

MINUTES
Ferndale City Council Meeting
Held Monday, April 3, 2006
City Hall Annex – Council Chambers
7 p.m.

ROLL CALL:

Councilmember Steve Oliver
Councilmember Mike Reilly
Councilmember Gary Jensen

Councilmember Mel Hansen
Councilmember Ken Downey
Councilmember Keith Olson

ABSENT: Councilmember Marianne Elgart (Excused)

STAFF:

City Administrator Greg Young
City Treasurer Mark Peterson
Public Works Director Bob Cecile
City Attorney Richard Langabeer

City Clerk Linda Knutson
Planning Director Tom Black
Police Chief Michael Knapp

Mayor Jerry Landcastle Presiding

COUNCIL WORKSHOP: STORM DRAINAGE ISSUES, PROJECTS, FUNDING

5 p.m. – 6:50 p.m.

A Council Workshop and Open House was held to consider the matter of establishing storm drainage fees. Ongoing and deferred maintenance discussion centered on the City's catch basins.

Jerry Popovice felt that cost estimates contained in the public information mailings were inexact and confusing.

Jack Faulkner wasn't sure who the public information mailings were from, saying that they should have been printed on city letterhead and signed by the author. He also stated that he was upset with the City for putting off maintenance on the catch basins for so many years.

Staff explained that the City staff has been trying for years to institute a fee to fund maintenance on the City's extensive system of catch basins, detention and retention ponds. There has been neither the money nor the manpower to keep up with the demands.

Horace Eickmeyer said that all the ponds and catch basins were potential breeding grounds for the West Nile Virus, which his wife has recently contracted near the east coast.

Steve Malpezzi asked for clarity on the history of state and federal regulations regarding mandates for clean water.

Pete Sanders stated that the water in the ditch near his home is frequently covered with oil or gasoline sheen, and he understands the need for regular maintenance.

Ernie Heinrich asked about groundwater infiltration into the sanitary sewer. Public Works Director Cecile stated that the ground water is transported to the treatment plant where it is treated and released into the river, which is expensive and unnecessary.

Councilmember Downey noted that violations of the Clean Water Act can be assessed up to \$10,000 per day, every day, until a violation is corrected. He said he would not like to see the City's money being spent to pay those kinds of penalties.

Rich Wageman first asked how the fee of \$6.50 per month was arrived at, and then said that although he disliked paying for "neglected maintenance", he understood that it was needed.

Follow up discussion centered on the proposed fee of \$6.50 per month, and how collected monies would be allocated for maintenance. Public Works has checked into several companies who could contract to clean the basins. A cost analysis has been done to compare contracted versus City labor and equipment costs.

Council then discussed how a fee might equitably applied for residential, multi-family, commercial, and industrial. It was questioned whether there should be a flat fee for each category, or if impervious surface should be measured. In the commercial and industrial categories, would the fee be based on number of employees or amount of square footage?

Staff will return to the Council with fee application guidelines and suggestions.

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 Oliver and seconded by Councilmember Jensen:

- Approval of Minutes of Council meeting of March 20, 2006
- Approval of Payroll of March 30, 2006 – Check #22944 in the amount of \$104.29 – 1st qtr. L&I for SCOPE
- Approval of Payroll of April 3, 2006 – Auto Deposit amount \$118,551.82; Checks #22945 - #22956 amount: \$45,229.40; Total Payroll: \$163,851.22
- Approval of Claims Run of April 3, 2006 – Checks #56354 - #45427; no voids, Totaling \$621,440.94
- Approval of SCADA system project - \$37,824.00 (previously approved and budgeted)
- Approval of generator purchase - \$29,974.61+ set up (previously approved and budgeted)

Motion passed unanimously.

PUBLIC COMMENT

Brent Goodrich, Ferndale, thanked Mayor Landcastle and City staff for the recently held Ferndale University classes. He said the information provided was educational and worthwhile, and recommended it anyone wanting to know more about city government.

Mayor Landcastle thanked Mr. Goodrich and said that a new course will be offered in the fall.

