

**MINUTES
FAIRVIEW CITY COUNCIL WORK SESSION
FAIRVIEW CITY HALL
1300 NE VILLAGE STREET
FAIRVIEW, OREGON 97024**

April 2, 2003 -- 5:45pm

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

Mayor Weatherby called the meeting to order at 5:55pm.

PRESENT: Mayor Mike Weatherby
Councilor Darrell Cornelius
Councilor Sherry Lillard
Councilor Steve Owen
Councilor Len Edwards
Councilor James Raze
Councilor Jim Trees

STAFF PRESENT: Mary Jo Briggs, City Administrator
John Andersen, Community Development
Director
Caren Huson, City Recorder

II. DEVELOPMENT FEES

John Andersen, Community Development Director, reported that any fees the City collects must be in alignment with what it actually costs to perform a process. Director Andersen stated that in reviewing Fairview Development Fees, staff had conducted an analysis of the fees, reviewed the same fee in other jurisdictions, and had prepared a summary of all development fees. Director Andersen commented that the bottom line was to have a fee schedule that was fair; if the Council wished to charge less for a service as proposed that they could, they just could not charge more than the cost of the service. Director Andersen added that in the process of performing an analysis on development fees that staff had actually created new processes that were more efficient and effective.

Councilor Raze questioned whether a Business License fee was the same as a Home Occupation Permit fee. Director Andersen responded that they were two different fees, and that a Home Occupation Permit was actually a one-time fee, whereas Business License fees are collected annually.

Councilor Cornelius stated that he was concerned about the proposed cost for Appeals to both the Planning Commission and City Council, as we need to allow our citizens and businesses access to the City. Councilor Cornelius suggested that no fee be collected for

an appeal of an Administrative decision. Also, if an appellant wins the appeal, their fees should be reimbursed to them. Director Andersen commented that if the City were to charge no Appeal fees, that frivolous appeals would be filed just to hinder or delay the process. Mayor Weatherby and Councilors Raze and Edwards agreed that some type of fee should be required for Appeals, but that if an appellant wins, the fee should be returned. Councilor Cornelius stated his concern in regards to a proposed Code Interpretation fee of \$250 as the Code should not be ambiguous to start with and a citizen should not have to pay to have the Code explained to them; also, it seems as if the fee is charged to cover attorney costs and he did not feel a citizen should have to pay attorney fees. Director Andersen commented that sometimes individuals will come in with some very creative ideas that require legal clarification. Councilor Lillard asked if other cities have a Code Interpretation fee. Director Andersen responded yes. Councilor Cornelius mentioned that if the City Attorney had to make a decision on an application, that it could be appealed to Council and then Council could be faced with having to overturn the Attorney's decision. Councilor Edwards agreed with Councilor Cornelius, adding that staff should know what is written in the code and be able to interpret it. Mary Jo Briggs, City Administrator, stated that the proposed Code Interpretation fee would be reviewed.

Councilor Cornelius addressed the proposed Sidewalk Use Permit fee of \$50 which was new to the City. Councilor Cornelius personally felt that it would be a discouragement to businesses in Fairview. Director Andersen commented that it would be especially pertinent to future businesses along Halsey Street. Councilors Owen and Raze stated that it was not the right time to propose this fee as we are seeking more businesses in Fairview; Mayor Weatherby concurred.

Councilor Raze stated his concerns about the proposed Street Tree Review fee of \$25 per tree, as this would cost a developer of a small subdivision about \$800.00.

At 6:50pm, Council agreed to adjourn from the Work Session, but to re-adjourn after the Council's regular meeting.

III. STREET FAIRES

At 8:00pm, Council reconvened the Work Session to discuss Street Faires.

Caren Huson, City Recorder, stated that information had been provided in the Council's agenda packet which depicted the various costs of previous City Street Faires. Due to budget constraints and lack of staff, a proposal was before the Council for future Street Faires in which the City would provide \$1,000 for each Street Faire and that a committee for a particular Street Faire would decide how

to use that \$1,000. Two City Councilors, along with volunteers they would recruit, would plan and staff the Street Faire.

Councilor Cornelius commented that if the City sponsors a Street Faire, that we should do it right, and by doing it right, the cost may rise above \$1,000. Discussion ensued regarding the fund from which Street Faire costs are deducted, with Councilor Raze suggesting that perhaps some of the events being deducted from that fund be decreased.

Councilor Trees stated that it was his hope that the Fairview Business Association would take care of Street Faires and would be proposing such at their meeting the following day. Council agreed that that was a great idea, and that Councilor Trees should keep them informed on his progress.

IV. ADJOURNMENT

Councilor Owen moved and Councilor Edwards seconded the motion to adjourn. Mayor Weatherby adjourned the meeting at 8:20pm.

AYES: 7
NOES: 0
ABSTAINED: 0

Mayor Mike Weatherby

Dated:

Caren C. Huson Quiniones
City Recorder