

LYNDEN CITY COUNCIL

MINUTES OF THE REGULAR SESSION

JULY 16, 2007

I CALL TO ORDER

Mayor Jack Louws called to order the July 16, 2007 regular session of the Lynden City Council at 7:00 P.M. at Berthusen Park.

ROLL CALL

Members present: Mayor Jack Louws; Councilors Doug Adelstein, Dave Burns, Ron De Valois, Tobey Gelder, Gerald Kuiken, and Nick Laninga.

Members absent: Gary Bode with notice.

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 Adelstein moved and Councilor De Valois seconded that the minutes of the June 25, 2007 special session and the July 2, 2007 regular session be approved. The motion carried.

ITEMS FROM THE AUDIENCE

Scheduled – None

Unscheduled

Raspberry Festival

Mr. Gary Vis, Executive Director of the Lynden Chamber of Commerce appeared before Council and thanked the Fire Department, Police Department, and the Public Works Department for their assistance during this years Raspberry Festival. He stated that the event was another success and he thanked Council for their continued support.

Mayor Louws thanked Mr. Vis for his work and for the work performed by Mr. Vis' staff.

North County Community Alliance Document

Councilor Laninga referred to a document that was provided to Council, Mayor Louws, and City Administrator Bill Verwolf by the North County Community Alliance. He said that the community group has filed a Complaint for Declaratory Relief, Injunction and Mandamus, in District Court in regards to the Nooksack Tribe's new Northwood Crossing Casino. The North County Alliance requested that Council consider joining the lawsuit as a Plaintiff.

Council discussed the issue and agreed to refer the request to the Community Development Committee for further review. A copy of the document will be forwarded to City Attorney Bob Carmichael.

II CONSENT AGENDA

Approval of Claims

Manual Warrants No. 45619 through 45635	\$ 89,917.58
Voucher Warrant No. 45636 through 45802	<u>\$ 369,892.76</u>
Total	<u>\$ 459,810.34</u>

Set Time and Location for 2007 Budget Workshop Scheduled for July 19, 2007

Street Closures for the Lynde 500

Mayor Louws stated that the item titled Set Time and Location for July 19, 2007 Budget Work Session needed to be removed from the Consent Agenda.

Councilor Kuiken moved and Councilor Adelstein seconded that the items on the Consent Agenda, excluding the item titled Set Time and Location for July 19, 2007 Budget Work Session, be approved. The motion carried.

Set Time and Location for 2007 Budget Workshop Scheduled for July 19, 2007

As stated in the 2008 Budget Calendar, the Lynden City Council will hold a Budget Workshop on July 19, 2007 to discuss Council concerns and department proposals for the 2008 budget. The purpose of this item is to determine the location and time for the workshop.

Councilor De Valois moved and Councilor Laninga seconded that the July 19, 2007 Budget Workshop for the year 2008 be held at the City Hall Annex, located at 205 4th Street, Lynden, at 7:00 P.M. The motion carried.

III PUBLIC HEARING

Public Hearing for East Lynden Annexation

Earlier this year, several property owners in the area east of Line Road requested permission to circulate an annexation petition. Council gave permission and the property owner and their representatives developed an annexation petition that was signed by the requisite number of property owners. This has been certified by the Whatcom County Assessors Office. For this project, in addition to the standard Technical Review Committee members, staff also sought the input of the Police and Finance Departments.

The Planning Commission held a public hearing on the request on June 14, 2007 to hear and consider the annexation. No one spoke in opposition to the request, but there was significant discussion about the potential development of the property and timing for the City requesting water rights.

The Planning Commission recognized the financial impact of this annexation on the City, but also noted that if only a portion of the area was annexed, opportunities for transportation corridors would be lost. Reducing the size of the annexation only slightly reduces the impact; however the City would not be in control of both sides of the roads which is very important for developing adequate utility corridors as well as receiving the property tax revenue and the ability to assess properties.

Based on these factors, as well as noting the opportunity for the School District to purchase a large parcel, the Planning Commission recommended approval of the annexation.

Mayor Louws opened the Public Hearing at 7:14 P.M.

Speaking in favor: Mr. Bob Libolt, 125 Rosemary Way, Lynden, of Pacific Coast Partners appeared before Council in favor of the annexation. He showed the Council various maps outlining the property owners that are in favor of the annexation, which properties have been developed, and his ideas for future development.

Dr. Dennis Carlson, 203 Springview Drive, Lynden, Superintendent of the Lynden School District appeared before Council in favor of the annexation. He explained to Council what the school district would like to do with a portion of the property that is being considered for annexation.

Speaking against: None.

