

LYNDEN CITY COUNCIL

MINUTES OF THE REGULAR SESSION

NOVEMBER 5, 2007

I CALL TO ORDER

Mayor Jack Louws called to order the November 5, 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: 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 City Attorney Bob Carmichael.

APPROVAL OF MINUTES

Councilor Kuiken moved and Councilor De Valois seconded that the minutes of the October 15, 2007 regular session be approved. The motion carried.

ITEMS FROM THE AUDIENCE

Scheduled - None

Unscheduled

Dr. Dennis Carlson, Superintendent of the Lynden School District, 203 Springview Drive, Lynden, appeared before Council. He updated Council on the progress being made toward school district impact fees.

II CONSENT AGENDA

Approval of Payroll

Direct Deposits, Draws and Warrants No. 12633 through 12683 \$ 378,418.22

Set Time and Location for the November 13, 2007 and November 26, 2007 Budget Workshops

Interlocal Agreement with Whatcom County – Amendment #7 – Concerning Annexation

Letter of Understanding – Lynden Regional Parks and Recreation District

Proposed Probation Contract

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

Ordinance No. 1303 – Unlimited Tax General Obligation Bond Issuance for New City Hall (This agenda item was moved up from New Business)

On November 7, 2006, voters approved a proposition authorizing the issuance of bonds in the aggregate principal amount of \$3,900,000 in order to provide funds to acquire, construct and equip a City Hall as authorized by Resolution No. 747, which was passed by Council on September 5, 2006. In order to provide financing for a new city hall, Council must approve an

ordinance authorizing the issuance of Unlimited Tax General Obligation (UTGO) bonds. Per discussions with the Finance Committee and Administration, as well as input from bond counsel (Cynthia Weed) and the underwriters (Seattle Northwest Securities), Ordinance No. 1303 has been prepared for Council review.

Senior Vice President Lindsay Sovde of Seattle-Northwest Securities Corporation provided Council with an update on the sale of the bonds, stating that the actual true interest cost is 4.26% and the level tax rate is projected to be \$0.22/\$1,000 in 2008 which is less than what had been estimated.

Council was also updated on the recent trip made by Finance Director Teresa Camfield, City Administrator Bill Verwolf, and Lindsay Sovde in order to give a presentation to Standards & Poor's in regards to the City's rating. As a result of the meeting, the City of Lynden received an A rating.

Councilor Adelstein moved and Councilor Burns seconded that Ordinance No. 1303 be approved and that the Mayor be authorized to sign said Ordinance. The motion carried.

III PUBLIC HEARING

Koetje Comprehensive Plan Amendment 07-01

The Planning Commission held the first public hearing on the request from Howard and Dalene Koetje to include an additional 12 acres south and east of Phase II of the Ridge at Lynden Long Plat

Due to the property's location, there will not be additional residential development on the site, but it may be used for recreation, drainage facilities or some combination thereof. At the conclusion of their public hearing, the Planning Commission had significant discussion about the property's future utilization. There was concern as to whether or not it would be suitable for a regional detention facility and whether any drainage use could occur in that location. After this discussion, the Commission felt that even without the use for drainage, the site offered opportunities for recreational uses and should be included within the urban growth area.

Mayor Louws opened the Public Hearing at 7:19 P.M.

Speaking in favor: Lesa Starkenburg-Kroontje, P.O. Box 231, Lynden, appeared before Council representing the Koetje family. She reviewed the reasons for this comprehensive plan amendment and informed Council that she is still in the process of working with Whatcom County on this issue.

Speaking against: None.

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

The Public Hearing closed at 7:28 P.M.

Councilor Kuiken moved and Councilor Laninga seconded that Comprehensive Plan Amendment 07-01 be approved as recommended by the Planning Commission and that the Mayor be authorized to sign the Findings of Fact. The motion carried.

Setting Property Tax Levy – Ordinance No. 1306

The City of Lynden is required by State regulations to adopt the proposed 2008 property tax levy.

