

LYNDEN CITY COUNCIL

MINUTES OF THE REGULAR SESSION

MAY 21, 2007

I CALL TO ORDER

Mayor Jack Louws called to order the May 21, 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, 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 Attorney Simi Jain for City Attorney Bob Carmichael.

APPROVAL OF MINUTES

Councilor Kuiken moved and Councilor Gelder seconded that the minutes of the May 7, 2007 regular session be approved. The motion carried.

ITEMS FROM THE AUDIENCE

Scheduled – None

Unscheduled - None

II CONSENT AGENDA

Approval of Claims

Manual Warrants No. 45179 through 45196	\$ 119,858.20
Voucher Warrant No. 45197 through 45407	<u>\$ 495,110.53</u>
Total	<u>\$ 614,968.73</u>

Set Public Hearing Date for Six-Year Transportation Improvement Project (STIP)

Addendum to the Lynden Municipal Court Judge's Contract

Councilor De Valois moved and Councilor Burns seconded that the items on the Consent Agenda be approved with the following correction to agenda item Addendum to the Lynden Municipal Court Judge's Contract:

The Professional Services Agreement - Lynden Municipal Court Judge, page 3, section 13, paragraph 1, line 3 states "Should this review period extend beyond the minimum five (5) hours..." should read "Should this review period extend beyond the minimum seven (7) hours..."

The motion carried.

III UNFINISHED BUSINESS

Resolution No. 766 – Amending Resolution No. 739 Regarding Sewer General Facilities Charges

Resolution No. 766 was introduced to Council on May 7, 2007. This Resolution will increase the rates of the Sewer General Facilities Charges by 4% over the 2006 charges beginning June 1, 2007 if approved. The increase in the General Facilities Charges (“surcharge”) for sewer that are applicable to the East Lynden/Line Road Sub Basin as described in Ordinance No. 1247 will be 5% over the 2006 charges. The municipal cost index for the last year was 3.7% and the Consumer Price Index for the last year was 4.2%.

Resolution No. 767 – Amending Resolution No. 736 Regarding Sewer Rates

Resolution No. 767 was introduced to Council on May 7, 2007. This Resolution will increase the sewer rates by 4% over the 2006 rates beginning June 1, 2007 if approved. The municipal cost index for the last year was 3.7% and the Consumer Price Index for the last year was 4.2%.

The definitions for Business/Commercial relating to Assisted Living Facilities and for Multi-family relating to Independent Living Facilities have been modified from the May 7, 2007 versions. The modifications were made for clarification purposes, not to change the intent.

Resolution No. 768 – Amending Resolution No. 737 Regarding Water General Facilities Charges

Resolution No. 768 was introduced to Council on May 7, 2007. This Resolution will increase the General Facilities Charges for water by 3% over the 2006 rates beginning June 1, 2007 if approved. The municipal cost index for the last year was 3.7% and the Consumer Price Index for the last year was 4.2%.

Resolution No. 769 – Amending Resolution No. 738 Regarding Water Rates

Resolution No. 769 was introduced to Council on May 7, 2007. This Resolution will increase the water rates by 3% over the 2006 rates beginning June 1, 2007 if approved. The municipal cost index for the last year was 3.7% and the Consumer Price Index for the last year was 4.2%.

Councilor Bode moved and Councilor Adelstein seconded that Resolution No. 766 Amending Resolution No. 739 Regarding Sewer Facilities Charges; Resolution No. 767 Amending Resolution No. 736 Regarding Sewer Rates; Resolution No. 768 Amending Resolution No. 737 Regarding Water General Facilities Charges; and Resolution No. 769 Amending Resolution No. 738 Regarding Water Rates be approved and that the Mayor be authorized to sign said Resolutions once the following correction has been to Resolution No. 767:

Page 1, section 2, item E, line 2 the word “individual” should be “single”.

The motion carried.

Mayor Louws thanked staff, the Finance Committee, and the Public Works Committee for their work on these Resolutions.

Letter to the Washington State Liquor Control Board – Nooksack’s Northwood Crossing Casino

At the May 7, 2007 meeting, Council discussed their dissatisfaction with the ruling by the Washington Sate Liquor Control Board approving a liquor license for the Nooksack’s Crossing Casino. At the same meeting Mayor Louws stated he would draft a letter stating Council’s disapproval of this action. Mayor Louws read the letter to those in attendance.

