

LYNDEN CITY COUNCIL

MINUTES OF THE REGULAR SESSION

JANUARY 5, 2009

I CALL TO ORDER

Mayor Jack Louws called to order the January 5, 2009 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, Jerry Kuiken, and Nick Laninga.

Members absent: None.

Staff present: Fire Chief Gary Baar, Administrative Assistant Rachel Byers, Finance Director Teresa Camfield, 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 Kuiken moved and Councilor De Valois seconded that the minutes of the December 15, 2008 Regular Council Session be approved. The motion carried.

OATH OF OFFICE

Mayor Louws conducted the Oath of Office for Assistant Fire Chief Joe Noonchester and welcomed him to the City of Lynden. Assistant Chief Noonchester was accompanied by his wife Lisa, daughter Kaitlyn, and son Sam.

Mayor Louws conducted the Oath of Office for Fire Lieutenant Branden Brink and welcomed him to the City of Lynden. Lieutenant Brink was accompanied by his wife Heather, daughter Madelyn, and son Wyatt.

ITEMS FROM THE AUDIENCE

Scheduled - None

Unscheduled

Mr. Mike Moore, 614 Forest Lane, Lynden, WA 98264, appeared before Council and shared his reasons for why the City should not move forward with a bond issue to purchase a new ladder truck for the Fire Department.

Mayor Louws thanked Mr. Moore for attending the meeting and sharing his thoughts.

II CONSENT AGENDA

Approval of Payroll

Direct Deposits, Draws and Warrants No. 13437 through 13491

\$ 424,144.35

Request to Cancel Claims Warrant C-49022 and C-49265

Request to Set Public Hearing Date - Amendment to Section 19.23.030 of the Lynden Municipal Code - Regarding CS-1 Zoning

Ordinance No. 1344 - Amending Ordinance No. 1302 - East Lynden Annexation

Berthusen Park Advisory Committee - Reappointment of Mr. Harlen Kredit and Mr. Marlen Hendrick - Appointment of Mr. Mike Lewis

Park and Trial Advisory Committee - Reappointment of Ms. Judy McCombs and Mr. Mark Ewing - Appointment of Ms. Colleen Unema

Councilor Burns moved and Councilor De Valois seconded that the Consent Agenda be approved. The motion carried.

III PUBLIC HEARING

Ordinance No. 1340 - Amending Section 8.24 of the Lynden Municipal Code - Vegetation

In March 2007, the Federal Aviation Administration's report on runway safety at the Lynden Municipal airport noted the height of a stand of trees on the property east of the airport in the Depot Road/Woodfield Drive area that encroach on the approach path of Runway 25. Additionally, the Airport Layout Plan (ALP) has been finalized with the inclusion of language that identifies the Woodfield trees as a hazard to aviation.

In response to this, on December 15, 2008 the City Council set a public hearing date of January 5, 2009, to hear comments on the proposed revision to Section 8.24 of the Lynden Municipal Code regarding vegetation. This code revision would allow for the encroaching trees to be topped, removed, or replaced.

Mayor Louws opened the Public Hearing at 7:27 P.M.

Speaking in favor:

Mr. Bill Stolt, 1500 Camelia Court, Lynden, WA 98264, appeared before Council representing the Lynden Municipal Airport Advisory Committee. He said that the trees are a safety hazard and he is in favor of the Ordinance.

Mr. Don Korthuis, 2151 Stickney Island Road, Everson, WA 98247, appeared before Council and stated that the trees at the end of runway 25 are a danger and he supports the Ordinance.

Mr. Bob Weeks, 1501 Lilac Court, Lynden, WA 98264, appeared before Council and explained the Precision Approach Path Indicator (PAPI) system and how it is affected by the trees at the end of runway 25. He is in support of the Ordinance.

Speaking against: None.

Other comments:

Mr. John Geleynse, 806 North 8th Street, Lynden, WA 98264, appeared before Council and stated that communication between the directors of the homeowners association of Woodfield Village and the members of the Airport Advisory Board could be improved and he recommended further discussions between the two groups.

Councilor De Valois moved and Councilor Adelstein seconded that the Public Hearing be continued to the February 2, 2009 Council meeting to allow for additional input from the public and to allow the Public Works Committee to make revisions to the Ordinance. The motion carried.

IV UNFINISHED BUSINESS

Ordinance No. 1345 - Setting the Final Property Tax Levy

The City of Lynden is required by State regulations to adopt a 2009 property tax levy. On November 3, 2008 the Council approved Ordinance No. 1339 which 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.

The original executive summary presented to Council on November 3, 2008 indicated that an ordinance setting the final, exact levy would be forwarded to the Finance Committee and Council for consideration when the County Assessor's office provided the final 2009 assessed valuation figures. The County Assessor's office has provided the final numbers and the final calculations result in a total dollar levy amount of \$2,348,041.80. Per Council's direction, this includes the 1% plus banked capacity as well as \$30,110 from the annexation of East Lynden. This total dollar levy reflects a per

\$1,000 of assessed valuation of \$1.81726, an increase of approximately \$0.084 from the 2008 rate of \$1.73320.

Councilor Adelstein moved and Councilor Gelder seconded that Ordinance No. 1345, Setting the Property Tax Levy for 2009, be approved and that the Mayor be authorized to sign said Ordinance. The motion carried.

V NEW BUSINESS

2009 Council Committee Assignments

Mayor Louws has reviewed the Council Committee Assignments and the Liaisons and Special Appointments and he recommended that the current Council members and chairpersons remain as is for the year 2009. He requested that Council select a Mayor Pro-Tem for 2009.

Councilor Bode moved and Councilor Burns seconded that the Committee assignments and the Liaisons and Special Appointments be confirmed. The motion carried.

Councilor Kuiken moved that Councilor Bode be nominated for Mayor Pro-Tem for the year 2009. The motion carried.

Other

Snow Removal

Mayor Louws thanked the Parks Department Staff and the Public Works Department staff for all their hard work during our recent snowstorm.

New City Hall Facility

Mayor Louws stated that the anticipated completion date for the new facility would be middle to late April.

14th Street Bridge

Mayor Louws said that it has been graded and should be complete mid April.

17th Street Bridge

Mayor Louws stated that the girders were in and that the project should be complete in mid April.

Whatcom Council of Governments Project List

Mayor Louws updated Council on the process of putting together the list of 36 projects within Whatcom County should we receive money being discussed by the federal government in the form of a stimulus package.

Meetings

The Community Development Committee will be meeting on January 14, 2009 at 4:00 PM at the Lynden Library.

The Public Safety Committee Meeting will be held on January 8, 2009 at 4:00 at the Lynden Police Department.

VI EXECUTIVE SESSION - Cancelled

VII ADJOURNMENT

The January 5, 2009 regular session of the Lynden City Council adjourned at 8:22 P.M.

Rachel Byers, Administrative Assistant

Jack Louws, Mayor