

**MINUTES**  
**Ferndale City Council Meeting**  
**Held Monday, May 17, 2004**  
**City Hall Annex Building – 5694 Second Avenue**  
**7:00 p.m.**

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**PRESENT BY ROLL CALL:**

**Councilmember Steve Oliver**  
**Councilmember Mike Reilly**  
**Councilmember Susan Cole**  
**Councilmember Ron Wilson**

**Councilmember Mel Hansen**  
**Councilmember Marianne Elgart**  
**Councilmember Carol Brumet**

**STAFF:**

**City Clerk Linda Knutson**  
**City Treasurer Mark Peterson**

**Police Chief Dale Baker**

**Mayor Jerry Landcastle Presiding**

**CALL TO ORDER**

**Mayor Landcastle called the meeting to order at 7 p.m.**

**CONSENT AGENDA**

***The following consent agenda was moved for approval by Councilmember Wilson and seconded by Councilmember Brumet:***

1. Approval of Minutes of 5/03/2004 Council Meeting
2. Approval of Claims Run for May, 2004; Checks #41405 - #41565; Total Claims: \$1,424,214.86

**Discussion:**

Councilmember Elgart noted that the minutes from the May 3<sup>rd</sup> Council meeting reflected that she had seconded the motion to approve the EMS Committee agreement. While she did second the motion, she did so only to allow the matter to go forward with Council discussion.

*(Clerk's Note to Minutes on Seconding Motions: Robert's Rules of Order – 9<sup>th</sup> Edition: "A second merely implies that the seconder agrees that the motion should come before the assembly and not that he necessarily favors the motion. A member may second a motion because he would like to see the assembly go on record as rejecting the proposal, if he believes a vote on a motion would have such a result. " Section 4 : Handling Motions p.38)*

***Motion passed unanimously.***

**PRESENTATION – SMALL BUSINESS DEVELOPMENT CENTER – WWU**

Tom Dorr and Sherry Damon were present to review for the Council the services that the Small Business Development Center has been providing to Whatcom County. Operating with grants and donations, the Center has consulted with more than 2,500 businesses within Whatcom County over the past year at no charge. The Center conducts surveys, productivity analysis, seminars, and collects statistics, all to aid in business retention and expansion. Dorr added that a successful business core needs to have strong commitment from the City, the Chamber of Commerce and business resources such as the SBDC and the SBA. He also suggested that elected officials should make a point of visiting community businesses to listen to concerns and suggestions.

**REPORT – 2010 COMMITTEE**

Jim Elliott presented a report regarding the first of many regularly scheduled meetings of the 2010 Committee, which has been formed to help Whatcom County prepare for the 2010 Olympic Games to be

held at Whistler, BC. The Committee has been in contact with officials from Utah regarding their hosting of the games in 2002, and using statistics to help gauge impacts.

Mr. Elliott will report quarterly on the progress of this planning.

### **BRIDGE CLOSURE – TRAFFIC FLOW / ROUTE CHANGE**

#### **Streets and Utilities Committee Discussion Item**

Mayor Landcastle reviewed a schematic showing the proposed traffic route for the scheduled bridge closure. The map area shows traffic being routed in a one-way circular configuration from Second and Washington to Portal Way. The route will be established several days in advance of the bridge closure.

### **INTERLOCAL AGREEMENT WITH PORT OF BELLINGHAM FOR SMALL CITIES FUNDING**

#### **Planning and Judicial Committee Action Item**

Mayor Landcastle reviewed that the City had recently submitted two grant applications to the Port of Bellingham. The grants were to assist in economic development for 1) engineering work on a possible intertie between Nordic and LaBounty, and 2) funding to help complete Shoreline Master Program work. The Port will be evaluating the grant applications, and asks that the City complete this proposed Interlocal agreement to satisfy audit and grant award requirements of both the Port of Bellingham and the City.

***It was moved by Councilmember Cole and seconded by Councilmember Wilson to approve the Interlocal Agreement between the Port of Bellingham and the small cities for the POB funding program.***

#### **Discussion**

The Agenda Bill for this item showed that the two grants requested were for \$5,000 each and that they had already been approved. This was corrected to show that the intertie grant request was for \$25,000 and the Shoreline work was for \$10,000 and that both grant requests are under consideration.