Kenny Littrell, Ferndale, and Mike Pennylegion, Blaine, spoke about the new Conoco-Phillips Sports Complex fields and possible use by youth teams. They both felt that the fields in Pioneer Park are inadequate and not maintained, and that the Complex fields are going to waste from non-use. The Council determined that this issue will be taken up by the Recreation and Finance Committee on April 12th at 8:30 a.m. Mr. Littrell and Mr. Pennylegion were asked to bring a plan to that meeting.

MALLOY – VISTA ROUNDABOUT PROJECT – ENGINEERING AUTHORIZATION

Public Works Director Cecile stated that the Washington State Transportation Improvement Board had recently authorized additional funds for the Malloy Project, and the City is ready to proceed with detailed roundabout engineering. The Council had expressed earlier that they were not certain they wanted to proceed with a roundabout, as this project had started with a signalization configuration several years ago, and project costs were escalating. To assist in the Council's decision of whether to proceed,

abandon or change the project, Steve Gorcester was present to discuss the situation. Mr. Gorcester is the Executive Director of TIB.

Mr. Gorcester first noted that the TIB has a long and successful history of partnering with the City to fund major improvement projects, such as the Main Street improvements and the bridge rehabilitation. The proposed roundabout project is slated to receive over one million dollars in TIB support, with the City's share amounting to just under one million, depending on right-of-way requirements.

The intersection of Malloy and Vista has historically had two to three times the number of accidents than what is deemed acceptable. The history of how the project had evolved, Mr. Gorcester said, began as a controlled, signalized intersection, coupled with the closing of Shukson Street. The Ferndale School District was opposed to the closure, and resistant to fully cooperating with the project as proposed. After nearly a year of discussions back and forth, Mr. Gorcester said that TIB recommended the installation of a roundabout as the best option for this troubled intersection. The City Council then authorized staff to formulate some very basic engineering for a roundabout.

The Council discussed with Mr. Gorcester the options available at this point. If the project were to be abandoned, the City would need to pay TIB funds back to the state. If the original plan for a signal was to be pursued, the City would not have the cooperation or approval of the School District or the state. If the roundabout were to be accepted, the City would need to commit to the nearly one million dollars needed for completion.

Motion

It was moved by Councilmember Hansen and seconded by Councilmember Oliver to proceed with the roundabout project on Malloy and Vista, authorizing \$103,847 for engineering costs.

Discussion

Councilmember Oliver said that although he was frustrated with the escalating costs of the project, he would support the roundabout. He said that the City needs to consider the safety of its citizens and not delay the project any longer.

Councilmember Downey agreed, saying it does not make sense to abandon a project that has already cost several thousand dollars, and solves a major traffic safety issue.

Councilmember Olsen said he would also support the motion, based on the economics of the investment of project funds to date.

Councilmember Reilly said that while he would reluctantly support the motion and the project, he had real concerns about the cost.

Councilmember Oliver responded that he too was concerned about project costs, but the responsibility of the Council was to address the safety needs of the citizens.

Vote

Motion passed unanimously.

BOYS AND GIRLS CLUB FACILITY IN PIONEER PARK

Mayor Landcastle reviewed that there have been several discussions over the past year regarding a new Boys and Girls Club to replace the aging Club presently located at Pioneer Park. During the last discussion it was determined that the Heritage Society, Old Settlers Association, and Boys and Girls Club would meet with their boards and membership to discuss where, in their opinions, would be the most suitable placement of the Club.

At the Recreation and Finance Committee meeting of March 29th, the stakeholder groups offered the following:

- The Heritage Society favored the current site of the Club, with either a new or remodeled building.
- The Old Settlers Association preferred a remodel of the current building in its present site.
- The Boys and Girls Club Corporate Board preferred to relocate to the corner of Second Avenue and Cherry Street.

Representatives of the three groups, Council, and City Administration talked at length about the advantages and disadvantages of the proposed locations. Issues included green space, visibility, setbacks, parking, aesthetics, footprints, etc. Josh Wilund of the B&G Club noted that the public participation process would be ongoing throughout the process.

