

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

FEBRUARY 4, 1998 -- 7:30pm

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

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

PRESENT: Mayor Roger Vonderharr
Councilor Sherry Lillard
Councilor Mike Weatherby
Councilor Dave McCutcheon
Councilor Len Edwards
Councilor James Raze
Councilor Steve Owen

STAFF PRESENT: Marilyn Holstrom, City Administrator
John Pettis, City Planner
Caren Huson, City Recorder

II. CONSENT AGENDA

Councilor Weatherby moved and Councilor Edwards seconded the motion to approve the Consent Agenda, consisting of the Minutes of January 21, 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. As there was no response, the session continued.

IV. COUNCIL BUSINESS

**A.PRESENTATION - Stream &
Floodplain Protection Plan
- Metro**

John Pettis, City Planner, introduced Rosemary Furfey of Metro, who presented a slide presentation on Metro's proposed Stream & Floodplain Protection Plan (Plan). Ms. Furfey informed the Council that Metro is planning to adopt the Plan in Spring 1998, and that currently they were going through the public involvement portion of the process. Ms. Furfey indicated that the Plan addresses water quality and flooding issues in the Portland metro area, and stated that the new policies would only apply to new development and redevelopment over a certain threshold which are located in sensitive areas near rivers, streams and wetlands. Ms. Furfey reported that performance standards for water quality include the protection of vegetation along rivers, streams and wetlands for all new development, the prevention of soil erosion so that loose soil does not enter nearby streams, and the prevention of uncontained uses of hazardous materials along river and streams. Ms. Furfey added that performance standards for floodplain management include limiting development in the floodplains of the region's river and streams and requiring balanced cut and fill, which means that if you add fill or soil to one part of the floodplain you must excavate a corresponding amount to maintain flood storage capacity of the land.

Councilor Raze mentioned that it seems as if Metro is presenting the above information after it has already been decided, and that they are "educating" rather than receiving input from individuals. Ms. Furfey responded that this was Metro's second public information stage and that the performance standards were developed in November 1996 after the first public hearing stage. Ms. Furfey commented that in the second stage, Metro is offering review of the modeling code and maps they have produced. The Metro Council will adopt a model ordinance in Spring 1998, and then local jurisdictions would have 18 months to review their code and implement.

Councilor Weatherby questioned what Metro was doing specifically in regards to the dumping of raw sewage into the rivers. Ms. Furfey responded that Portland is on a federally mandated cleanup of the rivers, and that Metro does not have any authority in regards to the dumping of sewage.

Councilor Lillard asked how Metro's proposed Plan would impact Fairview ordinances. Planner Pettis responded that in regards to floodplain regulations, Fairview does not currently allow any development within the floodway, but we do allow development through FEMA standards in the flood fringe. Planner Pettis added that much of Fairview's properties along Fairview Creek are completely covered by the floodplain, and that the City would probably have to recommend the cut and fill method.

Mayor Vonderharr stated that Fairview had no flooding problems during the last 100-year flood event, but that the area would still be shown on FEMA maps as in the floodplain. Planner Pettis commented that FEMA needs to update their maps as they are about 20 years behind; however, they did update the area north of Sandy Boulevard in 1995. Mayor Vonderharr stated that his concern was that Metro will do the same as they did with their Greenspace Plan in which they never spoke to a person in Fairview, but Metro's report came back stating that we had forested land and based that statement from residents outside of Fairview. Ms. Furfey responded that she was trying to communicate to all the jurisdictions that everything now is in draft form only, and that Metro is seeking input. Ms. Furfey encouraged the Council to make their comments known to Metro's MPAC and Technical Advisory Committee, as she really is trying to reach out and inform people. Councilor Raze commented that it was also important that Metro listened to what was being said.

Mayor Vonderharr stated that Metro was suggesting a density increase option be allowed to property owners should they lose the use of some of their property due to the Plan. Mayor Vonderharr commented that Fairview has many lakes and creeks, so 2/3 of the city could end up being higher density, and asked if anyone at Metro had thought about that fact. Ms. Furfey responded that Metro wants to be able to have the option of density transfer available, although not all cities will choose to offer that as a tool, which would be a Council decision; the Plan allows for variances and encroachments for economic use of the property, yet allowing the preservation of vegetation around the waterways. Mayor Vonderharr stated that his biggest concern was that the local jurisdictions would lose control as Metro totally ignores them and their comments. Mayor Vonderharr added that stream and floodplain protection is addressed in the City's Goal 5 document, and asked why the extra layer of restriction was needed. Ms. Furfey responded that Metro was looking mainly at Goals 6 and 7, but the best thing you can do in land development for waterways is vegetation protection.