***Motion passed unanimously.***

### **REVISED ENGINEER ORDINANCE #1321**

#### **Planning and Judicial Committee Discussion Item**

Mayor Landcastle reviewed that at the Council meeting of May 3<sup>rd</sup>, staff was directed by Council to revise the proposed engineer position ordinance to include language that would establish the position as a Professional Engineer. The revised ordinance was submitted for review with the requested changes. The Planning and Judicial Committee asked that language be added to include the Planning Department in designated areas of assistance in section 3.

***It was moved by Councilmember Hansen and seconded by Councilmember Reilly to approve Ordinance #1321. Motion passed five-to-two, with Councilmembers Brumet and Wilson voting no.***

### **NON-REPRESENTED EMPLOYEE AGREEMENT**

#### **Planning and Judicial Committee Discussion Item**

The Council reviewed a Memorandum of Agreement as to Employment, which would affect the non-represented employees of the City. The agreement is basically the same agreement that the Committee had reviewed last year, but included new provisions regarding cost sharing on medical premiums. The affected employees have agreed to pay five-percent of their medical premiums, and 15% of the medical premiums covering spouses and/or dependents. Also included is a severance package that would cover three months of salary and medical benefits under specified separation circumstances.

**Motion**

***It was moved by Councilmember Hansen and seconded by Councilmember Elgart to approve the Non-Represented Employee Agreement.***

**Discussion**

Councilmember Oliver disagreed with the severance package outlined in the agreement, saying it was his opinion that such was not appropriate for public employees. He added that compensation for non-represented employees should be fair and equitable.

Councilmember Reilly did not feel that medical premium cost sharing was fair to the non-represented employees unless it was instituted for all employees.

Councilmember Hansen felt that the severance package was acceptable, but should require a minimum employment period of two years.

**Motion**

***It was moved by Councilmember Reilly and seconded by Councilmember Hansen to send the agreement back to Planning and Judicial for consideration of comments made at this meeting.***

***Motion passed unanimously.***

**MAYOR REPORTS**

- Mayor Landcastle thanked Councilmember Brumet for her work as Chair of the Boys and Girls Club Auction, held the previous weekend. The event raised over \$190,000 and was attended by more than 450 people.
- Mayor Landcastle presented a Proclamation naming June 5<sup>th</sup> as “Bellingham Scottish Highland Games Day” in the City of Ferndale. This event brings thousands of visitors to Ferndale and Hovander Park each year.

***It was moved by Councilmember Cole and seconded by Councilmember Wilson to support the Proclamation naming June 5<sup>th</sup> as Bellingham Scottish Highland Games Day in the City of Ferndale. Motion passed unanimously.***

**COUNCIL REPORTS**

**Councilmember Wilson** noted that the recent Mail Carrier Food Drive brought in over 8,000 pounds of non-perishable food for the Ferndale Food Bank.

**ADJOURNMENT**

There being no further scheduled City business, the meeting was adjourned at 7:50 p.m.

**ATTEST:**

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Jerry Landcastle, Mayor

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Linda Knutson, City Clerk

**ATTACHMENT A:**

**MINUTES  
Planning and Judicial Committee  
Held Wednesday, May 12, 2004  
City Hall Conference Room  
11 a.m.**

**COMMITTEE:** Councilmembers Cole and Elgart  
**ADMINISTRATION:** Linda Knutson, Tom Black

**PRELIMINARY DRAFT CODE REVISIONS**

Planning Director Black reviewed preliminary draft code revisions affecting current language under the General Commercial, Light Industrial, and Manufacturing zones. The revisions are proposed in order to open up the GC zone to a wider variety of uses than are currently permitted. Items that are usually allowed in GC are not included, for whatever reason. The proposed revisions would make most uses that are allowed by right or by conditional use permit in the CB and HC zones allowable in the GC zone. It would also allow a mixture of uses, not otherwise permitted in the underlying zone, if processed by way of a PUD.

The Committee agreed with Director Black that revisions were necessary, and that the revisions should go forward to the Planning Commission for detailed review and recommendation to the full Council.

**INTERLOCAL AGREEMENT WITH PORT OF BELLINGHAM FOR SMALL CITIES**

City Clerk Knutson reviewed that the City had recently submitted two grant applications to the Port of Bellingham. The grants were to assist in economic development for 1) engineering work on a possible intertie between Nordic and LaBounty, and 2) funding to help complete shoreline work. The City was awarded the two grants at \$5,000 each, and now must complete this proposed Interlocal agreement to satisfy audit and grant award requirements of both the Port of Bellingham and the City.

