

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

PRESENT BY ROLL CALL:

Councilmember Steve Oliver	Councilmember Mike Reilly
Councilmember Susan Cole	Councilmember Carol Brumet
Councilmember Ron Wilson	

ABSENT: **Councilmember Mel Hansen (Excused)**
 Councilmember Marianne Elgart (Excused)

STAFF: **City Clerk Linda Knutson**

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 Brumet and seconded by Councilmember Wilson:

1. Approval of Minutes of 05/17/2004 Council Meeting
2. Approval of Minutes of 05/24/2004 Special Council Meeting
3. Approval of Payroll of 05/18/04; Auto-Deposit Amount: \$97,318.08; Checks #22220 - #22210 Amount: \$32,859.22; Total Payroll: \$130,177.50
4. Approval of Payroll of 06/03/04; Auto-Deposit Amount: \$103,347.22; Checks #22211 - #22221 Amount: \$33,953.16; Total Payroll: \$137,300.38

Motion passed unanimously.

TRAFFIC UPDATES AT AND NEAR PROJECT SITES

Mayor Landcastle updated the assembled on the various traffic patterns and problems arising from the different projects in and around the City.

At the Portal Way freeway entrance, flaggers have been positioned during peak flow. The one-way circular from Washington to Portal Way has been working well, and Streets and Utilities will review this configuration for a possible long-term arrangement.

June 3rd and 4th brought in many complaints from irate travelers at the Slater Road due to the resurfacing project at that location by the County, coupled with Slater being a main alternate route during the bridge closure. The resurfacing had been scheduled for the week prior to the bridge closure, but was delayed due to weather.

On the Main Street Bridge, surface cleaning and concrete removal has been completed, and approach grading is in process.

PUBLIC COMMENT

Arlene Ferguson, 5606 First Avenue (P O Box 1182), is engaged in a dispute with a neighboring property owner over a fir tree. During strong winds, the tree drops limbs on her garage and property. The City's Code Enforcement Officer has contacted the neighbor asking him to trim the tree, which he

did, but not to Ms. Ferguson's satisfaction. Ms. Ferguson was told that the City will send one last letter to her neighbor, however this is a civil dispute that should be settled between property owners.

CHANGE ORDERS – PUGET SOUND ENERGY

Streets and Utilities Committee Action Item

Mayor Landcastle stated that PSE personnel brought two unresolved change orders from September of 2003 to Director Cecile's attention. The change orders consist of the relocation of two power poles, apparently not covered under the PSE agreement, totaling \$10,179.41. The former Public Works Director had approved the process in order to move the Main Street project along, and was looking into the agreement. Regardless, he said, the change orders need to be addressed.

Councilmember Reilly recalled that this item had come before the Committee last year, and it had been determined that the two poles in question were not covered by the PSE project agreement.

It was moved by Councilmember Reilly and seconded by Councilmember Oliver to approve the PSE change orders totaling \$10,179.41. Motion passed unanimously.

BASKETBALL COURT AT MICHAEL MOORE PARK

Recreation and Finance Committee Action Item

Mayor Landcastle reported that Asha Christensen, a resident of Shields Estates, attended the last Recreation and Finance Committee meeting to discuss the possibility of construction of a basketball court to be located in Michael Moore Park. Ms. Christensen had raised over \$1,500 to facilitate the construction, and has done much of the legwork involved in costing out the project, which includes a 25-foot by 30-foot concrete court with a high grade, anchored adjustable hoop. Ferndale Redi-Mix is donating labor and will charge for the concrete at-cost.

The proposed placement of the court deviates somewhat from the original plan in the Comprehensive Parks and Recreation Plan, which includes long-range installation of softball and soccer areas. Mayor Landcastle pointed out the deviation on a map of the Park.

It was moved by Councilmember Reilly and seconded by Councilmember Brumet to allow for the deviation from the Parks Comprehensive Plan in the placement of the basketball court at Michael Moore Park. Motion passed unanimously.

REQUEST FOR DECLARATION OF SURPLUS VEHICLES

Administration Action Request

Mayor Landcastle provided a list of vehicles proposed for surplus, stating that new vehicles for Police and Public Works are now in place. City Administration is attempting to surplus items as soon as they are replaced to eliminate storage problems and unsightly accumulation areas.

Councilmember Cole pointed out that she would like to see a mechanic's report on the condition of each vehicle, as has been done in the past. Two of the vehicles on the list appear to have low miles, and might be better served if moved to the City car pool. Councilmember Reilly agreed, and added that he would like to see how the older truck that has been used for sanding and snow plowing would be replaced before declaring it surplus.