Due to very preliminary assessed valuation numbers, this ordinance reflects a decrease in the mil rate (per thousand dollars of property value) in the City of Lynden when comparing 2007 levy rates to 2008 levy rates. Year 2008 represents a revaluation of the City of Lynden, excluding property west of the Guide Meridian. The recent annexation of the approximately 271 acres in East Lynden will not be part of the city tax rolls until year 2009.

The final figures for the assessed valuation of the city's tax base are not yet available. Once those are provided by the County Assessor, an ordinance setting the final, exact levy will be provided for Council consideration.

Mayor Louws opened the Public Hearing at 7:30 P.M.

Speaking in favor: None.

Speaking against: None.

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

The Public Hearing closed at 7:31 P.M.

Councilor Adelstein moved and Councilor Bode seconded that Ordinance No. 1306, Setting Property Tax Levy, be approved and that the Mayor be authorized to sign said Ordinance. The motion carried.

Vacation of Liberty Street Between 3rd and 4th Streets, Edson Street Between 4th and Main Streets, and the Southeast Portion of 4th Street North of Liberty Street – Ordinance No. 1308

On October 15, 2007, the Lynden City Council approved Resolution No. 777 to hold a public hearing to receive comments regarding the proposed vacation of:

- Liberty Street, between 4th Street and 3rd Street;
- Edson Street, between 4th Street and Main Street; and
- An approximate 6-foot wide strip of the southeast portion of 4th Street, north of Liberty Street.

Vacating these areas will provide traffic calming measures, additional parking on Liberty Street by those utilizing the new City Hall facility, proper building alignment at the intersection of 4th and Liberty Streets.

Mayor Louws opened the Public Hearing at 7:33 P.M.

Speaking in favor: None.

Speaking against: None.

Councilor De Valois moved and Councilor Kuiken seconded that the Public Hearing be closed. The motion carried.

The Public Hearing closed at 7:34 P.M.

Councilor Bode moved and Councilor De Valois seconded that Ordinance No. 1308, Vacating Liberty Street Between 3rd and 4th Streets, Edson Street Between 4th and Main Streets, and the 6-foot wide strip of the Southeast Portion of 4th Street North of Liberty Street be approved and that the Mayor be authorized to sign said Ordinance. The motion carried.

IV NEW BUSINESS

Ordinance No. 1303 – Unlimited Tax General Obligation Bond Issuance for New City Hall
This agenda item was moved to take place after the Consent Agenda and before Public Hearing.

Proposed City Surplus Policy

The proposed surplus policy deals with disposal of property other than real estate property. The proposal defines the process for determining surplus property and the authorization levels and methods of disposal that are deemed in the City's best interest.

Councilor Adelstein moved and Councilor Bode seconded that the city surplus policy for the disposal of surplus property other than real estate be approved. The motion carried.

Introduction of a 2007 Budget Amendment

As required by State Regulations, the Finance Department would like to introduce a proposed amendment to the 2007 Budget. The amendment will reflect Council's authorized transactions.

The following fund needs to be created:

- Fund 236 – 2007 UGTO Bond Redemption

The following funds need to be modified:

- Fund 227 – Public Works Trust Loan – Streets
- Fund 234 – USDA Rural Development Water Revenue Bond
- Fund 235 – USDA Rural Development Water Revenue Bond Guaranty
- Fund 303 – Sewer FCI
- Fund 304 – Water FCI
- Fund 364 – Water Treatment Plant

OTHER

Parks Committee Meeting

Councilor De Valois informed Council that the Parks Committee Meeting scheduled for November 12, 2007 has been rescheduled for November 19, 2007 due to November 12th being a holiday.

V EXECUTIVE SESSION - Cancelled

VI ADJOURNMENT

The November 5, 2007 regular session of the Lynden City Council adjourned at 7:35 P.M.

Rachel Byers, Administrative Assistant

Jack Louws, Mayor