Mr. Wilund presented an artist's rendering of the Club with a log building facade, and also showing building footprints and set backs, should the Second and Cherry location be approved.

Lynn Templeton noted that we wished to keep the process and communication moving in a positive direction for all parties. He said that the actual size of a new facility would be dependant on funding.

The Council had several questions regarding the option of the current location, which was the preference of the Old Settlers and the Heritage Society. Councilmember Reilly stated that he had thought building or remodeling at the current location had been a good compromise for all of the groups. Mr. Templeton responded that the Second and Cherry was the most preferred location of the B&G Club Corporate Board, but that the Club would also be happy with the current location.

Don Imhoff, President of the Old Settlers Association, said that the OS membership was supportive of the Club remaining at its current site, with the main objection to the Second and Cherry location being the loss of green space.

Kenny Littrell, as a resident of the area, felt that the area next to the Legion should still be considered.

Kathy Chasteen, President of the Heritage Society, said that her group preferred the current site.

Louise Sager, Past President of the Heritage Society, said she supported the current site over the Second and Cherry site, and hoped that the B&G Club would consider a building configuration that would channel club members away from the historical cabin area, and toward play and sport areas.

Motion

It was moved by Councilmember Hansen and seconded by Councilmember Reilly to support the Boys and Girls Club remaining in its current location in Pioneer Park with either a remodel or new structure.

Discussion

Councilmember Oliver wondered if there would be flexibility with the footprint of the building at the current location that would allow for shifting, of angling, exterior-interior restroom additions, or other needs that might arise during the planning process.

Councilmember Hansen responded that he intended the motion to indicate some flexibility, meaning "footprint, or in that vicinity", that that the B&G Club have some "wiggle room" that would not result in the loss of grass/green space.

Vote

Motion passed unanimously.

FIVE MINUTE BREAK – 8:55 P.M. TO 9 P.M.

The meeting was called back to order.

PIONEER TERRACE PLAT – CONNECTIVITY RECONFIGURATION

Planning Director Black reviewed that at the last Council meeting, the Council approved the Pioneer Terrace Subdivision, a project by Homestead Northwest consisting of several four-plexes. A condition of that approval was that a neighboring plat be allowed connectivity through an adjoining roadway, in order to avoid putting traffic directly onto Vista, while not land-locking the adjoining subdivision. Planners met with Homestead officials who presented a revised drawing showing the configuration that included connectivity to the neighboring plat. The Street and Utilities Committee agreed that the revised drawing accomplished the connectivity they were seeking in their approval.

The Committee's main concern was frontage improvements, and most specifically regarding sidewalks from the front of the project on Seamount and extending to Vista. There was much discussion on the plans to upgrade infrastructure along that same stretch, and whether newly installed sidewalks and street improvements would be "torn up" during such an upgrade. Councilmember Hansen felt that it was critical to install the sidewalks at the very least, and that it was his understanding that the Hearings Examiner had conditioned this. He and Councilmember Reilly said that reconsideration of the approval might be in order.

Michelle Thompson, Homestead Northwest Planner, stated that her engineer was also the engineer for the neighboring plat, and that they had reconfigured the connectivity to accommodate both plats and allow for ingress and egress on Seamount. Part of the revised plan also allows both plats to share a common detention pond. What Homestead is now proposing, she said, is to extend full improvements from the plat's frontage to Vista. In order to avoid the improvements being destroyed when the City does its own upgrades to this area, Homestead will do the full improvements now and have the City pay their pro-rata share of what they would have done.

City Treasurer Mark Peterson stated that there were funds available, through interfund loans, to accommodate this proposal.

It was moved by Councilmember Hansen and seconded by Councilmember Reilly to direct staff to prepare and enter into a developer's agreement with Homestead to construct ¾ street improvements, from the Pioneer Terrace frontage to Vista Avenue, including water and sewer, with City share up to \$95,000, and crediting Homestead's traffic mitigation fees towards the off-site improvements. Motion passed unanimously.

CAPITAL PROJECTS FINANCIAL PROJECTIONS

City Treasurer Peterson distributed a multi-page spreadsheet that laid out funding for the major projects that are in progress and/or anticipated to begin shortly. He explained the several sources of financing, as well as City matches, as well as those projects the City will completely fund, and projected fund balances in Real Estate Excise and Traffic Mitigation.

