

LYNDEN CITY COUNCIL

MINUTES OF THE REGULAR SESSION

APRIL 19, 2010

I CALL TO ORDER

Mayor Pro Tem Tobey Gelder called to order the April 19, 2010 regular session of the Lynden City Council at 7:00 P.M. at the Lynden City Hall Annex.

ROLL CALL

Members present: Mayor Pro Tem Tobey Gelder; Councilors Gary Bode, Dave Burns, Ron De Valois, Jerry Kuiken, Nick Laninga, and Brent Lenssen.

Members absent: Mayor Scott Korthuis with notice.

Staff present: Fire Chief Gary Baar, Administrative Assistant Rachel Byers, Finance Director Teresa Camfield, Chief of Police Jack Foster, 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 Bode seconded that the minutes of the April 5, 2010 Regular Council Session be approved. The motion carried.

ITEMS FROM THE AUDIENCE

Scheduled - None

Unscheduled

Mr. Michael Gleeson – E-Verify

Mr. Gleeson, 4761 Mosquito Road, Deming, WA 98244, appeared before Council to find out where the City was on his request to review the E-Verify system.

II CONSENT AGENDA

Approval of Claims

Manual Warrants No. 52453 through 52466	\$ 101,406.91
Voucher Warrants No. 52467 through 52652	\$ 404,218.80
Direct Payment	\$ 17,592.06
Total	\$ <u>523,217.77</u>

Approval of Payroll

Direct Deposits, Draws and Warrants No. 14601 through 14642	\$ <u>425,656.36</u>
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Set Time and Date to Receive Public Comment Regarding Water/Sewer Utility Rates and Water/Sewer FCI Fees

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

III NEW BUSINESS

Right-of-Way Use Agreement – Dalene Koetje – Portion of Bradley Road

Dalene Koetje requested approval to install an underground power line within a portion of City street right-of-way on Bradley Road. From there, the line will cut through Koetje's

private property (8628 Line Road) to the Koetje's barn located near the north end of the property.

On April 17, 2010 the Public Works Committee reviewed the Right-of-Way Use Agreement, which defines the terms for granting the Koetje's use of City right-of-way, and concurred to recommend approval to the full City Council. A compensation amount of \$250.00 has been offered for the grant of use.

Councilor Bode moved and Councilor De Valois seconded that the Right-of-Way Use Agreement between the City of Lynden and Dalene Koetje be approved, that the offer of \$250.00 as compensation for the grant be accepted, and that the Mayor be authorized to sign said Agreement. The motion carried.

Ordinance No. 1377 – Repealing Chapter 5.28 of the Lynden Municipal Code – Pinball and Games of Skill

During a routine review of Title 5 of the Lynden Municipal Code, it was discovered that Chapter 5.28 dealing with the licensing of pinball machines and other games of skill was outdated, largely unenforceable, and currently yielding the City less than \$100.00 per year in revenue. As a result of this review, it was requested that the Council approve Ordinance No. 1377 repealing Lynden Municipal Code Chapter 5.28.

Councilor Burns moved and Councilor Lenssen seconded that Ordinance No. 1377, repealing Lynden Municipal Code Chapter 5.28, be approved and that the Mayor be authorized to sign said Ordinance. The motion carried.

Request to Replace Lynden High School's Storage Shed at City Park

The Lynden High School Tennis team is requesting to replace their current 8X10 storage shed with a larger 12X12 shed at City Park. They have agreed to paint it the same colors as the existing building at City Park, and will supply the required insurance.

There is no formal agreement in place regarding the current shed, and the Parks Department is requesting a written formal agreement allowing the placement of the shed on City property.

The Parks Committee reviewed this request and recommends allowing the shed to be placed on City property. An agreement will be brought before Council that will outline the lease arrangements for this shed which will be consistent with the City's leasing requirements.

Councilor De Valois moved and Councilor Bode seconded that the Lynden High School request to replace their existing storage shed with a new 12X12 storage shed be approved and that staff be directed to draft a lease agreement consistent with the City's leasing requirements for Council review. The motion carried.