***It was moved by Councilmember Cole and seconded by Councilmember Elgart to recommend approval to the full Council of the Interlocal Agreement between the Port of Bellingham and the small cities for their funding program. Motion passed unanimously.***

**REVISED ENGINEER ORDINANCE**

At the last regular Council meeting, staff was directed by Council to revise the proposed engineer position ordinance to include language that would establish the position as a Professional Engineer. City Clerk Knutson submitted for review a revised ordinance with the requested changes. The Committee asked that language be added to include the Planning Department in designated areas of assistance (section 3). The Committee also expressed some concern that the City Clerk had created the ordinance, rather than the Public Works Director and/or Planning Director, who would more directly know what the position would entail and require.

***It was moved by Councilmember Cole and seconded by Councilmember Elgart to forward the revised Ordinance to the full Council for discussion. Motion passed unanimously.***

**NON-REPRESENTED EMPLOYEE AGREEMENT**

City Clerk Knutson presented the Committee with a Memorandum of Agreement as to Employment, which would affect the non-represented employees of the City. The agreement is basically the same agreement that the Committee had reviewed last year, but included new provisions regarding cost sharing on medical premiums. The affected employees have agreed to pay five-percent of their medical premiums, and 15% of the medical premiums covering spouses and/or dependents. Also included is a severance package that would cover three months of salary and medical benefits under specified separation circumstances.

***It was moved by Councilmember Elgart and seconded by Councilmember Cole to forward the Non-Represented Employee Agreement to the full Council. Motion passed unanimously.***

## **SUBJECT FOR UPCOMING P&J MEETING**

Committee Chair Cole suggested that a procedure for addressing burned-out streetlights be discussed at the next Committee meeting. The current procedure has been in place for several years and does not seem to be adequate or timely.

## **ATTACHMENT B:**

**MINUTES**  
**Street and Utilities Committee**  
**Held Wednesday, May 12, 2004**  
**City Hall Conference Room**  
**7:30 a.m.**

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**COMMITTEE:** Councilmembers Reilly, Oliver, and Hansen  
**ADMINISTRATION:** Jerry Landcastle, Linda Knutson, Bob Cecile

### **STOP SIGN LOCATIONS**

Public Works Director Cecile noted that several areas in the City have stop sign and yield sign locations that are confusing and conflicting. Public Works will be mapping these locations and recommending changes. Cecile also pointed out that a mapping log for signage will be established which will note changes to sign locations, along with notations/explanations for changes.

### **BRIDGE CLOSURE: TEMPORARY TRAFFIC FLOW ROUTES**

Public Works Director Cecile presented a schematic showing the proposed traffic route, which proposes traffic flow changes during the bridge closure. The map area shows the alternate traffic being routed in one-way circular configuration from Second and Washington to Portal Way. The Committee and staff reviewed some potential signing and barricade issues that will be "tweaked" before completion of the route.

***The Committee asked that the full Council be apprised of the routing proposal at the next regular meeting, as an informational item.***

### **UPCOMING MAIN STREET CHANGE ORDERS**

Several change orders relating to the Main Street Project will soon be coming to the Council for review. Director Cecile asked the Committee how much detail they would require for such review. He noted that change orders are constantly being evaluated and negotiated before they come to Council. He further noted that state agencies have approved extra funding for the completion of the project that should cover the remaining change orders, adding that the City's share is twenty percent.

### **OTHER UPDATES**

**Malloy Project** – The Malloy Project is still progressing, with some right-of-way issues still being processed. DOT and TIB would like the City to bid the project as soon as it is completed in order to evaluate funding options.

**Douglas Project** - The Douglas Project was effectively shelved when funding was diverted to the Main Street Project. As of yet, that project has not been re-instituted.

**BNSFRR Road Negotiations** – The City continues to regularly meet with Rail Road officials, and are dealing with some property issues.

**Rural-Sunset Project** – The Rural and Sunset Project is proceeding quickly, with few issues.

**Six Year Transportation Plan** – The Six Year Transportation Plan for this year will be presented to the Committee shortly for revisions and re-prioritization.