

LYNDEN CITY COUNCIL

MINUTES OF THE REGULAR SESSION

JANUARY 2, 2007

I CALL TO ORDER

Mayor Jack Louws called to order the January 2, 2007 regular session of the Lynden City Council at 7:00 P.M. at the Lynden City Hall Annex.

ROLL CALL

Members present: Mayor Jack Louws; Councilors Doug Adelstein, Gary Bode, Dave Burns, Ron De Valois, Tobey Gelder, Gerald Kuiken, and Nick Laninga.

Members absent: None.

Staff present: Fire Chief Gary Baar, Administrative Assistant Rachel Byers, Planning Director Amy Harksell, Public Works Director Duane Huskey, Parks and Recreation Director Vern Meenderinck, and City Administrator Bill Verwolf. Also present was City Attorney Bob Carmichael.

APPROVAL OF MINUTES

Councilor De Valois moved and Councilor Kuiken seconded that the minutes of the December 18, 2006 regular session be approved. The motion carried.

Item Added to the Agenda – Introduction of New Lynden Firefighters

Mayor Louws thanked Chief Baar for developing the hiring program that was followed in order to hire the two new firefighters. He stated that the two positions were advertised regionally and applicants were administered a written exam. Selected applicants appeared before an oral board which was overseen by the Civil Service Commission. For those who passed the oral board, a physical fitness test was required then interviews were conducted by Chief Baar and City Administrator Bill Verwolf.

Mayor Louws introduced Firefighter Chad Baar, a 10 ½ year veteran of Lynden's Volunteer Fire Department, serving as a captain. Mayor Louws stated that Firefighter Baar was the highest scoring applicant and that he was really proud to introduce him as a full-time Firefighter for the City of Lynden.

Mayor Louws introduced Firefighter Kaleb Bruch who comes to the City of Lynden from the Chuckanut Fire Department, Whatcom County Fire District No. 6. Mayor Louws stated that Firefighter Bruch is very highly qualified and that he did extremely well throughout the testing process. He welcomed Firefighter Bruch to the City of Lynden.

Chief Baar pinned the firefighter's badges on their uniforms. Chief Baar informed Council that these firefighters will be a great asset to the Lynden Fire Department. Mayor Louws stated that both firefighters did an excellent job in all phases of the testing.

Firefighter Baar introduced his wife Kandi, his daughter Faith, and his son Dakota.

ITEMS FROM THE AUDIENCE

Scheduled - None

Unscheduled

Million Smiles Playground Project

Mr. Gary Vis, Executive Director of the Lynden Chamber of Commerce, provided Council with an update on the Million Smiles Playground project. He stated that the Mount Baker Rotary

Club donated \$100,000 and the Lynden Regional Park and Recreation District donated \$25,000 to the project. He said they are hoping to raise \$175,000 for the playground.

Mr. Vis also informed Council that they have approximately 500 people signed up to volunteer their time and that they need another 600 volunteers to reach their goal. They would like to complete the playground during the last week of April and the first week of May.

Councilor De Valois moved and Councilor Burns seconded that the Mayor write letters on behalf of Council to the Mount Baker Rotary Club and the Lynden Regional Park and Recreation District thanking them for their generous donations. The motion carried.

II CONSENT AGENDA

Approval of Payroll

Direct Deposits, Draws and Warrants No. 12083 through 12136 \$ 345,315.53

Ordinance No. 1275 – A 2007 Budget Amendment

BHC Contract Revision – Wastewater Consulting Services

Agreement for Gray & Osborne Engineering – Comprehensive Water Plan Update

Appointments to the Berthusen Park Advisory Committee

Re-appointments to the Park and Trail Advisory Committee

Resolution No. 755 – Park Fees for 2007

Appointment of Rod VanderWerff to the Planning Commission

Councilor Bode requested that the item titled Agreement for Gray & Osborne Engineering – Comprehensive Water Plan Update, be removed from the Consent Agenda.

Councilor Adelstein moved and Councilor Laninga seconded that the items on the Consent Agenda, excluding the item titled Agreement for Gray & Osborne Engineering – Comprehensive Water Plan Update, be approved. The motion carried.

Agreement for Gray & Osborne Engineering – Comprehensive Water Plan Update

Councilor Bode stated that there were two changes made to the Agreement that Council should be aware of before taking action. The two changes are:

- Page 4, first paragraph after the Compensation Determination points 1-4, the last sentence read “Billing shall be mailed ... twenty-fifth day of the month for Council approval on the first meeting of each month.”. This has been changed to read “Billing shall be mailed... twenty-fifth day of the month to allow for payment processing for Council approval the second meeting of the month.”
- Page 6, first paragraph, the last sentence “In case of a decrease, the cost for work... shall be deducted.” has been removed.

Councilor Bode moved and Councilor De Valois seconded that the Agreement with Gray & Osborne Engineering for Comprehensive Water Plan Update be approved. The motion carried.