Request to use Excess Budgeted Capital Reserve Funds and Request Bids for the Re-Roofing of the Berthusen Barn

Excess capital reserve funds are available from the following sources:

- Shakes for the Berthusen Barn have been purchased with the grant received from the Jansen Foundation. There is approximately \$5,000 left in that account.
- Capital reserve funds have been budgeted for 2010 for the Berthusen Barn in the amount of \$25,000.
- Rotary Club has also committed \$3,700 to the re-roofing project.
- The 2010 capital reserve budget listed \$100,000 for the replacement bleachers, and the final bid awarded came in under \$50,000.

A preliminary estimate has been received from Western Roofing to install the shakes for \$48,000, plus the cost of replacing any needed rotten boards etc., plus tax.

The Parks Department is requesting to use a portion of those excess budgeted funds to finish the re-roofing project for Berthusen Barn. Also, the Parks Committee recommended that the installation of the shakes be funded as follows: remainder of the Jansen foundation funds; the

budget Berthusen Barn funds; monies from the Rotary Club; and the remainder to be funded by the budgeted funds not used to purchase the bleachers. They recommended that bids for the installation of the shakes be requested and brought before Council prior to funds being expended.

Councilor De Valois and Councilor Burns that the Parks Department be authorized to request bids for the Berthusen Barn re-roofing project which will be brought before Council for review, and that excess Capital Reserve Funds be used to complete this project.

Councilor Bode made a friendly amendment to the motion that changed "... and that excess Capital Reserve Funds be used to complete the project." to "... and that Capital Reserve Funds and donations be used to complete this project.". Councilor De Valois and Councilor Burns accepted the friendly amendment.

The amended motion:

That the Parks Department be authorized to request bids for the Berthusen Barn re-roofing project which will be brought before Council for review, and that Capital Reserve Funds and donations be used to complete this project. The motion carried.

Water Service Agreement between the City of Lynden, Meadowbrook Water Association, and Clarence and Kellie Kobes – 8783 Northwood Road

A single family residence located at 8783 Northwood Road, Everson, was recently annexed into the Lynden City limits. As the property is in need of potable water and the City has no water infrastructure available to directly deliver water service to this property, an agreement was written which will allow the property to be served water by the Meadowbrook Water Association until the time the City has water infrastructure available for the property to hookup to. The current property owners are Clarence and Kelli Kobes.

The Association will be reimbursed by the property owners for materials and labor to install the meter; and the property owner will also pay a membership fee. At the time the property can hookup to City water, the Association will reimburse the property owner the amount of the membership fee, which in turn can be used towards City hookup fees.

The Public Works Committee discussed this agreement at the April 7, 2010 meeting and concurred to recommend approval to the full City Council.

Councilor Bode moved and Councilor De Valois seconded that the Water Service Agreement between the City, Meadowbrook Water Association, and Clarence and Kelli Kobes be approved and that the Mayor be authorized to sign said Agreement. The motion carried.

Economic Development Summit Discussion

The meeting to discuss local economic development efforts (the Economic Development Summit) was held on April 1, 2010. The meeting was a starting point in discussing many issues related to Lynden's economy, from the downtown business hours to encouraging development in West Lynden.

On April 14, 2010 the Community Development Committee discussed the challenges and ideas that were discussed during the summit. In the next 30 days, the Chamber of Commerce will be involved in a retreat to discuss many of these same topics and how that organization will move ahead with its role in economic development efforts.

It was determined that it would be an appropriate time to bring these ideas forward to the full Council for open discussion and direction. The Community Development Committee is seeking a 20 to 30 minute discussion of the ideas listed in the Economic Development Summit summary.

Council discussed various issues the City of Lynden is facing and some of the things that can be done to effect change with Planning Director Amy Harksell and Lynden Chamber of Commerce Director Gary Vis. No action was taken.

IV EXECUTIVE SESSION - Cancelled

V ADJOURNMENT

The April 19, 2010 regular session of the Lynden City Council adjourned at 8:03 P.M.

Rachel Byers, Administrative Assistant

Tobey Gelder, Mayor Pro Tem