It was moved by Councilmember Reilly and seconded by Councilmember Oliver to declare the 1989 Chevy S10, the 1981 Dodge D150, the 1984 Chevy C20, and the 1990 Dodge 250 as surplus vehicles, while evaluating the two Chevy Luminas for alternative City transportation, and a report on how the 1976 Dodge is being replaced. Motion passed unanimously.

CITY ADMINISTRATOR POSITION

Administration Action Request

Mayor Landcastle reviewed the biography and resume of Mr. Greg Young, who has been working part-time for the City for several months in the finance department through a contracted agency. Mr. Young has an extensive background in municipal finance, planning and economic development, and is also a former Washington State Auditor.

Mayor Landcastle stated that he has been looking at candidates for this position since late January, and he feels Greg Young will be “a huge asset and benefit to the City of Ferndale”.

Councilmember Reilly noted that Mr. Young appeared to be well qualified for this position, and he that he would like to review the job description, and gauge the budget impact for 2004.

Councilmember Oliver was less concerned about the job description, and felt that while the budget will be exceeded, this is an extremely important position for moving through issues and handling ongoing problems. He said that this is a significant investment for the City, and that he hopes to see significant returns.

Councilmember Brumet stated that she was impressed with Mr. Young’s credentials and felt this position could eventually pay for itself through efficiency and economic opportunities.

Councilmember Wilson was also impressed with Mr. Young’s background and said he fully supported his confirmation.

It was moved by Councilmember Reilly and seconded by Councilmember Brumet to confirm Greg Young’s appointment to City Administrator. Motion passed unanimously.

COUNCIL REPORTS – COMMENTS

Councilmember Reilly asked for an update regarding the open Engineer position. Mayor Landcastle stated that administration was still in the process of recruiting for the Planner position, and would begin the process for the Engineer in late June.

Councilmember Wilson presented a brief update on the Tosco Complex Bleacher Project, saying that interest businesses, industries, and individuals could donate tax-deductible funds to the Whatcom Parks and Recreation Foundation, who in return can purchase bleachers at a reduced price. Councilmember Wilson also asked that Recreation and Finance consider a study to sell a park property.

Elinor King, who sits on the Parks and Recreation Advisory Board, added that the Board remains very concerned about the removal of unsafe trees at Pioneer Park, and hopes that such removal will be accomplished judiciously.

SET COMMITTEE MEETINGS

Streets and Utilities	June 9	7:30 a.m.
Recreation and Finance	June 9	8:30 a.m.
Planning and Judicial	June 9	11:00 a.m.
Planning and Judicial	June 21	8:00 a.m.

ADJOURNMENT

There being no further scheduled City business, the meeting was adjourned at 8:15 p.m.

ATTEST:

Jerry Landcastle, Mayor

Linda Knutson, City Clerk

Attachment A:

**MINUTES
Recreation and Finance Committee
Held Monday, May 24, 2004
City Hall Conference Room
9 a.m.**

COMMITTEE: Councilmembers Wilson and Elgart
ADMINISTRATION: Jerry Landcastle, Linda Knutson, Bob Cecile
STAFF: Forrest Pederson
ENGINEERS: Greg Ebe, Jim Hobbs

CONSIDERATION OF BIDS: TOSCO SPORTS COMPLEX FIELD HOUSE

Engineer Hobbs stated that the bid opening for the Tosco Sports Complex Field House had taken place on Friday afternoon. Three bids were received, with the lowest bidder being Pottle and Sons Construction at \$273,400 for a base bid. The Engineer’s estimate for this project was between \$180,000 and \$200,000.

Engineers Hobbs and Ebe stated that several factors were attributable to the higher than anticipated bids. They noted that material costs have risen up to 30-40% in the past three months. Also, additional fill and excavation was added after soils testing. Finally, it was felt that an unfavorable bid climate was present due to the small number of bidders.

Administration recognized factors resulting in the high bids and felt that it would be worthwhile to check for any available funding to supplement the current budget. Noting that Council action is not need for 45 days from bid opening, this allows time to explore funding options.

HAZARDOUS TREES AT PIONEER PARK

Public Works Laborer Forrest Pederson reviewed that the Department of Natural Resources can provide an arborist to evaluate unhealthy trees at Pioneer Park at no cost to the City. This will be pursued through the Public Works Department.

BASKETBALL COURT AT MICHAEL MOORE PARK

Asha Christensen, a resident of Shields Estates, was present to discuss the possibility of construction of a basketball court to be located in Michael Moore Park. Ms. Christensen has raised over \$1,500 to

facilitate the construction, and has done much of the legwork involved in costing out the project, which includes a 25-foot by 30-foot concrete court with a high grade, anchored adjustable hoop. Ferndale Redi-Mix is donating labor and will charge for the concrete at-cost.

