decided yet, but that the per capita basis had been mentioned. Mayor Vonderharr stated that he could assure everyone that there would be a ratio between a city budget and its

population.

Councilor Raze asked what exactly was the definition of "affordable housing". Ms. Wilkinson responded that "affordable housing" was defined as being 30% of a person's income which was spent on housing for the regional median income groups; the basis for the 30% was taken from HUD and depicted what banks would loan for housing. Councilor Raze commented that the market dictates what is built and that he was fearful of government intervention in the market; the building community was already ahead of what Metro was trying to establish.

Councilor Owen stated that "affordable housing" seems to be a loosely used term, and that consideration needs to be given of a city's existing housing inventory, as he believed that Fairview was very well positioned on affordable housing. Ms. Wilkinson assured the Council that existing supply would be one of the criteria used in the HTAC Work Plan.

Councilor Quinby questioned how Metro could dictate affordable housing, who would move into the affordable units, and if you deducted the homeless and street people, everyone has housing now, so aren't they really in affordable housing. Ms. Wilkinson responded that Metro knows the median income for each jurisdiction, and that the goal is for as many people as possible to have housing they can afford to live in; someone may have shelter over their head, but that shelter may be using 80% of their income. Ms. Wilkinson added that the goal was not to attract more low income jobs or to put a lot of low income housing in one area; the goal was based on Goal 10 of the Land Use Planning Goal which stresses decent housing for all income levels. Ms. Wilkinson commented that Metro has taken on that goal as a problem has been noted in the region of not having enough affordable housing.

Councilor Lillard stated that she was concerned about how the goal would affect communities, as the affordable housing issue had been quietly placed into the Regional Transportation Package with the statement that if someone was proposing affordable housing, that they could receive a bonus in allocation of road dollars. Ms. Wilkinson responded that she did not know how that wording got into the Transportation Package, but would be happy to discuss it further once the committee began discussion implementation strategies.

Councilor Edwards mentioned that he was concerned about what Metro might be trying to plan for Fairview, and that he was glad Ms. Wilkinson was reporting to the Council at an early stage of the process. Councilor Edwards questioned if someone from Metro would actually drive through all the cities to determine their housing allocations, and asked Ms. Wilkinson to define gentrification. Ms. Wilkinson responded that gentrification meant that if a city had a lower income, dilapidated neighborhood in a desirable spot, and then individuals with money moved into the neighborhood, fixed up the homes, they could then turn the neighborhood around into a desirable living space; however, people are then displaced when property taxes soar in a once lower level neighborhood. Councilor Edwards stated that he would not want Metro to ever tell Fairview that they could not fix up and improve their homes and neighborhoods. Ms. Wilkinson responded that she did not think that Metro would ever issue such a ruling.

Mayor Vonderharr questioned if Metro had funding resources for the project as he was concerned that Metro would not have enough funds to perform an accurate data collection. Ms. Wilkinson stated that she did not have information regarding funding, but would take that question back to Metro and respond to the City at a

later date. Mayor Vonderharr stated that Metro's approach seemed to be that instead of changing the income average of a given jurisdiction, that they were more concerned about providing low income housing yet not approaching the task of bringing jobs to areas that are underemployed; Metro has done nothing to bring jobs to East County. Mayor Vonderharr commented that if Metro only wanted to bring in affordable housing, they would create ghettos; there has been too much focus placed on what the region should do in the future, instead of focussing on cleaning up current problems. Mayor Vonderharr added that one of the reasons housing is so unaffordable is because land costs have rocketed so high, yet Metro has done nothing to determine why those costs have risen.

Councilor Quinby stated that it was better for Metro to have interaction with the jurisdictions throughout the program instead of waiting until the end and telling cities what to do, similar to what occurred with the East Multnomah County Transportation Committee (EMCTC). In response to Ms. Wilkinson's question regarding EMCTC, John Andersen, Acting Planning Director, commented that he and Councilor Lillard were members of EMCTC who had been working hard to ensure that railroad bridge improvements were a priority over the next five years. A list of priority improvement projects was sent to Metro from EMCTC, but Metro had performed their own modeling and their priority list did not include EMCTC's improvement suggestions. Director Andersen stated that additional work was performed with Metro staff and a letter was sent from the City of Fairview; Metro then established a combined list for their modeling activities, and once again, the railroad overpasses were not on the list. EMCTC has determined that another letter would need to be sent to Metro stressing the importance of retaining the railroad overpasses on the priority list.

Mayor Vonderharr added his concern that Metro will hold public hearings, meetings, forums, etc., receive input, but then go back and do what they want; Metro was not looking at the small picture along with the large regional picture.

Ms. Bernards commented that she and Ms. Wilkinson would share the Council's concerns when they returned to Metro. Mayor Vonderharr thanked Ms. Bernards and Ms. Wilkinson for their presentations.

At 8:50pm, Councilor Quinby left the meeting.

B.VIDEO - Public Rights of Way

Administrator Holstrom reported that every city had received a video from the League of Oregon Cities regarding public rights-of-way, as an effort had been underway to remove a city's management of its rights-of-way, without compensation, from private industries and utilities who are the second largest source of funds for a general fund. Council viewed the video.

