

**LYNDEN CITY COUNCIL
LYNDEN CITY HALL ANNEX
(205 4th Street)
REGULAR SESSION**

**7:00 P.M.
JANUARY 5, 2009
AGENDA**

I CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

OATH OF OFFICE - Assistant Chief Joe Noonchester, Fire Department

- Lieutenant Branden Brink, Fire Department

ITEMS FROM THE AUDIENCE

A. SCHEDULED - None

B. UNSCHEDULED (20 Minutes)

During this portion of the meeting, audience members may address the Council on any issue other than those scheduled for a public hearing or those on which the public hearing has been closed. For the record, prior to commenting please state your name, address, and topic. Please keep comments under 4 minutes.

II CONSENT AGENDA

A. APPROVAL OF PAYROLL

B. REQUEST TO CANCEL CLAIMS WARRANT C-49287 AND C-49265

C. REQUEST TO SET PUBLIC HEARING DATE - AMENDMENT TO SECTION 19.23.030 OF THE LYNDEN MUNICIPAL CODE - REGARDING CS-1 ZONING

D. ORDINANCE NO. 1344 - AMENDING ORDINANCE NO. 1302 - EAST LYNDEN ANNEXATION

E. BERTHUSEN PARK ADVISORY COMMITTEE - REAPPOINTMENT OF MR. HARLEN KREDIT AND MR. MARLEN HENDRICK - APPOINTMENT OF MR. MIKE LEWIS

F. PARK AND TRAIL ADVISORY COMMITTEE - REAPPOINTMENT OF MS. JUDY MCCOMB AND MR. MARK EWING - APPOINTMENT OF MS. COLLENE UNEMA

III PUBLIC HEARING

A. ORDINANCE NO. 1340 - AMENDING SECTION 8.24 OF THE LYNDEN MUNICIPAL CODE- VEGETATION

IV UNFINISHED BUSINESS

A. ORDINANCE NO. 1345 - SETTING THE FINAL 2009 PROPERTY TAX LEVY

V NEW BUSINESS

A. 2009 COUNCIL COMMITTEE ASSIGNMENTS

VI EXECUTIVE SESSION

VII ADJOURNMENT

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: January 5, 2009

AGENDA ITEM: A Request to Cancel Claim Warrants C-49265 AND C-49287		AGENDA SECTION: Consent Agenda
PREPARED BY: Teresa L. Camfield, CPA Finance Director	COUNCIL REVIEW: <input checked="" type="checkbox"/> Finance <input type="checkbox"/> Public Safety <input type="checkbox"/> Parks <input type="checkbox"/> Public Works <input type="checkbox"/> Comm Dev. <input type="checkbox"/> Not Reviewed	AGENDA NO.: <h2 style="text-align: center;">II - B</h2>
ATTACHMENTS: Copy of Claims Warrant C-49287 and supporting documentation	LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable	APPROVED BY: <i>T. Camfield</i>

The Finance staff requests that Claims Warrant C-49265 payable to WA State Department of Health in the amount of \$588.00 be cancelled. Included with this warrant was a certification renewal amount for a PW employee that was for a DOH renewal as a backflow assembly tester. The state returned the warrant because this DOH renewal should have been payable to a different vendor, rather than included with the other certifications.

The Finance staff also requests that Claims Warrant C-49287 payable to Gary Baar in the amount of \$18.66 be cancelled. The invoice was given an incorrect vendor number. The warrant should have been payable to Teresa Camfield. These two vendor ID numbers are one number apart.

Both warrants are being held in the Finance safe until council action.

RECOMMENDED ACTION: That the Council authorizes the cancellation of Claims Warrant C-49265 – WA State Dept of Heath in the amount of \$588.00 and Claims Warrant C-49287– Gary Baar in the amount of \$18.66.
COUNCIL ACTION:

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: January 5, 2009

AGENDA ITEM: Set public hearing date for Amendment to Section 19.23.030 of the Lynden Municipal Code		AGENDA SECTION: Consent Agenda
PREPARED BY: Amy Harksell, Planning Director	COUNCIL REVIEW: <input type="checkbox"/> Finance <input type="checkbox"/> Public Safety <input type="checkbox"/> Parks <input type="checkbox"/> Public Works <input checked="" type="checkbox"/> Comm. Dev. <input type="checkbox"/> Legislative	AGENDA NO.: II. C
ATTACHMENTS: none	LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed	APPROVED BY:

The Zoning Text Committee agreed to make changes to allow existing residential uses within commercial zones as a clearly permitted use. This change improves financing opportunities for buyers, and keeps the housing stock in good condition while the market increases for commercial land.

