

**MINUTES
FAIRVIEW CITY COUNCIL REGULAR MEETING
FAIRVIEW CITY HALL
1300 NE VILLAGE STREET
FAIRVIEW, OREGON 97024**

October 20, 2004 -- 7:00pm

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

Council President Steve Owen called the meeting to order at 7:00pm.

PRESENT: Councilor Steve Owen
 Councilor Darrell Cornelius
 Councilor James Raze
 Councilor Larry Cooper

ABSENT: Mayor Mike Weatherby
 Councilor Sherry Lillard
 Councilor Jim Trees

STAFF PRESENT: Ken Johnson, Chief of Police
 Bob Cochran, Public Works Director
 Laura Zentner, Finance Director
 Caren Huson, City Recorder
 Pam Beery, City Attorney

Council President Owen excused Mayor Weatherby and Councilors Lillard and Trees from the meeting.

**II. CITIZEN
COMMUNICATIONS**

Councilor Owen called for persons wishing to speak on non-agenda items.

Barbara Jones, Fairview, thanked the Citizen/Council Alliance for hosting the Fairview Candidate's Forum on October 6th, adding that she hopes it was the beginning of a tradition in Fairview.

III. CONSENT AGENDA

Councilor Cornelius moved and Councilor Cooper seconded the motion to approve the Consent Agenda, consisting of a Liquor License Change of Ownership Application for Boston Pizza and the Minutes of September 8 and 15, 2004.

AYES: 4
NOES: 0
ABSTAINED: 0

IV. COUNCIL BUSINESS

**A. APPROPRIATION OF GRANT PROCEEDS
Department of Land Conservation and Development**

Laura Zentner, Finance Director, reported that periodically during the fiscal year, the City receives grant proceeds that were unanticipated and were not budgeted. In order to reflect the changing requirements of the operating departments and authorize the expenditure, the City needs to accept the grant and appropriate the additional revenue and expenditure. The resolution before the Council allows the General Fund to appropriate \$40,000 for fiscal year 2004-05 in Revenue and \$40,000 in Material & Services relating to a grant received from the Department of Land Conservation and Development. The grant will pay for the development of Fairview's Economic Development Master Plan.

Councilor Cornelius moved and Councilor Cooper seconded the motion to adopt Resolution 26-2004 and its Exhibit "A", A RESOLUTION TO ACCEPT AND APPROPRIATE GRANT PROCEEDS FOR THE FISCAL YEAR 2004-05 BUDGET.

AYES: 4
NOES: 0
ABSTAINED: 0

**B. APPROPRIATION OF GRANT PROCEEDS
Oregon Department of Transportation**

Director Zentner indicated that Resolution 27-2004, before the Council, would appropriate \$3,360 to the General Fund for fiscal year 2004-05 in Revenue and \$3,360 in Personnel Services relating to a grant received from the Oregon Department of Transportation.

Councilor Cornelius asked if the City would have to match the \$3,360 amount. Ken Johnson, Chief of Police, responded no.

Councilor Cooper moved and Councilor Raze seconded the motion to adopt Resolution 27,2004 and its Exhibit "A", A RESOLUTION TO ACCEPT AND APPROPRIATE GRANT PROCEEDS FOR THE FISCAL YEAR 2004-05 BUDGET.

AYES: 4
NOES: 0
ABSTAINED: 0

**C. INTERGOVERNMENT AGREEMENT
Fire and Emergency Services**

Bob Cochran, Interim City Administrator, reported that on July 1, 1997, the City of Fairview and the City of Gresham Fire and Emergency Service (FES) entered into a five-year agreement for fire and emergency services for the City. The contract was extended in 2002/2003 at a cost of \$356,666, and in 2003/2004 at a cost of \$379,669. The current contract period ended June 30, 2004. The proposed intergovernmental agreement (IGA) continues this relationship for one additional year; a 5% increase factor was used in calculating the cost to Fairview. The Fairview cost is based upon the

relative percentage of Fairview assessed value divided by the total assessed value of Wood Village, Troutdale, and Fairview. Fairview's cost is \$398,652.45 for fiscal year 2004/2005. Sufficient funds are budgeted for this expenditure.