Councilor Adelstein moved and Councilor De Valois seconded that the letter to the Washington Sate Liquor Control Board, dated May 21, 2007, expressing dissatisfaction with the approval of a liquor license for the Nooksack’s Northwood Crossing Casino be approved. The motion carried.

Mayor Louws stated that the Nooksack Tribe, Whatcom County Executive Pete Kremen, Whatcom County Sheriff Bill Elfo, and the Washington State Legislators will be copied on this letter.

Mayor Louws thanked City Administrator Bill Verwolf and Deputy City Clerk Kathleen Delgado for their assistance with this letter.

IV NEW BUSINESS

Introduction of a 2007 Budget Amendment

As required by State regulations, this proposed amendment to the 2007 Budget was introduced to Council. The amendment reflects Council's authorized transactions and will modify Fund 114 – Employee Liability.

Year 2008 Budget Calendar

As required by the Revised Code of Washington, there are several budget preparation deadlines as the City moves forward in preparing its year 2008 budget. Council was provided with a draft 2008 budget calendar.

Finance Director Teresa Camfield will prepare the final calendar to be brought before Council on June 4, 2007 for consideration.

Selection of Architect for Downtown Restrooms

One of the implementation measures for the Downtown Economic Enhancement Strategies is the construction of public restrooms to serve the community during events as well as tour buses and visitors. The original concept placed the facilities in Judson Plaza, next to the Chamber of Commerce office. However, after further review of that site, its limitations, and the costs for a stand alone structure, it was determined that the facilities should be added to the existing community center, close to potential tour bus parking and the larger event space of the 4th Street Commons.

The City received three proposals for this project. Mark Bratt of Lynden, Stewart and King Architects of Bellingham, and Carletti Architects of Mount Vernon. After careful review of the proposals by the Community Development Committee, the Mayor, City Administrator, Chamber Director, Public Works Director, and Planning Director the recommendation was to begin negotiations with Stewart and King Architects.

Councilor Kuiken moved and Councilor Gelder seconded that the selection of Stewart and King Architects for the Downtown Restroom and Community Center Remodel project be approved and that a Professional Services Contract with a defined scope of work and cost estimates be developed for Council review. The motion carried.

Mayor Louws thanked Planning Director Amy Harksell, Public Works Director Duane Huskey, and staff for their work on this project, stating that the downtown restrooms will be appreciated by many visitors to our City.

Consideration of Final Plat Approval – Trails End Long Plat

Mr. Wayne Kroon, owner of several lots in Bradley Estates Long Plat, re-platted those lots to include two additional lots within this subdivision. The provisions remain for the trail connection and all utilities have been installed. The applicant is now requesting final plat approval for this subdivision. All bonds and fees have been paid and staff is awaiting receipt of the final mylars.

Councilor Kuiken moved and Councilor Gelder seconded that final approval for Trail's End Long Plat be granted, that the final mylar be approved, and that the Mayor be authorized to sign said mylar. The motion carried.

OTHER

Drayton Street Project

At the May 7, 2007 meeting Council rejected the bids received for the Drayton Street Project due to lack of funding. At this meeting, Council was presented with a review of finances for project funding, and the potential impact of rebidding the Drayton Street Project after removing the Nooksack Avenue section of the project. Council discussed available funds, other projects, and the increase in oil prices which increases the costs for street projects from year to year.

Councilor Kuiken moved and Councilor Bode seconded that the Public Works staff rebid the Drayton Street Project, excluding the Nooksack Avenue section, subject to Mayor Louws, City Administrator Bill Verwolf, and Finance Director Teresa Camfield's approval after further review of the finances. The motion carried.

2007 Association of Washington Cities (AWC) Annual Conference

Mayor Louws reminded Council that there is still time to sign up for the 2007 AWC Annual Conference.

Wage Committee

City Administrator Bill Verwolf requested a Wage Committee meeting be scheduled. The Committee agreed to meet on Thursday, May 24, 2007 at 7:00 AM.

City Attorney

Mayor Louws thanked Attorney Simi Jain for attending the meeting in City Attorney Bob Carmichael's place.

IV EXECUTIVE SESSION - Cancelled

V ADJOURNMENT

The May 21, 2007 regular session of the Lynden City Council adjourned at 7:47 P.M.

Rachel Byers, Administrative Assistant

Jack Louws, Mayor