Due to a request, the Community Development Committee agreed to move this amendment forward, separate from the other changes to the commercial zoning code.

The Planning Commission will be holding a public hearing on January 8, and staff is requesting that a public hearing is held by the Lynden City Council on January 20.

RECOMMENDED ACTION: Motion to schedule a public hearing on the amendment of Section 19.23.030 of the Lynden Municipal Code on January 20, 2009 at 7:00 P.M.
COUNCIL ACTION:

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: **January 5, 2009**

AGENDA ITEM: Approval of Ordinance 1344 – Amending Ordinance 1302 – East Lynden Annexation.		AGENDA SECTION: Consent Agenda
PREPARED BY: Amy Harksell, AICP Planning Director	COUNCIL REVIEW: <input type="checkbox"/> Finance <input type="checkbox"/> Public Safety <input type="checkbox"/> Parks <input type="checkbox"/> Public Works <input type="checkbox"/> Com. Dev. <input type="checkbox"/> Quasi Judicial	AGENDA NO.: II. D
ATTACHMENTS: Ordinance 1344	LEGAL REVIEW COMPLETED: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Needed <input type="checkbox"/> Not Needed	APPROVED BY:

Ordinance 1302 for the East Lynden annexation mistakenly included the East Badger Road in the legal description. The City does not annex state right-of-way unless the both sides of the road are incorporated. Ordinance 1344 amends the legal description to exclude the right-of-way of the East Badger Road (SR 546).

RECOMMENDED ACTION: Approval of Ordinance 1344 to amend Ordinance 1302 changing the legal description of the East Lynden Annexation and authorize the Mayor’s signature on said ordinance.
COUNCIL ACTION:

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: Jan. 5, 2009

AGENDA ITEM: Appointment to Berthusen Advisory Committee		AGENDA SECTION: Consent Agenda
PREPARED BY: Vern Meenderinck Parks Director	COUNCIL REVIEW: <input type="checkbox"/> Finance <input type="checkbox"/> Public Safety XX Parks <input type="checkbox"/> Public Works <input type="checkbox"/> Comm Dev. <input type="checkbox"/> Not Reviewed	AGENDA NO.:
ATTACHMENTS:	LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> No XX Not Needed	APPROVED BY:

Marlin Hendricks, Harlan Kredit, and Alyce Werkema have completed their terms on the Berthusen Park Advisory Committee. Marlin and Harlan have agreed to serve an additional term on the committee, Alyce has decided to retire.

Both the Advisory Committee and Parks Committee have reviewed nominations for the Berthusen Committee and expressed a desire to reappoint Marlin Hendricks and Harlan Kredit to the committee and to appoint Mike Lewis to the Berthusen Advisory Committee for a term of three years.

Mayor Louws reviewed the nominations and is presenting Mike Lewis for appointment to the Berthusen Advisory Committee

Terms of Office will be as follows:

Mike Lewis January 1, 2009-Dec. 31, 2011
Harlan Kredit - January 1, 2009-Dec. 31, 2011
Marlin Hendricks- January 1, 2009-Dec. 31, 2011

Other Committee Members and their terms are:

Larry McPhail 2009
Terry De Valois 2009
Karen Steensma 2009
Ted Linde 2010

RECOMMENDED ACTION: Motion to approve the Mayor's reappoint of Harlan Kredit and Marlin Hendricks, and the appointment of Mike Lewis to a 3- year term on the Berthusen Advisory Committee. Terms to expire Dec. 31, 2011
COUNCIL ACTION:

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: January 5, 2009

AGENDA ITEM: Appointments to Park and Trail Advisory Committee		AGENDA SECTION: Consent Agenda
PREPARED BY: Vern Meenderinck Parks Director	COUNCIL REVIEW: <input type="checkbox"/> Finance <input type="checkbox"/> Public Safety <input checked="" type="checkbox"/> Parks <input type="checkbox"/> Public Works <input type="checkbox"/> Comm Dev. <input type="checkbox"/> Not Reviewed	AGENDA NO.:
ATTACHMENTS:	LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Needed	APPROVED BY:

Three members of the 7 member, Park and Trail Advisory Committee will have completed their terms with the committee at the end of 2009. Paul De Beeld has asked to resign from the committee as his term has expired. Judy McCombs and Mark Ewing have expressed a willingness and desire to continue to serve another term of 3 years.

