

**MINUTES  
CITY OF FAIRVIEW  
CITY COUNCIL**

February 20, 2013

**Council Members**

Mike Weatherby, Mayor  
Dan Kreamier  
Ken Quinby  
Steve Prom  
Steve Owen  
Lisa Barton Mullins  
Tamie Arnold

**Staff**

Samantha Nelson, City Administrator  
Allan Berry, Public Works Director  
Lesa Folger, Deputy Finance Director  
Ken Johnson, Police Chief  
Paul Elsner, City Attorney  
Devree Leymaster, City Recorder

**WORK SESSION**

**1. AUDIT PRESENTATION**

Rob Tremper, Dickey and Tremper, LLP presented findings from the annual financial audit. Mr. Tremper stated this year's audit was an improvement from last year's as staff had worked through the challenges of the financial software conversion. The areas where continued improvement was needed included: year-end processes, utility account receivables and court account receivables.

Mr. Tremper reviewed the financial statements and fund balance sheets, and commended the finance staff on receiving the annual CAFR award for financial reporting.

Councilor Kreamier inquired if the equipment replacement fund was being funded. Staff responded the general fund had not contributed over the past few years due to budget constraints. Council agreed that funding this line item should be examined during the upcoming budget process.

**COUNCIL MEETING (7:00 PM)**

**1. CALL TO ORDER**

ROLL CALL  
PLEDGE OF ALLEGIANCE

**2. CONSENT AGENDA**

**a. Minutes of February 6, 2013**

Council President Barton Mullins moved to approve the consent agenda and Councilor Quinby seconded. The motion passed unanimously.

AYES: 7

NOES: 0

ABSTAINED: 0

### 3. CITIZENS WISHING TO SPEAK ON NON-AGENDA ITEMS

Mr. Garth Everhart, 954 Clear Creek Way, Fairview, OR, representative of the Fairview Business Association (FBA), requested Council support for their Fairview Bite event proposal. Mr. Everhart stated the FBA had identified a local non-profit food pantry organization that would be the beneficiary of the event proceeds.

Council President Barton Mullins stated Council was aware of the FBA's request and was researching some of the requests made in the proposal and recommended Council take action on the request at the March 6 meeting. Mr. Everhart responded the FBA needed to begin planning and securing sponsors and requested Council deliberate now with the understanding that some issues needed to be worked out and agreed upon.

City Administrator Samantha Nelson remarked Staff was seeking input from the City Attorney regarding some of the requests in the proposal because the action Council takes regarding the role of City resources in this private event would set policy for the City's involvement in future private event requests.

Councilor Kreamier stated he supported the event and recommended not tabling the discussion and directing Staff to move forward with working with the FBA in planning the event.

Councilor Owen commented he supported the event, but there were a lot of questions and unknowns. He recommended the Event Subcommittee review the proposal and make a recommendation. A special council meeting could be scheduled if need be.

Councilor Quinby stated he supported the event and believed the details and policy questions could be worked out. The request for approval did not need to be delayed.

Mayor Weatherby stated Council supported all events but they needed to review the process and get answers to questions prior to acting. He supported scheduling a special meeting to assist the FBA in meeting their timeline.

### 4. PROCLAMATION

#### a. February 2013 as Scout Month

Mayor Weatherby introduced the proclamation and Councilor Barton Mullins read the proclamation statement.

### 5. CITY ADMINISTRATOR AND DIRECTOR REPORTS

City Administrator Nelson reported IT Staff was researching options for live web-streaming of Council meetings; Chair Kudrna of the Mayor's Citizen Committee for Visioning 2022 was scheduled to meet with Staff next week; and the Council goal setting workshop was scheduled for Wednesday, February 27 at which time the list of work session items would be discussed.

Councilor Kreamier inquired if there was an update regarding adding a button to the utility payment page on the web site for citizens to donate funds to events. City Administrator Nelson responded placing the feature on the web site was doable. The challenge was the

required service charge when paying with a credit card i.e. having to pay a service charge when donating money. Staff was researching options and would report at a future meeting.

## 6. MAYOR/COMMITTEE REPORTS AND COUNCIL COMMENTS

Councilor Prom acknowledged current PSAC Chair Carol Colleen for her outstanding job in running the committee.

Mayor Weatherby thanked Mr. Everhart for coming forward to discuss the private event, Fairview Bite. Mayor Weatherby stated Council was in support of events and had reenacted the Fairview Arts and Community Events Committee with Councilor Arnold as the council liaison. Notice and requests for applications would be forth coming.

Council President Barton Mullins stated she had researched Mr. Eatwell's grant proposal, which he had requested Council support for at the previous meeting, and had written a letter recommending not supporting it as the grant proposal was focused on aiding large businesses north of I-84. Instead she recommended supporting a grant proposal from the Gresham Area Chamber of Commerce which offered support to all of East County.

Council President Barton Mullins stated she had met twice with Councilor Arnold regarding events and would present their recommendations during Council Business.

Councilor Quinby stated he understood the need for a blanket policy for all private group events but would support a motion to specifically authorize support of the Fairview Bite.

Councilor Quinby reintroduced, from the last meeting, the motion to move the Farmers' Market back to Village Street. City Attorney Paul Elsner stated motions should be made during Council Business. Mayor Weatherby stated he would accommodate the motion at the start of Council Business.

Councilor Arnold thanked Mayor Weatherby and Council for the proclamation and support of February as Scout Month.

## 7. PRESENTATIONS

### a. Swearing-In of New Police Reserve Officer: Scott McPherson

Police Chief Johnson performed the swearing-in ceremony and recited the Chief's Charge for Police Reserve Officer Scott McPherson.