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

The Public Hearing closed at 7:33 P.M.

Councilor De Valois moved and Councilor Burns seconded that staff be authorized to prepare a resolution of intent to annex property for consideration at the August 6, 2007 Council meeting. The motion carried.

IV NEW BUSINESS

Introduction of Resolution No. 771 – Transportation Impact Fees

The City's transportation impact fee ordinance calls for annual updates for increasing costs of construction. The increase is based on the Engineering News Record's published construction cost index from June to June annually. The overall increase in the construction cost from June 2006 to June 2007 was 2%. This Resolution will update the fees accordingly. The final resolution will be before Council at their August 6, 2007 meeting.

Memorandum of Agreement – Antique Tractor Club

The Puget Sound Antique Tractor Club has submitted a request to exercise their option of "first right" to use the kitchens and shelter during the Tractor Show again this year. They further request that they be allowed to use specific areas of Berthusen Park for parking and camping during the show and have agreed to be responsible for the collection of all fees and maintenance of the sites. They have agreed to pay the City a fee of \$2,000 for the use of the park during the dates of the show.

Councilor De Valois moved and Councilor Adelstein seconded that the Memorandum of Agreement between the City of Lynden and the Puget Sound Antique Tractor Club, which sets forth the details for the use of Berthusen Park during the Tractor Show, be approved. The motion carried.

Request to Surplus Equipment – Parks Department

The Parks Department is requesting permission to surplus and dispose of the Carraro Irrigation Reel, which was purchased by the City to water the Recreation District property. The reel is no longer working effectively, parts needed for repairs are no longer available, and the Recreation District has agreed to purchase a new replacement reel.

The Parks Committee has reviewed the above request and recommends that Council: declare the Carraro Irrigation Reel surplus; direct Parks Department staff to advertise for bids for said surplused property; and that if no acceptable bids are received that staff be directed to dispose of the Carraro Irrigation Reel in the most cost effective way.

Councilor De Valois moved and Councilor Burns seconded that the Carraro Irrigation Reel be declared surplus and of no residual value to the City; that the Parks Department staff advertise for bids for said surplused property; and if no acceptable bids are received that staff be authorized to dispose of the Carraro Irrigation Reel in the most cost effective way. The motion carried.

OTHER

Public Works Director

Mayor Louws recognized Public Works Director Duane Huskey for his one year anniversary with the City of Lynden, stating that last years Council meeting at Berthusen Park had been his first day with the City. Mayor Louws stated that he appreciates Public Works Director Huskey and his staff's work. Public Works Director Huskey said that he appreciates all that he has learned over the last year.

Berthusen Park Update

Finance Director Teresa Camfield provided Council with an update on Berthusen Park's finances and stated that City staff is taking good care of the park.

Parks and Recreation Director Vern Meenderinck stated that Mr. Tim Sullivan and Mrs. Belinda Sullivan, members of the Antique Tractor Club, have been renting the house at Berthusen. Mr. Sullivan opens and closes the gates and Mrs. Sullivan, as a member of the Parks Department, takes care of kitchens and restrooms. Parks and Recreation Director Meenderinck stated Mr. and Mrs. Sullivan are doing an exceptional job and that he is proud of his Parks and Recreation Department crew.

Mayor Louws noted Mr. and Mrs. Sullivan exceptional work and he stated that the Parks Department staff does a wonderful job throughout the City. Council agreed.

1892 Kok Road Bids

Mayor Louws and Council discussed the recent bid submittals for the use of 1892 Kok Road during the Northwest Washington Fair for parking. Of the bids received, the only bid that was being considered was from Ebenezer Christian School in the amount of \$200.00, as other bidders withdrew from the process.

Mayor Louws offered that Council could refuse the bid from Ebenezer Christian School and allow the Northwest Washington Fair to use the property. Council discussed the fact that the cost of advertising for the bids will be more than the \$200.00 the City would receive from Ebenezer Christian School; the fact that Ebenezer Christian School's bid was only 10% of what they had bid in previous years; and that members of the Northwest Washington Fair did not submit a bid for the use of the property.

Councilor De Valois moved and Councilor Laninga seconded that Administration work to finalize the lease agreement with Ebenezer Christian School for the lease of 1892 Kok Road for the 2007 Northwest Washington Fair. The motion carried.

Council and Mayor Louws agreed that a new process should be developed for next year.

V EXECUTIVE SESSION - Cancelled

VI ADJOURNMENT

The July 16, 2007 regular session of the Lynden City Council adjourned at 7:55 P.M.

Rachel Byers, Administrative Assistant

Jack Louws, Mayor