Both the Advisory Committee and the Parks Committee have reviewed the nominations and expressed the desire to have Judy and Mark reappointed to the committee. Colleen Unema has expressed a desire to return to the committee and both the Park and Trail Committee and Parks Committee reviewed her request and approved forwarding her name to the Mayor for appointment.

Mayor Louws reviewed the nominations and is presenting these individuals for (re)appointment to the Park and Trail Advisory Committee.

Terms of Office will be as follows:

- Judy McCombs- January 1, 2009- Dec. 31, 2011
- Mark Ewing- January 1, 2009- Dec. 31, 2011
- Colleen Unema- January 1, 2009- Dec. 31, 2011

Other Committee Members and their terms are:

- Meg Krieg - January 1, 2007-Dec. 31,2009
- Kim Hendricks- January 1, 2007-Dec. 31,2009
- Wes Herman January 1, 2008-Dec. 31, 2010
- Jeff Davis January 1, 2008-Dec. 31, 2010

RECOMMENDED ACTION: Motion to approve the Mayor's appointment of Mark Ewing, Judy McCombs, and Colleen Unema to 3- year terms on the City of Lynden Park and Trail Advisory Committee. Terms to expire Dec. 31, 2011
COUNCIL ACTION:

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: January 5, 2009

AGENDA ITEM: Setting The Final 2009 Property Tax Levy		AGENDA SECTION: Unfinished Business
PREPARED BY: Teresa L. Camfield, CPA Finance Director	COUNCIL REVIEW: <input checked="" type="checkbox"/> Finance <input type="checkbox"/> Public Safety <input type="checkbox"/> Parks <input type="checkbox"/> Public Works <input type="checkbox"/> Comm Dev. <input type="checkbox"/> Not Reviewed	AGENDA NO.: IV - A
ATTACHMENTS: Ordinance No. 1345	LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable	APPROVED BY: <i>T. Camfield</i>

The City of Lynden is required by State regulations to adopt a 2009 property tax levy. On November 3, 2008 the Council approved Ordinance No. 1339 which was passed relying on the preliminary figures for the assessed valuation of the city's tax base as provided by the County Assessor at that time.

The original executive summary presented to council on November 3, 2008 indicated that an ordinance setting the final, exact levy would be forwarded to the Finance Committee and Council for consideration when the County Assessor's office provided the final 2009 assessed valuation figures. The County Assessor's office has provided the final numbers at this time. For Council information, the final calculations result in a total dollar levy amount of \$2,348,041.80. Per Council's direction, this includes the 1% plus banked capacity as well as \$30,110 from the annexation of East Lynden. This total dollar levy reflects a per \$1,000 of assessed valuation of \$1.81726, an increase of approximately 8.4 cents from the 2008 rate of \$1.73320.

The Finance Committee will review this ordinance at their committee meeting prior to the council meeting on January 5, 2009.

RECOMMENDED ACTION: That the Council approves Ordinance No. 1345 as presented and authorizes the Mayor's signature.
COUNCIL ACTION:

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: January 5, 2009

AGENDA ITEM: 2009 Council Committee Assignments, Liaisons and Special Appointments, and Mayor Pro-Tem		AGENDA SECTION: New Business
PREPARED BY: Bill Verwolf	COUNCIL REVIEW: <input type="checkbox"/> Finance <input type="checkbox"/> Public Safety <input type="checkbox"/> Parks <input type="checkbox"/> Public Works <input type="checkbox"/> Comm Dev. <input checked="" type="checkbox"/> Not Reviewed	AGENDA NO.: V-A
ATTACHMENTS: -Committee Assignments List -Liaisons and Special Appointments	LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed	APPROVED BY:

Mayor Louws has reviewed the Council Committee Assignments and the Liaisons and Special Appointments and he recommends that the current Council members and chairpersons remain as is for the year 2009. Attached are copies of the Committee Assignments and the Liaisons and Special Appointments for your consideration and discussion.

Mayor Louws requests that the Council select a Mayor Pro-Tem for the year 2009.

RECOMMENDED ACTION:

A motion that the Committee assignments and the Liaisons and Special Appointments be confirmed.

A motion to appoint a Mayor Pro-Tem.

COUNCIL ACTION: