

LYNDEN CITY COUNCIL

MINUTES OF THE REGULAR SESSION

SEPTEMBER 15, 2008

I CALL TO ORDER

Mayor Jack Louws called to order the September 15, 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: Administrative Assistant Rachel Byers, 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 Gelder seconded that the minutes of the September 2, 2008 regular session be approved. The motion carried.

ITEMS FROM THE AUDIENCE

Scheduled

Bellingham/Whatcom County Commission Against Domestic Violence - Director Andrea Cary-Grant.

Director Cary-Grant appeared before Council and reported on the Bellingham/Whatcom County Commission Against Domestic Violence role in the community, achievements over the last year, the projects the commission is working on, and their future plans and goals.

Mayor Louws thanked Ms. Cary-Grant for coming to the meeting and updating everyone on the work the commission is doing.

Unscheduled - None

II CONSENT AGENDA

Ordinance No. 1334 - A 2008 Budget Amendment

Ordinance No. 1332 - Right-of-Way Franchise Agreement - Van Loo's Auto Sales

Law Enforcement Officer and Firefighter 1 (LEOFF1) Retirement Plan - Benefit Costs

Interlocal Agreement for Pictometry Services

Approval of Claims

Manual Warrants No. 48530 through 48560	\$ 558,196.67
Voucher Warrant No. 48561 through 48759	<u>\$1,772,718.90</u>
Total	<u>\$2,330,915.57</u>

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

III NEW BUSINESS

Ordinance No. 1333 - Bond Issuance for Utility Local Improvement District (ULID) 2008-01

On March 6, 2006, City Council approved Ordinance No. 1256 to create a Local Improvement District (LID) to provide for the payment of costs for the City to acquire the West Lynden Stormwater Detention Facility for operation and maintenance purposes, including stormwater quantity and quality.

The City proceeded with building upon the assessment method originally proposed by West Lynden LLC. After a number of discussions and reviews, a public hearing was held on July 21, 2008 to hear comments on the proposed final assessment roll. On August 4, 2008 Council approved Ordinance No. 1325 which confirmed the final assessment roll and converted Local Improvement District No. 4 to Utility Local Improvement District 2008-1 for the purpose of financing the costs within Local Improvement District No. 4 with revenue bonds of the City, payable from assessments as well as utility revenues.

In order to provide permanent financing for the West Lynden Stormwater Detention Pond, Council must approve on ordinance authorizing the issuance of ULID No. 2008-01 bonds. Per discussions with the Finance Committee, Administration as well as input from bond counsel (Ms. Cynthia Weed) and the underwriters (Seattle Northwest Securities) Ordinance No. 1333 has been prepared for Council review.

Mr. Justin Mon Wai, Assistant Vice President of Seattle Northwest Securities, appeared before Council and explained how the bond process progressed throughout the day. He thanked City Administrator Bill Verwolf and Finance Director Teresa Camfield for all their work.

Councilor Adelstein moved and Councilor Laninga seconded that Ordinance No. 1333, regarding the issuance of bonds for Utility Local Improvement District 2008-01, be approved and that the Mayor be authorized to sign said Ordinance; and that the purchase agreement be approved. The motion carried.

Mayor Louws, City Administrator Verwolf, and Councilor Adelstein thanked those at Seattle Northwest Securities and City staff who were involved in this process. It was said that the professionals at Seattle Northwest Securities did an excellent job and continue to provide good sound service to the City of Lynden.

Retail Market Analysis Presentation by Pitney Bowes MapInfo

The City entered into a contract with Pitney Bowes MapInfo in March of this year to analyze the retail market area for Lynden. The firm has identified the City's local and regional trade area, completed a field analysis, and compiled the demographic, lifestyle, and retail expenditure data for the trade area. The findings were presented by Mr. Ed Borden and Ms. Jennie Kapusta.

The Zoning Text Committee is currently discussing the findings and how to approach increasing the availability of goods and services within the City. The question of whether the maximum store size of 65,000 square feet should be removed has been the subject of much discussion and the committee is leaning toward that option for west of 19th Street.

The following people came forward to ask the representatives from Pitney Bowes MapInfo questions or to discuss the issue with Council:

Mr. George Werkema, 1607 C Street, Lynden, WA;
Mr. David Black, 4000 Edgewater, Lynden, WA;
Mr. Clark Vellema of Snohomish, WA;
Ms. Kelly Ellis, 1174 Aaron Drive, Lynden, WA; and
Mr. Gary Vis, Executive Director of the Lynden Chamber of Commerce.

Mayor Louws thanked Mr. Borden and Ms. Kapusta for their work over the last several months.

This matter is currently being reviewed by the Zoning Text Committee, who will send their findings to the Planning Commission for additional review.

Introduction of Ordinance No. 1335 - Amending Ordinance No. 1145 Regarding the Sale of Alcohol on Sundays

The Council on September 2, 2008 scheduled a public hearing on the question of eliminating the restriction on alcohol sales on Sunday in Lynden. An ordinance that would accomplish that change was presented so that anyone interested in testifying on the issue can see what is being proposed.

City Administrator Verwolf provided Council with a memo outlining the current restrictions by the State of Washington.

Council agreed to change the proposed ordinance to restrict the sale of alcohol on New Years Day to 2:00 AM. Council will hold a public hearing on the proposed ordinance during their regularly scheduled October 6, 2008 meeting.

Introduction of a 2008 Budget Amendment

As required by State law, a proposed amendment to the 2008 Budget was introduced to Council. The amendment will reflect Council's authorized transactions and will modify Fund 230 - Utility Local Improvement District 2008-1 Bond Redemption.

Downtown Restroom Location and Design

A subcommittee of three Councilmen, from the Public Works and Community Development Committees, has agreed to propose the downtown restrooms be built at the corner of 4th and Front Streets, in the parking lot and just north of the small windmill. The proposed design is a conventional restroom.

Councilor Kuiken moved and Councilor Gelder seconded that the recommendations from the subcommittee be approved and that staff be authorized to proceed with the construction process. The motion carried.

OTHER

Public Works Committee

Public Works Director Duane Huskey informed Council that the September 17, 2008 Public Works Committee meeting has been cancelled.

Street Closure

Public Works Director Huskey stated that Liberty Street between 4th Street and the Liberty Street entrance to the library will be closed due to construction of the new City Hall. The library can still be accessed using the entrance on 4th Street.

Pile Driving on 17th Street

Public Works Director Huskey made the notification that pile driving for the 17th Street bridge will begin on September 18, 2008.

V EXECUTIVE SESSION - Cancelled

VI ADJOURNMENT

The September 15, 2008 regular session of the Lynden City Council adjourned at 9:10 P.M.

Rachel Byers, Administrative Assistant

Jack Louws, Mayor