Councilor Owen questioned how the Plan would really impact Fairview as to how we

are building today. Planner Pettis responded that many of Metro's suggestions are already being done in Fairview; however, the requiring of cut and fill in our floodplain ordinance may be necessary, in addition to increasing our riparian buffer setbacks from 35 feet to 50 feet.

As there were no further comments or questions, Mayor Vonderharr thanked Ms. Furfey for her presentation.

V. CITY ADMINISTRATOR REPORT

Marilyn Holstrom, City Administrator, stated that before the Council was an item for grant authorization; this item was meant to be on the Council's next agenda, but staff determined that the grant application was due prior to the next meeting. Administrator Holstrom commented that Council authorization was needed in order to submit grant applications for ODOT's Small-Scale Urban Pedestrian and Bicycle Improvements on State Highways project.

Councilor McCutcheon moved and Councilor Weatherby seconded the motion to authorize staff to submit the ODOT's application for Small-Scale Urban Pedestrian and Bicycle Improvements on State Highways.

AYES: 7
NOES: 0
ABSTAINED: 0

Administrator Holstrom reported that a Council Work Session has been scheduled for February 25th, 7:00pm, at the Public Works Shop in order for the Council to become aware of all Public Works operations. Councilor Raze stated that he would not be able to attend the Work Session.

Administrator Holstrom stated that the City had received an award of a COPS Grant for an additional police officer; however, the waiver requesting that the City not have to pay the 25% to match has not been addressed yet. Administrator Holstrom added that the City had hired one officer through the COPS grant three years ago, and that that grant was about to expire.

Administrator Holstrom commented that staff would be meeting the following day for the first time with Heery International who was awarded the bid for project manager for the new City Hall. Councilor McCutcheon asked if the project manager would be given the materials as previously prepared by staff in regards to space needs in the new City Hall. Administrator Holstrom responded yes.

Administrator Holstrom stated that the Wood Village City Administrator had announced that the Multnomah Greyhound Park would be submitting their plans for a retail center within a month.

Administrator Holstrom introduced the new Outlook reporter, Michelle Meyers, who was in the audience.

VI. MAYOR/COMMITTEE REPORTS AND COUNCIL CONCERNS

Councilor Owen reported that he had attended his first Solid Waste Citizens Advisory Committee (SWCAC) meeting, and that the group had spent an hour going through the first pages of the draft Solid Waste Code; SWCAC is looking into co-mingled recycling which would not require as much sorting as it does today.

Councilor Lillard stated that she had attended the East Multnomah County Transportation Committee (EMCTC) meeting in which they heard the Port of Portland's plan to expand the airport by the year 2020, and the new traffic tests they

will be performing, adding that any public comment needs to be passed along to the Port of Portland. Councilor Lillard reported that Metro has conducted some charettes to put together a booklet on transportation issues; EMCTC will compare their list of priorities with the list that the community developed, and then write a letter to Metro which indicates the differences; Councilor Lillard suggested that a letter is also needed from the City on this issue.

Councilor Weatherby reported that he had attended the Clackamas County Boundary Change Committee meeting, in which a brief presentation from citizen groups representative of the county line to the Sandy River. Councilor Weatherby added that the consultants for the Committee spoke of timeframes and when the Committee would begin hearing the results and structure of the information.

Councilors Raze, Edwards, and McCutcheon had no reports or concerns.

Mayor Vonderharr reported that he had done an interview with Mt Hood Cable Television regarding the resolution of the problems Fairview had been having with the Postal Service. Mayor Vonderharr stated that he had received a phone call from Congressman Blumenauer's office to give him an update of what is happening on the national level in terms of cellular towers. Mayor Vonderharr added that he had also received a phone call from Senator Smith's office regarding a letter he sent in support of Metro's application for a greenspace program. Mayor Vonderharr commented that TriMet had asked him to fill out a questionnaire of the City's transportation goals, and added that Councilor Lillard would represent the City with TriMet for future needs and goals.

Mayor Vonderharr stated that the City needed to have a common vision for Fairview, and suggested that a joint work session be scheduled between the Council and the Planning Commission.

VII. ADJOURNMENT

Councilor Weatherby moved and Councilor Lillard seconded the motion to adjourn. Mayor Vonderharr adjourned the meeting at 8:50pm.

AYES: 7
NOES: 0
ABSTAINED: 0

Mayor Roger Vonderharr

Dated:

Caren C. Huson Quiniones
City Recorder