The proposed placement of the court deviates somewhat from the original plan in the Comprehensive Parks and Recreation Plan, which includes long-range installation of softball and soccer areas.

It was moved by Councilmember Wilson and seconded by Councilmember Elgart to allow for the deviation from the Parks Comprehensive Plan in the placement of the basketball court at Michael Moore Park. Motion passed unanimously.

HORIZON VIEW PARK DISCUSSION

The Parks Board had asked Councilmember Wilson to check the feasibility of selling Horizon View Park as "surplus property". The Board felt that perhaps selling the property could raise some revenue for the Park Fund budget. Administrations stated that the origin of the Park must be researched. Many factors are involved in the establishment of park areas. Staff will research.

Attachment B:

**MINUTES
Street and Utilities Committee
Held Wednesday, May 19, 2004
City Hall Conference Room
7:30 a.m.**

COMMITTEE: Councilmembers Oliver and Hansen
ADMINISTRATION: Linda Knutson, Bob Cecile
GUESTS: Kevin Demers, Al Brockley from Cedars R.V. Park

FRONTAGE IMPROVEMENTS – CEDARS R.V.

Cedars R.V. Park on Portal Way is planning an expansion of fifty more spaces at their site. This planned expansion has triggered a requirement for frontage improvements of approximately 1,000 feet in front of the park along Portal Way. The park is also in the process of hooking up to City sewer.

Kevin Demers, Cedars R.V. owner, stated that each added space in the park will cost around \$6,000. He estimates that frontage improvements will cost \$125,000 or more. He questioned why this requirement was being applied to him, and not to other businesses that have built or improved on Portal Way, such as a daycare and restaurant. Mr. Demers also questioned if "spot improvements" were good for the overall area. He stated he was willing to pay into a fund, or take part in an improvement district, in order to have all property owners on Portal Way do their part to improve frontage.

The Committee was concerned about how and why frontage requirements are imposed, as on the surface they do appear to be inequitably applied. Staff was asked to look at policy for consistency application, new construction versus existing remodels, the addressing spot improvements (or islands of sidewalks, curb, and gutter). If no clear policy exists, the Committee feels that one should be formulated or clarified as soon as possible.

BIOSOLIDS REMOVAL – BID SUBMITTAL

Director Cecile stated that the City received one bid proposal for biosolids removal from the treatment plant. Fire Mountain Arms, Inc. from Cinebar, Washington submitted a bid of \$48,636.20. Anvil Corporation, who is coordinating the biosolids project, confirmed that this company is reputable, and experienced in this type of removal and application.

It was moved by Councilmember Oliver and seconded by Councilmember Hansen to recommend acceptance of the bid of \$48,636.20 for biosolids removal and land application. Motion passed unanimously.

Still to be determined is the land-lease project for crop planting, most likely that of silage corn.

CHANGE ORDERS – PUGET SOUND ENERGY

PSE personnel brought two unresolved change orders from September of 2003 to Director Cecile's attention. The change orders consist of the relocation of two power poles, apparently not covered under the PSE agreement, totaling \$10,179.41. The former Public Works Director had approved the process in order to move the project along, and was looking into the agreement. Regardless, the change orders need to be addressed.

It was moved by Councilmember Hansen and seconded by Councilmember Oliver to forward the change orders to the full Council. Motion passed unanimously.

Attachment C:

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

COMMITTEE: Councilmembers Brumet and Elgart

ADMINISTRATION: Jerry Landcastle, Linda Knutson, Tom Black, Dale Baker

BLOMQUIST ANNEXATION – LETTER OF INTENT

The City has received a Notification of Intent to Annex from David Evans and Associates, representing the Blomquist family. This is the third submission from the Blomquists, as there is no statute limiting the number of times Intent letters can be introduced.

Councilmember Elgart asked where the City was in the UGA process. Mayor Landcastle responded that the City is concentrating on UGA changes to the north of the City, rather than the previously studies areas to the east and west.

It was moved by Councilmember Elgart and seconded by Councilmember Brumet to move the Blomquist Letter of Intent to Annex forward to the full Council at their second regular meeting in June.

PROPOSED AGREEMENT WITH NON-REPRESENTED PERSONNEL

This item was sent back to the Planning and Judicial Committee by the full Council at the May 17th meeting for further study. Some members of the Council had concerns regarding severance pay, medical premium cost sharing, and minimum employment requirements.

Councilmember Elgart stated that she would like to see information from other jurisdictions regarding non-represented, at-will employees. In discussing cost-sharing issues, Mayor Landcastle felt that as it could become an issue in collective bargaining, a more appropriate venue would be executive session. Councilmembers Brumet and Elgart both felt that there should be more leeway for administration to negotiate severance, rather than a straight three-month package.

This item will return to the committee after the requested information has been gathered.