

LYNDEN CITY COUNCIL

MINUTES OF THE REGULAR SESSION

OCTOBER 15, 2007

I CALL TO ORDER

Mayor Louws called to order the October 15, 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, Gerald Kuiken, and Nick Laninga.

Members absent: Councilor Tobey Gelder with notice.

Staff present: Deputy Chief of Police John Billester, 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 De Valois moved and Councilor Kuiken seconded that the minutes of the October 1, 2007 regular session be approved. The motion carried.

Interlocal Agreement with the City of Bellingham – Local Facilities District

(This item was moved up on the agenda from the New Business section.)

The City of Bellingham's Public Facilities District, which has been used to operate and renovate several of the community facilities, has discovered a need to have an interlocal agreement with the small cities of Whatcom County to satisfy the State of Washington requirements for the funding. The proposed interlocal agreement accomplishes that need.

Mr. Dick Little, Government Relations Director for the City of Bellingham, appeared before Council and discussed this issue in further detail. He informed Council that if they approved the interlocal agreement the Public Facilities District could collect Lynden's portion of the Washington State sales tax revenue rebate. If Council decided not to approve the agreement the funds would stay with the state, Lynden would not receive those funds. Mr. Little described the projects the funds were being used for, which include a children's museum in Bellingham.

Councilor Adelstein moved and Councilor Burns seconded that the Interlocal Agreement with the City of Bellingham, regarding the Public Facilities District, be approved and that the Mayor be authorized to sign said Agreement. The motion carried.

City Attorney Bob Carmichael stated that he provides legal counsel to the Public Facilities District and asked Council if they were comfortable with his signature on the agreement on behalf of the City of Lynden as the City's Attorney and providing his approval of the form. Council stated they were comfortable with Attorney Carmichael representing the City on this matter and authorized him to sign the document.

Mayor Louws thanked Mr. Little for attending the meeting.

ITEMS FROM THE AUDIENCE

Scheduled – Members of the Park and Recreation District

Mr. Richard Waldemar, Lynden Regional Parks and Recreation District Commissioner, appeared before Council and discussed the proposed location of an aquatic center in Lynden. Mr. Waldemar provided Council with a proposed outline of the facility at City Park and stated that they do not want to proceed with any plans without some type of approval from the City in regards to the project's concept.

Mr. Paul Kenner, Whatcom County YMCA Board member, appeared before Council and thanked them for considering this proposal.

Councilor De Valois moved and Councilor Bode seconded that staff prepare a Memorandum of Understanding between the City of Lynden and the Lynden Regional Parks and Recreation District regarding the aquatic center proposal and that the draft be brought before Council on November 5, 2007 for consideration. The motion carried.

Unscheduled – Mr. Dave Black, 1161 Edgewater, Lynden

Mr. Black appeared before Council and reminded everyone that one of the top four results of the survey conducted by the Lynden Regional Parks and Recreation District showed that the citizens would like to see the trail system expanded. Mr. Black encouraged Council to consider the expansion of the Lynden trail system a priority and recommended a few courses of action the City could take to that end.

Mayor Louws thanked Mr. Black for appearing before Council and sharing his thoughts and ideas.

II CONSENT AGENDA

Approval of Claims

Manual Warrants No. 46201 through 46219	\$ 294,365.15
Voucher Warrant No. 46220 through 46374	<u>\$ 854,058.17</u>
Total	<u>\$ 1,148,423.32</u>

Ordinance No. 1304 – Chapter 10.08.090 Related to Parking Restrictions on Certain Streets

Ordinance No. 1305 – Amending Ordinances Regarding Sidewalk Repair and Replacement

Bill of Sale – Birch Short Plat

Confirmation of Appointments to the Zoning Text Committee

Councilor Burns requested that the following agenda items be removed from the Consent Agenda: Ordinance No. 1304 – Chapter 10.08.090 Related to Parking Restrictions on Certain Streets, and Confirmation of Appointments to the Zoning Text Committee.

Councilor De Valois moved and Councilor Adelstein seconded that the items on the Consent Agenda, excluding Ordinance No. 1304 – Chapter 10.08.090 Related to Parking Restrictions on Certain Streets and Confirmation of Appointment to the Zoning Text Committee, be approved. The motion carried.