Administrator Cochran stated that, in addition, other changes were made to the Fire IGA as a result of the recent Village Street Fire Code Violations. These changes clarify each party's responsibility for inspection and notification. These modifications include: notification by Fairview to Gresham of all commercial units (existing and those permitted for construction); written text excluding residential inspection from the scope of service for Gresham FES; and, additional indemnification language.

Councilor Raze moved and Councilor Cooper seconded the motion to approve the intergovernmental agreement with the City of Gresham for fire and emergency services for fiscal year 2004/2005.

AYES: 4
NOES: 0
ABSTAINED: 0

V. STAFF REPORTS

A. Police

Chief Johnson reported that Officer Sean McLaughlin had completed his field training program the previous week and was now patrolling on his own. The two new police cars are out on the street and the department is in the process of expanding its crime prevention program. Chief Johnson added that he was approaching his one year anniversary with the City of Fairview.

Councilor Raze commented that he had attended the Community Police Forum and the enthusiasm that the officers displayed really shined through.

Councilor Cooper asked for clarification on the new rules regarding school zones. Chief Johnson responded that the law states that if a normal speed limit is 35mph or more, then in a school zone the speed limit is only 20mph between 7am and 4pm when school is in session. If the normal speed limit is under 35mph, then the school zone speed limit is 20mph at all times.

B. Finance

Director Zentner reported that staff has been very busy. A collection agency had been selected to collect on unpaid citations and staff will be sending notices to those individuals who have not paid between 1994 and present. The City will be changing to a municipal interest checking account which will cover banking fees for a year.

Council President Owen commended Director Zentner on the

proactive tasks she has undertaken on behalf of the City and stated his appreciation.

C. City Administrator

Administrator Cochran reported that staff had met with the Village Street business owners earlier in the week and he felt it was a milestone in bringing such a large task to several manageable conclusions. The business owners will be responsible to present their new plans to the building inspector for change of occupancy permits. Administrator Cochran commended business owner Brenda Ziegler as it was she who initiated the weekly business owner meetings which helped clarify many of the issues, and commended Community Development Director John Andersen for his efforts in the process.

D. City Attorney

Pam Beery, City Attorney, stated that her written report was before the Council and that they had spent much time working with Community Development and Finance during the past month.

VI. MAYOR/COMMITTEE REPORTS AND COUNCIL CONCERNS

Councilor Cornelius stated that he had a walk-on resolution which encourages the County to utilize funds received from the sale of the old pig farm and old jail facility to be used towards the Justice Center proposed in the Rockwood area.

Councilor Cornelius moved and Councilor Raze seconded the motion to adopt Resolution 28-2004, A RESOLUTION SUPPORTING THE ALLOCATION OF FUNDING RECEIVED FROM THE SALE OF SURPLUS PROPERTY BY MULTNOMAH COUNTY TO CONSTRUCTION OF EAST COUNTY JUSTICE CENTER.

Councilor Raze added that he encouraged the County Commissioners to keep any money received from East County property and put it back into East County.

AYES: 4
NOES: 0
ABSTAINED: 0

The Council as a whole thanked the Citizen/Council Alliance Committee for hosting the Fairview Candidate's Forum; they did a tremendous job. Special thanks were extended to Lisa Barton-Mullins, Vi Fietz, Diane Fawcett-Ohlson, Linda Vega, and Kathleen Todd.

Councilor Raze moved and Councilor Cooper seconded the motion that the Council authorize Mayor Weatherby and Council President Owen to proceed with the City Administrator hiring process, including negotiations on a future contract.

AYES: 4
NOES: 0
ABSTAINED: 0

VII. EXECUTIVE SESSION
ORS 192.660(2)(I)
Performance Evaluations
of Public Officers and
Employees

At 7:40pm, Council President Owen adjourned the Council into Executive Session per ORS 192.660(2)(I).

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Council President Steve Owen

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Dated:

Caren C. Huson Quiniones
City Recorder