

LYNDEN CITY COUNCIL

MINUTES OF THE REGULAR SESSION

MAY 5, 2008

I CALL TO ORDER

Mayor Jack Louws called to order the May 5, 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, Gerald 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, 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 April 21, 2008 regular session be approved. The motion carried.

ITEMS FROM THE AUDIENCE

Scheduled - None

Unscheduled

Holland Days Festival

Mr. Gary Vis, Executive Director of the Lynden Chamber of Commerce, appeared before Council. He thanked Council, Mayor Louws, and City staff for their help throughout Holland Days. Mr. Vis said the turnout had been good and that everyone seemed to enjoy the dancing. He stated that he appreciates the City's continued support for the event.

Mayor Louws said that it was wonderful to see the community come together and that it was a great event.

Councilor Burns stated that the Mt. Baker Toppers and the Saltwater Octet had been absolutely incredible.

II CONSENT AGENDA

Approval of Payroll

Direct Deposits, Draws and Warrants No. 12942 through 13012

\$ 441,985.76

Renewal of Professional Services Agreement – Reichhardt & Ebe

Public Works Director Duane Huskey stated that a change had been made to the Professional Services Agreement with Reichhardt & Ebe. This item was pulled from the Consent Agenda.

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

Renewal of Professional Services Agreement – Reichhardt & Ebe

Public Works Director Duane Huskey informed Council that the insurance section in the Agreement has been changed to reflect the City's standard language.

Councilor De Valois moved and Councilor Gelder seconded that the updated Professional Services Agreement between the City of Lynden and Reichhardt & Ebe be approved and that the Mayor be authorized to sign said Agreement. The motion carried.

III NEW BUSINESS

Ordinance No. 1319 – Amending Ordinance No. 1312, Extension of Line of Credit Maturity per Skagit State Bank Proposal

Ordinance No. 1231 was approved by Council on May 2, 2005. It allowed the City to have a revolving line of credit. The notes have in the past provided interim financing for capital projects such as the Water Reservoir project (for Drinking Water State Revolving Fund reimbursement), Arterial Street capital improvements, Police Station Acquisition/Remodel (prior to issuance of permanent financing), East Lynden Sewer Sub-Basin improvements (prior to permanent financing) and other capital projects. These projects have been either secured by grant and/or Public Works Trust Loan funding on a reimbursement basis or were funded by the City.

Since 2005, Ordinance No. 1231 has been amended by Ordinance No. 1261 and 1295, each authorizing an extension of the maturity date of the notes. On April 1, 2008, the City received an offer from Skagit State Bank to extend the maturity date of the notes from May 13, 2008 to the maturity date of May 13, 2009 at a rate of 2.90%, a decrease from the present rate of 3.958%.

This proposal has been reviewed by bond counsel, City Administrator Bill Verwolf, and Finance Director Teresa Camfield prior to its final review by the Finance Committee

Councilor Adelstein thanked Finance Director Teresa Camfield and officials at Skagit State Bank for all their work.

Councilor Adelstein moved and Councilor De Valois seconded that Ordinance No. 1319, Amending Ordinance No. 1231 and providing for an extension of line of credit maturity, be approved and that the Mayor be authorized to sign said Ordinance. The motion carried.

Consideration of Final Plat Approval – Van Loo 2nd Short Plat

Short plats do not require final plat approval by the City Council. However, because this subdivision included a development standards variance, staff determined that Council review would be appropriate.

The Public Works Department has completed their final inspection for the subdivision and has generated a punch list. The inspection to ensure all conditions of the neighborhood agreement have been met (such as tree planting and retaining wall completion) is pending and final plat will not be granted until those items are completed.

The Planning Department and the Public Works Department are recommending final plat approval on the following conditions:

1. Completion of all punch list items.
2. Completion of all items listed in the Birch Street Neighborhood Agreement dated April 27, 2007.
3. Approval of final as-built drawings.
4. Final submittal of all required performance and maintenance bonds.

Councilor Kuiken moved and Councilor Bode seconded that the request for final approval for the 2nd Van Loo Short Plat be granted based on the conditions listed above. The motion carried 6 in favor and 0 against with Councilor De Valois abstaining.

Consideration of Short Plat Extension Request – Strawberry Patch Short Plat

Section 18.12.050 gives applicants one year to complete the development requirements for a short plat. If the work is not completed during that time frame, this section allows a single extension of one year. This extension must be granted by Council.

Mr. Lane Stremmer applied for a short plat and received preliminary approval on May 2, 2007. The City received his request for an extension on April 24, 2008, within the one year time frame. The City has received the final check prints for the project and expects it to be recorded within the next sixty days.

Councilor Kuiken moved and Councilor Gelder seconded that the request for a one year extension for the Strawberry Patch Short Plat to complete final inspections and recording be approved. The motion carried.

Consideration of Short Plat Extension Request – Apps Short Plat

Section 18.12.050 gives applicants one year to complete the development requirements for a short plat. If the work is not completed during that time frame, this section allows a single extension of one year. This extension must be granted by Council.

Aaron Apps applied for a short plat and received preliminary approval on June 29, 2007. The City received his request for an extension on April 25, 2007, within the one year time frame. The applicant has not completed the improvements necessary to finalize the short plat, but expects that the improvements will be completed within the one year extension.

Councilor Kuiken moved and Councilor De Valois seconded that the request for a one year extension for Aaron Apps Short Plat to complete final plat requirements be approved. The motion carried.

Critical Areas Consultant Roster and Professional Services Agreement

The Planning Department uses a roster of critical areas consultants to review detailed studies submitted by applicants as part of a development project. The last time the City established this roster was 2004 and earlier this year staff requested, and the Community Development Committee approved, to request statements of qualifications for its new roster.

Four firms submitted proposals to provide on-call review of critical area detailed studies. The Planning Department invited the Community Development Committee, the Public Works Director, and Administration to review those studies. At the conclusion of the review, it was determined that all four firms should be included on the roster and that professional service agreements should be signed with all four firms. The firms to be included on the roster are:

- Northwest Ecological Services;
- Advanced Planning Solutions;
- IRS Corp; and
- David Evans and Associates.

If approved, firms will be selected for specific projects based on their strengths and performance on past projects.

Councilor Kuiken moved and Councilor Bode seconded that the request have Northwest Ecological Services, Advanced Planning Solutions, URS Corp, and David Evans and Associates as on-call consultants for peer review of critical areas detailed studies be approved and that the Mayor be authorized to sign the professional services agreements. The motion carried.

Other

Disaster Response Drill

Councilor Burns and Fire Chief Gary Baar invited Council to stop by the Northwest Washington Fair where the disaster response drill will be taking place on May 6, 2008.

14th Street Bridge and 17th Street Bridge

Public Works Director Duane Huskey informed Council that the 14th Street Bridge project is currently out for bid and that the 17th Street Bridge project will go out for bid in mid May. He said that homeowners near each project will be receiving a letter regarding the upcoming projects and contact information for the City's insurance company should anyone like pictures of their property taken before the projects begin.

Airport Advisory Committee Meeting May 7, 2008

Public Works Director Duane Huskey informed Council that the meeting location has been moved from the airport to the City Hall Annex.

IV EXECUTIVE SESSION - Cancelled

V ADJOURNMENT

The May 5, 2008 regular session of the Lynden City Council adjourned at 7:13 P.M.

Rachel Byers, Administrative Assistant

Jack Louws, Mayor