

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

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**JANUARY 21, 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 Dave McCutcheon  
Councilor Len Edwards  
Councilor James Raze  
Councilor Steve Owen

ABSENT: Councilor Mike Weatherby

STAFF PRESENT: Marilyn Holstrom, City Administrator  
Gilbert Jackson, Chief of Police  
Jeffrey Sarvis, Director of Public Works  
Roy Wall, Finance Director  
John Pettis, City Planner  
Caren Huson, City Recorder

**II. CONSENT AGENDA**

Councilor Raze moved and Councilor Edwards seconded the motion to remove Item E, Public Works Vehicle Purchase, from the Consent Agenda for later discussion.

AYES: 6  
NOES: 0  
ABSTAINED: 0

Councilor McCutcheon moved and Councilor Edwards seconded the motion to remove Item C, City Attorney Contract, from the Consent Agenda for later discussion.

AYES: 6  
NOES: 0  
ABSTAINED: 0

Councilor Lillard moved and Councilor McCutcheon seconded the motion to approve the Revised Consent Agenda, consisting of: a Bid Award for the City Hall Project; Resolution 1-1998, A RESOLUTION TO AMEND THE PARKS & RECREATION/OPEN SPACE MASTER PLAN BY CHANGING THE NUMBER OF PROPOSED POCKET PARKS FROM 2 TO 3; and, the Minutes of January 7 and January 10, 1998.

AYES: 6  
NOES: 0  
ABSTAINED: 0

Mayor Vonderharr asked for discussion of the items removed from the original Consent Agenda. Councilor Raze suggested that the two requested Public Works

vehicle purchases be for 4x4 vehicles and not 4x2 as stated in the staff report, due to the East County weather. Councilor Lillard concurred. Jeffrey Sarvis, Director of Public Works, stated that the increased difference in cost for the two vehicles would be \$2888.

Councilor Raze moved and Councilor Edwards seconded the motion to approve the Vehicle Purchase for Public Works, with the addition that they be 4x4 vehicles.

AYES: 6  
NOES: 0  
ABSTAINED: 0

Councilor McCutcheon asked if Attorney Pamela Beery was satisfied with the Attorney Contract as written, or if she had a problem with the Termination Clause. Ms. Beery responded that the Termination Clause was acceptable as presented.

Councilor McCutcheon moved and Councilor Lillard seconded the motion to approve the Contract for City Attorney Services as presented.

AYES: 6  
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.

Mayor Vonderharr welcomed the students attending from Reynolds High School.

**IV. PUBLIC HEARING**

**A. ORDINANCE - Street Vacation - First and Second Readings**

Mayor Vonderharr opened the public hearing. Councilor Lillard announced that she would be abstaining from this item as she had signed the original Street Vacation petition.

John Pettis, City Planner, presented the staff report, stating that the purpose of the public hearing was to receive public testimony regarding the vacation of the easterly 315 feet of Crestwood Street and for the Council to approve or deny the request.

Planner Pettis reported that at their December 17, 1997 regular meeting, the City Council agreed to hear a street vacation request at their January 21, 1998 regular meeting. There appeared to be no reason to deny the request and the Council set the public hearing date in order to give affected parties an opportunity to testify. After hearing all testimony, the Council must decide if the proposed vacation would be in the public interest.

Planner Pettis stated that the petitioners of the request were Henry and Betty Lightfoot of 253 Crestwood Street and William Lawhorn of 275 Bridge Street. Both petitioners would add to their respective properties that part of the vacated right-of-way which adjoins each lot. These parts are described as Tract 1 (to Lightfoot property) and Tract 2 (to Lawhorn property) on the legal description. The Lightfoot's intend to construct a garage in part of the vacated right-of-way (Tract 1) which would accrue to their property (Lot 7). Planner Pettis stated that there appeared to be no reason not to approve the vacation request since other properties in the area do not depend on this section of Crestwood Street for access. The Crestwood Street right-of-way presently terminates at the east property line of the petitioners' property. It can not be extended further to the east because of the Union Pacific Railroad right-

of-way and I-84 freeway. The property owners adjacent to the petitioners' properties have also signed the street vacation petition.

In conclusion, Planner Pettis indicated that staff was recommending authorization of the street vacation request by approving the first and second readings of Ordinance 2-1998.

Councilor Raze asked if there was a sewer line in the proposed area to be vacated. Planner Pettis responded no. Councilor Raze questioned, as far as cost, if the petitioners' would be responsible for the street vacation. Planner Pettis responded yes.