### b. Auditor Presentation

Deputy Finance Director Lesa Folger introduced Rob Tremper, Dickey and Tremper, LLP, who presented the annual audit report.

Mr. Tremper commended Staff for receiving the Comprehensive Annual Financial Report (CAFR) award for the fifth consecutive year. This award demonstrates commitment to financial reporting and internal controls.

Mr. Tremper reviewed the independent auditors report and stated a clean audit report was issued. Fund balances and net assets were positive. He noted recommended areas of improvement: utility receivables, court receivables and year-end procedures.

## 8. COUNCIL BUSINESS AND PUBLIC HEARINGS

Councilor Quinby moved to approve the Farmers' Market returning to Village Street and Councilor Prom seconded. Councilor Owen inquired if any outreach to Village Street businesses had been done. City Administrator Nelson responded City Staff had not done any outreach. Councilor Prom stated he had spoken with Village Street business owners and many opposed the Farmers' Market returning to Village Street. Councilor Prom commented the increased foot traffic was good for business and he had discussed street closure and parking issues with Mr. Tuomala. The recommendation was to block Village Street after the City Hall entrance and Park Lane prior to the Park Lane City Hall entrance. This would allow traffic to detour through the City Hall parking lot.

City Attorney Elsner stated the City had the right to approve and close a street, but had no authority to enforce restricted access and parking. He cautioned against making an ad hoc decision, as governments should not do so. If Council wanted to approve an enforceable street closure policy then standards needed to be established and enacted through an adoption of an ordinance.

Police Chief Johnson requested Council consider the impact to emergency vehicle ingress and egress. A delay for 60 to 90 seconds in an emergency situation is considerable.

Barbara Jones, 3201 NE 223<sup>rd</sup> Avenue #63, Fairview, OR requested to speak. Councilor Arnold called for a Point of Order. Mayor Weatherby requested a roll call for a vote.

AYES: 4 - Councilor Prom, Councilor Kreamier, Councilor Quinby and Councilor Arnold

NOES: 3 – Councilor Owen, Council President Barton Mullins and Mayor Weatherby

ABSTAINED: 0

Mayor Weatherby allowed Ms. Jones to speak. Ms. Jones stated previous Council meeting minutes outlined the reasons why the decision was made to move the Farmers' Market from Village Street.

### a. Special Events Committee Report

Council President Barton Mullins presented the findings and recommendations from the Event Sub-Committee; stating her and Councilor Arnold agreed events were important to the vitality of the community. They recommended reviving the Fairview Arts and Community Events Committee with Councilor Arnold acting as the council liaison. The committee would assist city staff in planning and implementing approved events the first year, with the goal of staff support decreasing over time. The events recommended for assistance and funding included: the Tree Lighting, Easter Egg Hunt, 2 Bike Rodeos, National Night Out, and Fairview on the Green.

Councilor Kreamier inquired why Fairview on the Green was budgeted for funding prior to its event year. City Administrator Nelson responded funds were needed to make initial payments and deposits in the fiscal year prior to the event.

c. Special Event Funding – Supplemental Budget: Resolution 12-2013

Councilor Owen moved to approve Resolution 12-2013 and Council President Barton Mullins seconded. The motion did not pass by majority.

AYES: 3 – Mayor Weatherby, Council President Barton Mullins and Councilor Owen

NOES: 4 – Councilor Prom, Councilor Kreamier, Councilor Quinby and Councilor Arnold

ABSTAINED: 0

Councilor Quinby moved to approve a revised Resolution 12-2013 omitting paragraph A and Fairview on the Green from paragraph B and Councilor Owen seconded. The revised Resolution 12-2013 passed by majority. Council President Barton Mullins voted no.

AYES: 6

NOES: 1

ABSTAINED: 0

d. Teamster Labor Contract: Resolution 2-2013

Councilor Owen moved to approve Resolution 2-2013 and Councilor Kreamier seconded. The motion passed unanimously.

AYES: 7

NOES: 0

ABSTAINED: 0

e. Economic Development Advisory Committee Appointments: Resolution 3-2013

Councilor Owen moved to appoint George Lingelbach and Jeff Anderson and Councilor Quinby seconded. The motion passed unanimously.

AYES: 7

NOES: 0

ABSTAINED: 0

f. Parks and Recreation Advisory Committee Appointments: Resolution 10-2013

Councilor Owen moved to appoint Ray Hansen and Garth Everhart to terms ending 12/31/13 and Brian Grattan to term ending 12/31/15 and Councilor Arnold seconded. The motion passed unanimously.

AYES: 7

NOES: 0

ABSTAINED: 0

g. Public Safety Advisory Committee Appointment: Resolution 11-2013

Councilor Owen moved to appoint Balwant Bhullar and Council President Barton Mullins seconded. The motion passed unanimously.

AYES: 7

NOES: 0

ABSTAINED: 0

8. ADJOURNMENT

Council President Barton Mullins moved to adjourn the meeting and Councilor Owen seconded. The motion passed, and the meeting adjourned at 8:30PM.

AYES: 7

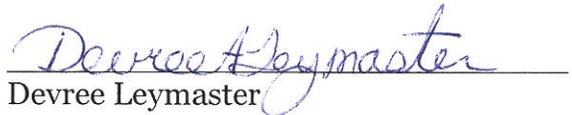
NOES: 0

ABSTAINED: 0

A complete recording of these City Council proceedings is available by contacting the City of Fairview Recorder's Office,  
1300 NE Village Street, Fairview, Oregon 97024.



Mike Weatherby  
Mayor



Devree Leymaster  
City Recorder

3-7-13  
Date of Signing