III UNFINISHED BUSINESS

Professional Services Agreement for Fire Plan Review Services

The City of Lynden requires plan reviews on all commercial and industrial buildings to ensure compliance with established fire codes. Townzen & Associates have the qualifications,

certifications, and experience to provide these reviews. Townzen's services will be utilized on an as needed basis in order to supplement work currently being performed by City Staff.

The Agreement was presented to Council at their December 18, 2006 Meeting. Council had requested that the Agreement be tabled until the January 2, 2007 Council meeting to allow time for further review of the attachments.

Councilor Adelstein moved and Councilor Bode seconded that the Professional Services Agreement for Fire Plan Review Services with Townzen & Associates be approved and that the Mayor be authorized to sign said Agreement. The motion carried.

Ordinance No. 1287 – Setting Property Tax Levy

The City of Lynden is required by State regulations to adopt a 2007 property tax levy. On November 6, 2006 Council approved Ordinance No. 1279 that reflected no increase from 2006 to 2007 in the levy rate per thousand dollars of valuation of the property in the City of Lynden.

Ordinance No. 1279 was passed relying on the preliminary figures for the assessed valuation of the City's tax base as provided by the County Assessor at that time. Council was informed that an ordinance setting the final, exact levy would be provided to them for consideration when the County Assessor's office provides the final 2007 assessed valuation figures.

The County Assessor's office has provided final numbers. The final calculations result in a total dollar levy amount of \$1,959,757.22 which reflects a per \$1,000 of assessed valuation of \$2.31982, a reduction of approximately four cents from the 2006 rate of \$2.36639.

Councilor Adelstein moved and Councilor Gelder seconded that Ordinance No. 1287, Levying Taxes for General Municipal Purposes for 2007 Taxes Collectible and Payable in 2007, be approved and that the Mayor be authorized to sign said Ordinance. The motion carried.

IV NEW BUSINESS

2007 Salaries for Full-Time Fire Captains

City Administrator Bill Verwolf provided a Memorandum to Council indicating that the Wage Committee had reviewed the salaries for the Full-time Fire Captains for the City of Lynden and recommends they be set at \$4,096.00 per month.

Councilor Burns moved and Councilor Kuiken seconded that the proposed salary for full-time Captains with the Lynden Fire Department for the year 2007 as per attached memorandum from City Administrator Bill Verwolf dated December 21, 2006, with said salaries becoming effective January 1, 2007, be approved. The motion carried.

Fire Hydrant Agreement – Barber Development for Starbucks – Set Public Hearing Date

Council was provided with a proposed Development Agreement between the City of Lynden and Barber Development Lynden LLC, who plans to build a Starbucks in the Lynden Center at 8082 Guide Meridian. This agreement was prepared in response to Fire Chief Gary Baar's request for the future installation of a fire hydrant that would serve this property, as well as other adjacent properties that may be annexed into the City sometime in the next 10 to 15 years.

According to Revised Code of Washington 36.70B.200, a public hearing is required in order to approve a development agreement, which must be presented through an ordinance or resolution; therefore, Council is being asked to set a public hearing date of January 16, 2007. If approved, the actual agreement will then be recorded against the property. Issuance of Permit No. 5470 to build the Starbucks building is contingent upon approval of this agreement.

Councilor Bode moved and Councilor De Valois seconded that the introduction of Resolution No. 757, representing the proposed Development Agreement between the City of Lynden and Barber Development LLC (for Starbucks), for the future installation of water line improvements and a fire hydrant to service 8082 Guide Meridian be acknowledged, and that the Public Hearing date be set for January 16, 2007 in order to hear comments on the proposed agreement. The motion carried.

2007 Economic Development Focus – Resolution No. 756

In the coming months, the City of Lynden may have an opportunity to work with a variety of individuals to attract some major medical facilities to Lynden. In order to be proactive in the process and to keep the Council abreast of the efforts of the Administration on economic development matters, a Resolution has been drafted for Council's consideration. The Resolution outlines a work program that is targeted at making Lynden attractive to these types of facilities and puts those efforts in a fairly aggressive timetable.

Major medical facilities locating within the City would have a significant impact on the community. Not only would these facilities be closer and more convenient for our citizens, but the additional jobs, property and sales tax revenues, and savings in transport costs would be substantial.

The Planning Department and the Administration will be working closely with the Community Development Committee and the full Council as the items are prepared for Council review. Council has previously adopted Resolution No. 709 that declares the public benefits of economic development within the community and Resolution No. 756 is in keeping with that concept.

Councilor Burns moved and Councilor Kuiken seconded that Resolution No. 756, outlining the 2007 economic development work program, be approved and that the Mayor be authorized to sign said Resolution. The motion carried.

V EXECUTIVE SESSION

Council went into Executive Session at 7:30 P.M. It was anticipated that the Executive Session would last approximately 10 minutes and that no action would likely be taken following the session.

Council discussed potential litigation and real estate issues.

Council came out of Executive Session at 7:40 P.M.

VI ADJOURNMENT

The January 2, 2007 regular session of the Lynden City Council adjourned at 7:41 P.M.

Rachel Byers, Administrative Assistant

Jack Louws, Mayor