As no one approached the podium to testify, Mayor Vonderharr closed the public hearing.

Councilor Edwards moved and Councilor Raze seconded the motion to read Ordinance 2-1998 by title only.

AYES: 5  
NOES: 0  
ABSTAINED: 1 (Lillard)

Planner Pettis read Ordinance 2-1998 by title only.

Councilor Edwards moved and Councilor McCutcheon seconded the motion to approve Ordinance 2-1998, AN ORDINANCE VACATING A 20 FEET TO 40 FEET WIDTH OF CRESTWOOD STREET AND EXTENDING 315 FEET, MORE OR LESS, WEST OF THE EASTERLY TERMINUS OF CRESTWOOD STREET AND ALONG THE SOUTH PROPERTY LINE OF TAX LOT 100 OF LOT 7, "SHAE'S EAST FAIRVIEW", LOCATED IN SECTION 27, T1N-R3E, W.M., MULTNOMAH COUNTY, OREGON.

AYES: 5  
NOES: 0  
ABSTAINED: 1 (Lillard)

**B.COMMUNITY DEVELOPMENT  
BLOCK GRANT  
SUBMITTAL**

Director Sarvis reported that the purpose of the public hearing was to receive public input on potential Community Development Block Grant applications, which the City has applied for annually since 1984. Director Sarvis stated that for the last several years, the City has applied for stormwater grants for the core area and had been successful in receiving those grants. Staff would be presenting two more stormwater project applications this year: the first venture being the 6th and Harrison project at \$52,000, and the second being the 5th and Main project at \$128,000. Councilor Raze asked if the stormwater projects had been put in order of importance. Director Sarvis responded yes.

Mayor Vonderharr opened the public hearing; as no one approached the podium, Mayor Vonderharr closed the public hearing.

Councilor Lillard moved and Councilor McCutcheon seconded the motion to submit grant proposals for Community Development Block Grant funds.

AYES: 6  
NOES: 0  
ABSTAINED: 0

## V. DEPARTMENTAL REPORTS

### A. Police

Gilbert Jackson, Chief of Police, reported that for 1997, the final DUII count in Fairview was 56, with 42 of those being handled on our own, and the remaining 14 handed off to County DUII teams. Chief Jackson added that, with thanks to the video camera in Police cars, all drivers involved pleaded guilty.

Councilor Edwards questioned what Item 42 was in the written Police Report. Chief Jackson responded that Item 42 referred to training and such things as classes, practice at the shooting range, etc.

Chief Jackson stated that officers of Fairview and Multnomah County both captured a car thief, which has slowed down the activity of stolen vehicles in Fairview.

Councilor McCutcheon mentioned that a truck for sale had been sitting at the corner of 223rd Avenue and Sandy Boulevard, and that another letter should be sent to the property owner.

### B. Public Works

Director Sarvis reported that he had placed an item before the Council tonight for abandonment of Well #4. Director Sarvis stated that this was a scope pricing contract for abandonment. In September 1997, the Council had awarded an abandonment contract to Sneider Equipment Company; however, they were placed on a verbal notice in November 1997 as no work was occurring, and in January 1998 another discussion was held and both parties agreed that nothing was owed to either and that another contractor for the project would be found. Director Sarvis indicated that the City can not use the new reservoir or well until Well #4 is abandoned; the proposed contractor can be on site immediately, so staff was asking for authorization to enter into an agreement with Stettler Supply for the abandonment of Well #4.

Councilor Raze moved and Councilor Owen seconded the motion to authorize the City to enter into an agreement with Stettler Supply for the abandonment of Well #4.

AYES: 6  
NOES: 0  
ABSTAINED: 0

Director Sarvis reported that: the City is requesting engineering proposals for three stormwater sewer projects; the Fairview Lake Sewer LID is about 40% complete and ahead of schedule; the City is in the process of negotiating for our own TMDLs for Fairview Creek; he had met with CH2MHill to review the scope of work for the design of the Old Salish Ponds detention as a design would be preferred by Spring 1998; and, the City is in the process of developing a scope of work and budget for a CIP update for streets and infrastructure. Director Sarvis stated that in regards to snow plowing during the last storm, he has not budgeted for a new snow plow as he still can not justify the purchase; however, he did contact the Multnomah County Road Maintenance Supervisor who stated that snow removal would be available based on priorities. Councilor Raze asked if Fairview still shares equipment with Wood Village. Director Sarvis responded no, as Wood Village now charges Fairview for any services. Mayor Vonderharr commented that Fairview must be pretty far down on the County's priority list as 223rd Avenue was probably the last street plowed during the recent storm.