Ordinance No. 1304 – Chapter 10.08.090 Related to Parking Restrictions on Certain Streets

Councilor Burns noted that on the Executive Summary for this agenda item it states that the Public Safety Committee recommends approval of Ordinance No. 1304. Councilor Burns informed Council that this Ordinance has not been considered by the Public Safety Committee.

Councilor Bode moved and Councilor Laninga seconded that Ordinance No. 1304, Amending Section 10.08.090 Related to Parking Restrictions on Certain Streets, be approved and that the Mayor be authorized to sign said Ordinance. The motion carried.

Confirmation of Appointments to the Zoning Text Committee

Councilor Burns noted that he was listed as a tentative member of this committee. Councilor Burns stated his intent to be a member.

Councilor Bode moved and Councilor Burns seconded that the appointments to the Zoning Text Committee be confirmed. The motion carried.

III UNFINISHED BUSINESS

Presentation of Year 2008 Preliminary Budget

Mayor Louws presented Council with the Preliminary 2008 Budget and read his budget message.

IV NEW BUSINESS

Interlocal Agreement with the City of Bellingham – Facilities

(This item was moved to the top of the agenda and took place after Approval of the Minutes.)

Ordinance No. 1302 – East Lynden Annexation

Earlier this year, several property owners in the area east of Line Road requested permission to circulate an annexation petition. Council granted permission to hold public hearings on the proposed annexation, which were held by the Planning Commission and Council. Council passed the Resolution stating its intent to annex the property in August, and the matter was sent forward to the Boundary Review Board.

The 45-day appeal period, time for affected agencies and individuals to protest the annexation, expired on October 8, 2007 without comment.

Councilor Adelstein confirmed with Attorney Carmichael that even though Councilor Adelstein's employer has plans for some property included in the annexation request, should the property be annexed, that Councilor Adelstein does not need to recuse himself from this vote as the interest in the property is the school district's and their plans are remote.

Councilor Bode moved and Councilor De Valois seconded that Ordinance No. 1302, providing for the annexation of property, be approved and that the Mayor be authorized to sign said Ordinance. The motion carried.

Resolution No. 777 – Street Vacations as Part of New Lynden City Hall Project

As part of the New Lynden City Hall Design process the City Hall Design Committee and the Public Works Committee proposed a plan that provides traffic calming measures, additional parking on Liberty Street, and proper building alignment at the intersection of 4th and Liberty Streets. They recommend that the following rights-of-way be vacated:

- Liberty Street, between 4th Street and 3rd Street;
- Edson Street, between 4th Street and Main Street; and
- An approximate 20-foot wide strip of the southeast portion of 4th Street, north of Liberty Street.

The New City Hall Project, located on the city block bordered by Liberty Street, 4th Street, Main Street, and 3rd Street, will occupy the entire site. The plan for Liberty Street, between the Library and City Hall, is that it be vacated and turned into an additional parking area. As Edson Street was abandoned during the Main Street Improvement Project, the proposal is that it be officially vacated with this City Hall project. Additionally, vacating the southeast portion of 4th Street, north of Liberty Street, will allow for the proper setback for the entrance to City Hall to meet zoning requirements.

Councilor Burns moved and Councilor De Valois seconded that Resolution No. 777, vacating: Liberty Street between 4th and 3rd Streets; Edson Street between 4th and Main Streets; and approximately 20-feet of the southeast portion of 4th Street north Liberty, be approved and that the Mayor be authorized to sign said Resolution. The motion carried.

OTHER

Audit Results

Finance Director Teresa Camfield informed Council that the Federal Single Audit and the Accountability Audit took place this summer. She stated that the City received a clean opinion with no findings. She thanked the departments, Administration, and Council for their support during these audits. Mayor Louws thanked Finance Director Camfield and her department for their hard work.

Latino Community Potluck

Councilor Adelstein informed Council and staff that the 3rd Latino Community Potluck will take place at the Lynden Middle School in the cafeteria on October 19, 2007 at 6:00 P.M.

Wage Committee

City Administrator Bill Verwolf stated that there will be a Wage Committee meeting following the Council meeting.

Mayor will be out of Town

Mayor Louws informed Council that he will be out of town from October 23, 2007 through November 1, 2007 and that Councilor Bode will be serving as Mayor Pro-Tem.

V EXECUTIVE SESSION - Cancelled

VI ADJOURNMENT

The October 15, 2007 regular session of the Lynden City Council adjourned at 8:26 P.M.

Rachel Byers, Administrative Assistant

Jack Louws, Mayor