V.CITY ADMINISTRATOR REPORT

Administrator Holstrom reminded the Council that auction items were needed for the City's Holiday Party; all funds received from the auction would benefit the Heslin House renovation.

Administrator Holstrom reported that staff has begun working on next year's budget.

Administrator Holstrom stated that on the Council's next agenda they would hear a garbage license transfer request from Waste Connection who is buying out Columbia Sanitary. Columbia Sanitary services a small, southwest corner of Fairview. Councilor McCutcheon asked if the City was required by ordinance to allow a transfer of license. Administrator Holstrom responded that she had spoken with Waste Connection, explaining that the Council was ultimately attempting to have only one solid waste hauler for the City, but that she could not force any

negotiations to take place; however, the City Attorney would be present at the next meeting to clarify any questions the Council might have.

Administrator Holstrom reported that staff and the Mayor had met with the ODOT Region 1 Director to begin the discussion of soundwalls in Fairview. Administrator Holstrom stated that the result of the two hour meeting was: 1) on the west side of Fairview near the freeway, original residents of the neighborhood had worked with ODOT to construct a wooden soundwall, but that a petition from new residents in that area to ODOT was denied; 2) the core area of Fairview sits so far back from the I-84 freeway that a soundwall near the freeway would not help as noise would travel over the wall and the core area would still experience freeway noise; 3) there was no answer for the Crestwood area east of 223rd Avenue as there is no right-of-way, there is a deep ravine, Salem noise acoustical officials and Fairview's City Engineer had performed a site visit and confirmed that there was no way to place a soundwall, the neighborhood had been created in a bowl and the freeway is canted in their direction, the houses start low and are canted toward the freeway, so it is a perfect place for amplification of noise; 4) the Bridge Street area was different as it rises, with 6 to 8 homes being affected, a wall could be constructed on the back of each of the properties and ODOT would be willing to participate financially up to a certain dollar amount which would be determined after the design of the wall, every property owner would have to agree to the wall for the construction to occur and would have to provide an easement to ODOT, the building of the soundwall would have to be done through each property, the City would have to maintain the soundwall, the City would have to keep the project within the cost of ODOT supplied funds, pay an extra portion, or have the residents pay any necessary extra funds for the soundwall. Mayor Vonderharr commented that it would be difficult for the City to have any discussion at this point regarding soundwalls for the Bridge Street area until ODOT submits their research on the soundwall design; the City does not have any money, so ODOT was going to review various designs.

Councilor Lillard questioned if ODOT couldn't at least place some trees and landscaping to deflect some of the noise in the Crestwood area. Administrator Holstrom responded that ODOT suggested the possibility that they could work with the individual property owners in the Crestwood area to provide guidance on what to plant. Mayor Vonderharr added that staff discussed trees extensively with ODOT and were informed that trees look like a wall but they do not affect noise levels. Councilor Lillard stated that at least it would make the residents feel better with the visual aesthetics. Administrator Holstrom commented that ODOT would not spend funds for aesthetic reasons only; ODOT does place landscaping, but they will not plant trees to block the view of a freeway from a home. Councilor Raze stated that it was obvious that nothing could be done for the Crestwood area and that those residents needed to be told such straight out.

VI.MAYOR/COMMITTEE REPORTS AND COUNCIL CONCERNS

Councilor Lillard stated that her baby was due on December 25th and that she would probably not be attending the Council's first meeting in January, nor the EMCTC meeting on January 4th. Mayor Vonderharr commented that he was going to ask Councilor Owen if he would consider serving as an alternate to EMCTC as it was a voting position. Councilor Owen stated that he would be willing to serve as the EMCTC alternate.

Councilor McCutcheon reported that he had attended the Gresham Fire and Emergency Management Progress Board meeting and distributed a hand-out to the Council. Councilor McCutcheon stated that, per capita, Gresham area incidents were 3% higher than the national average, yet 14.4% below the average cost. The Board indicated that the only way to improve response time, etc., was to place more

money into the fund. Councilor McCutcheon also reported that Fire Chief Joe Parrott had resigned his position.

Councilor Owen stated that he would be attending the first official Port of Portland Citizen Noise Abatement Committee meeting on December 9th.

Councilor Raze asked Bonita Jenkins to report on the progress of the Heslin House renovation. Ms. Jenkins stated that all of the plumbing had been installed and that a commode and sink would be installed soon in the bathroom. Ms. Jenkins commented that the furnace would also be installed soon.

Councilor Edwards commented that he hoped the City Attorney was involved in the talks about ODOT designing soundwalls, etc., so that the City would not be liable for any errors.

Mayor Vonderharr reported that tomorrow he would be going to Salem and meeting with Senate President Brady Adams to discuss the implementation problem Fairview has with Measure 50.

VII. ADJOURNMENT

Councilor McCutcheon moved and Councilor Lillard seconded the motion to adjourn. Mayor Vonderharr adjourned the meeting at 9:26pm.

AYES: 6
NOES: 0
ABSTAINED: 0

Mayor Roger Vonderharr

Dated:

Caren C. Huson Quiniones
City Recorder