

# LYNDEN CITY COUNCIL

MINUTES OF THE REGULAR SESSION

APRIL 7, 2008

## I CALL TO ORDER

Mayor Jack Louws called to order the April 7, 2008 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, and Gerald Kuiken.

Members absent: Councilor Nick Laninga with notice.

Staff present: Administrative Assistant Rachel Byers, Public Works Director Duane Huskey, and City Administrator Bill Verwolf. Also present was City Attorney Bob Carmichael.

## APPROVAL OF MINUTES

*Councilor De Valois moved and Councilor Bode seconded that the minutes of the March 17, 2008 regular session be approved. The motion carried.*

## APPROVAL OF PAYROLL

Direct Deposits, Draws and Warrants No. 12887 through 12941 \$ 382,485.10

*Councilor Adelstein moved and Councilor Gelder seconded that the Payroll be approved. The motion carried.*

## ITEMS FROM THE AUDIENCE

**Scheduled** - None

**Unscheduled** - None

## II PUBLIC HEARING

### **Six Year Transportation Improvement Plan**

By law, a public hearing must be held in order for Council to consider comments regarding the City's Six Year Transportation Improvement Plan (2009-2014). After the hearing is closed, Council may pass a resolution approving the plan.

In order to apply for project funding for road improvements, every city and county must prepare a local plan and forward it to the Washington State Department of Transportation for inclusion in the State Transportation Program. The plan must be submitted to the State by July 31, 2008.

Approval of Resolution No. 786 will adopt the Six Year Transportation Improvement Plan for the City of Lynden.

Mayor Louws opened the Public Hearing at 7:03 P.M.

Speaking in favor: None.

Speaking against: None.

*Councilor Bode moved and Councilor Burns seconded that the Public Hearing be closed. The motion carried.*

The Public Hearing closed at 7:04 P.M.

***Councilor Bode moved and Councilor De Valois seconded that Resolution No. 786, Adopting the Six Year Transportation Improvement Plan for the City of Lynden, be approved and that the Mayor be authorized to sign said Resolution. The motion carried.***

### **III UNFINISHED BUSINESS**

#### **Consideration of Final Plat Approval – Woodfield Village No. 5**

The developers of the Woodfield Village Division 5 have requested final plat approval for their 20 lots/22 units developed within the Woodfield Village Planned Residential Development located on Depot Road in the vicinity of the airport.

The development has met the requirements of preliminary plat approval and the Public Works Department has done the final inspection and generated a punch list of items left to be completed. The applicant is bonding for the final lift of asphalt and the drainage pond landscaping.

The Planning and Public Works departments recommended final plat approval on the following conditions:

1. Completion of all punch list items.
2. Approval of as-built drawings.
3. Final submittal of all required performance and maintenance bonds.

At the March 17, 2008 Council Meeting when this request first came before Council and was being considered, several neighbors came forward with concerns about fencing and the drainage facility. After Council tabled this agenda item, Mayor Louws, Public Works Director Duane Huskey, and Planning Director Amy Harksell met with property owners to discuss their concerns. The question of fencing is a private, civil matter as both fences are on Duke Development's property and the City does not enforce private covenants regarding fence design. The applicant has met the preliminary plat conditions relating to fencing.

The second question or concern related to the construction of the stormwater facility. The facility is bonded for and will be completed to its final design. The pond is not designed to be a continually wet facility. During the summer months it is expected to be dry. Final improvements will raise the bottom of the pond to match the pipe location as well as provide more shape and landscaping. The performance bond and maintenance bonds will not be released until the pond functions as it was designed. The City regularly and routinely allows bonding for the completion of those items and staff recommended continuing that policy and granting final plat approval.

***Councilor De Valois moved and Councilor Bode seconded that final plat approval for the Plat of 2<sup>nd</sup> Woodfield Village No. 5 be granted based on the conditions listed above and that the Mayor be authorized to sign the mylar drawings when completed. The motion carried.***

### **IV NEW BUSINESS**

#### **Nooksack Valley Disposal's 26<sup>th</sup> Annual Spring Clean Up**

Nooksack Valley Disposal is holding the 26<sup>th</sup> Annual Spring Clean Up in the City of Lynden on Saturday, April 19, 2008 between 9:00 AM and 12:00 noon.

Mayor Louws thanked Nooksack Valley Disposal for offering this service.

#### **Consideration of Final Plat Approval – Strawberry Meadows**

The developers of the Strawberry Meadows Long Plat have requested final plat approval for their 40 lots/49 units within the Residential Mixed Development zone and west of Line Road.

The development has met the requirements of preliminary plat approval and the Public Works Department has done the final inspection and generated a punch list of items left to be completed. The applicant is bonding for the final lift of asphalt.

The Planning and Public Works departments recommended final plat approval on the following conditions:

1. Completion of all punch list items.
2. Approval of as-built drawings.
3. Final submittal of all required performance and maintenance bonds.

***Councilor Bode moved and Councilor Burns seconded that final plat approval for Strawberry Meadows be granted based on the conditions listed above and that the Mayor be authorized to sign the mylar drawings when completed. The motion carried.***

### **Introduction of a 2008 Budget Amendment**

As required by State regulations, the Finance Department introduced a proposed amendment to the 2008 Budget. The amendment reflects Council authorized transactions and will modify the following funds:

- Fund 001 – Current Expense
- Fund 110 – Hotel/Motel Tax
- Fund 114 – Employee Liability
- Fund 130 – Community Services
- Fund 229 – 2005 Limited Tax General Obligation Debt Redemption
- Fund 357 – Police Capital Reserve (Criminal Justice)
- Fund 379 – City Hall Construction
- Fund 362 – Computer Equipment Reserve
- Fund 380 – Public Restroom Construction
- Fund 420 – Airport

The Ordinance for these modifications will be presented to Council for consideration at a later date.

### **Introduction of Resolution No. 787 Regarding Sewer General Facilities Charges, Resolution No. 788 Regarding Sewer Rates, Resolution No. 789 Regarding Water General Facilities Charges, and Resolution No. 790 Regarding Water Rates**

The proposed Resolutions setting water and sewer rates for 2008 are presented with an effective date of May 1, 2008.

- Resolution No. 787 Amending Resolution No. 766 Regarding Sewer General Facilities Charges
- Resolution No. 788 Amending Resolution No. 767 Regarding Sewer Rates
- Resolution No. 789 Amending Resolution No. 776 Regarding Water General Facilities Charges
- Resolution No. 790 Amending Resolution No. 769 Regarding Water Rates

The increases in General Facilities Charges for water are proposed at 4% over 2007 rates.

The increases in General Facilities Charges for sewer, and applicable to all areas served by the City, are proposed at 4% over 2007 rates.

The increases in the General Facilities Charge (“surcharge”) for sewer, and applicable to the East Lynden/Line Road Sub Basin as described in Ordinance No. 1247, are proposed at an additional increase of 5% of the original cost.

The increase in sewer rates are proposed at 4% over 2007 rates.

The increase in water rates are proposed at 4% over 2007 rates.

The municipal cost index for the last year is 4% and the Consumer Price Index for the last year is at 4.5%.

At this time, these Resolutions are for information only. They will be brought before Council on April 21, 2008 for consideration.

**V EXECUTIVE SESSION - Cancelled**

**VI ADJOURNMENT**

The April 7, 2008 regular session of the Lynden City Council adjourned at 7:31 P.M.

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Rachel Byers, Administrative Assistant

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Jack Louws, Mayor