### C. Planning

Planner Pettis reported that at the January 1998 Planning Commission meeting, the Commission continued an item to their February agenda due to neighborhood

concerns. Also on their February agenda, the Commission will hear a proposal from Holt & Haugh for an office development in Phase II of Fairview Village, a zone change proposal on Halsey Street from R-10 to R7.5, and a variance request for a proposed free-standing sign to be located at the future Texaco StarMart facility at 207th Avenue and Sandy Boulevard. Planner Pettis stated that a pre-application meeting was held with a Troutdale Church to use the old Post Office building as an office, which would need to go before the Planning Commission with a new Community Service Overlay District assigned. Planner Pettis mentioned that he had received applications for future developments around Fairview Lake, and also an application for a manufactured housing park to be located on the north side of Sandy Boulevard, consisting of 47 spaces.

Planner Pettis stated that staff had been contacted regarding the lack of sidewalks on the south side of Sandy Boulevard across from the MacDonald property. Staff has since become aware of a grant program for building sidewalks in urban infill areas along State roads; a copy of the application is in the office and staff will try to meet the submittal deadline and propose sidewalks along that area of Sandy Boulevard. Planner Pettis reported that the Schmautz property Comprehensive Plan Amendment request Final Decision Notice was sent out last week; interested parties have 21 days in which to file an appeal to LUBA.

#### **D.Finance**

Roy Wall, Finance Director, reported that in late December the Council received a copy of the City's financial audit, and mentioned that there were a number of Budget Committee vacancies this year which will come before Council for appointment in the near future. Director Wall stated that he has been creating the preliminary budget for next year, and that January is always a busy month in the Finance Department in handling payroll related items and timelines.

#### **E.Administration**

Marilyn Holstrom, City Administrator, stated that she has been busy with the budget and the selection of a project manager for the new City Hall; contract negotiations would begin the following day. Administrator Holstrom commented that she had hired a consultant to try to negotiate the purchase of the property at the northeast corner of 223rd Avenue and Halsey Street, to be used as a future park site. Administrator Holstrom reminded the Council that a Street Faire would be held on January 28th at Quail Hollow Mobile Home Park from 6:00pm to 8:00pm.

#### **F.Legal**

Attorney Beery thanked the Council for allowing her to continue as their City Attorney, and stated that her report had been distributed in written form and is incorporated as part of these minutes.

### **VI.MAYOR/COMMITTEE REPORTS AND COUNCIL CONCERNS**

Councilor McCutcheon stated that he would be attending an Emergency Management meeting the following week.

Councilor Owen reported that he would be meeting with Tam Driscoll of Gresham to get acquainted before he attends his first Solid Waste Citizens Advisory Committee meeting. Councilor Owen stated that he would attend the SWCAC meeting on January 26th, but would be unable to attend the meeting on February 9th.

Councilor Edwards congratulated Attorney Beery on her new company, and mentioned that the City should also be negotiating the purchase of the property behind the Public Works Shop.

Councilors Lillard and Raze had no reports or concerns.

Mayor Vonderharr reported that Gresham had asked him if someone from Fairview or Wood Village could serve on the Metro Solid Waste Committee which meets on

the third Wednesday of each month from 10:00am until noon. Mayor Vonderharr added that if no one could work that into their schedule, that he might try to serve on the Committee for awhile. Mayor Vonderharr stated that MCTV would be conducting an interview with him regarding the post office proposal for mail delivery in Fairview Village, and that he would attend a meeting with TriMet regarding bus routes and service requests.

Mayor Vonderharr asked if Randy Jones, Project Manager of Fairview Village, had an update for the Council on the project. Mr. Jones stated that they had recently signed a lease agreement with Gold's Gym and anticipated a mid-March start-up of the project. Mr. Jones indicated that they are still working on the pedestrian bridges between the Village and Woodland Elementary School, and would be starting their construction of a bus shelter on Halsey Street as soon as TriMet reviews their plans. Mr. Jones reported that nothing was concrete regarding a tenant for the grocery store site, but they do talk to a company weekly who are still performing market research.

**VII. ADJOURNMENT**

Councilor McCutcheon moved and Councilor Lillard seconded the motion to adjourn. Mayor Vonderharr adjourned the meeting at 8:44pm.

AYES: 6  
NOES: 0  
ABSTAINED: 0

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Mayor Roger Vonderharr

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Dated:

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Caren C. Huson Quiniones  
City Recorder