Councilmember Oliver expressed his appreciation to Treasurer Peterson on the "excellence" of how the City's finances are being managed, and in keeping the regularly Council informed.

Councilmember Reilly asked staff to look into when the City Hall bond would be paid off.

Lucy Morse lives in an area near the end of Church Road that is being considered for extension, and asked that Council carefully take into account the emotional value of those properties that might be affected by such an extension.

RESOLUTION 06-04-03 SUPPORTING ST. JOSEPH HOSPITAL'S CAPITAL EXPANSION PROGRAM

City Administrator Greg Young reviewed that at the last regular Council meeting, executives from St. Joseph's Hospital presented their capital expansion program that would help meet the needs of the County as it grows over the next several years. This resolution supports those efforts, and

acknowledges that such expansion plans that would include the City of Ferndale would be a major benefit to the community.

Councilmember Oliver said that any expansion effort by the hospital would be a very welcome addition to the City of Ferndale.

It was moved by Councilmember Oliver and seconded by Councilmember Reilly to approve Resolution #06-04-03 Supporting St. Joseph Hospital's Capital Expansion Program. Motion passed unanimously.

ADJOURNMENT

There being no further scheduled City business, the meeting was adjourned at 9:40 p.m.

ATTEST:

Jerry Landcastle, Mayor

Linda Knutson, City Clerk

ATTACHMENT A:

**MINUTES
Planning and Judicial Committee Meeting
Held Wednesday, March 29, 2006
City Hall Conference Room
9:45 a.m.**

PRESENT: Councilmembers Elgart, Jensen, and Downey
ADMINISTRATION: Jerry Landcastle, Greg Young, Linda Knutson, Mark Peterson

RESOLUTION 06-04-03 SUPPORTING ST. JOSEPH HOSPITAL'S CAPITAL EXPANSION PROGRAM

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It was moved by Councilmember Elgart and seconded by Councilmember Downey to recommend approval of Resolution #06-04-03 to the full Council. Motion passed unanimously.

CITY HALL ANNEX – COURT SECURITY ISSUES

Mayor Landcastle updated the Committee that there have been several incidents during Friday Court sessions that caused concern for the safety of staff and contracted personnel. It was felt that some reconfiguring of halls, doorways, and holding rooms would accomplish a better and more secure setting for Court days.

DISCUSSION ON NEIGHBORHOOD ASSOCIATIONS

Steve Malpezzi, a resident of the Heights area, said that he was involved with the newly established Steering Committee and Turn Out Task Force for Economic Development. He felt that the timing of this drive for community involvement was opportune for discussing the formation of possible neighborhood associations throughout the City. He is presently talking to people to gage their support and interest in this concept.

The Committee was supportive of this effort by Mr. Malpezzi.

ATTACHMENT B:

**MINUTES
Recreation and Finance Committee Meeting
Held Wednesday, March 29, 2006
City Hall Conference Room
9:00 a.m.**

PRESENT: Councilmembers Oliver, Jensen, and Downey
ADMINISTRATION: Jerry Landcastle, Greg Young, Linda Knutson, Mark Peterson

DISCUSSION REGARDING SITING OF BOYS AND GIRLS CLUB

Mayor Landcastle reviewed that there have been several discussions over the past year regarding a new Boys and Girls Club to replace the aging Club presently located at Pioneer Park. During the last discussion it was determined that the Heritage Society, Old Settlers Association, and Boys and Girls Club would meet with their boards and membership to discuss where, in their opinions, would be the most suitable placement of the Club.

The Heritage Society favored the current site of the Club, with either a new or remodeled building.

The Old Settlers Association preferred a remodel of the current building in its present site.

The Boys and Girls Club Corporate Board preferred to relocate to the corner of Second Avenue and Cherry Street.

Representatives of the three groups, Council, and City Administration talked at length about the advantages and disadvantages of the proposed locations. Issues included green space, visibility, setbacks, parking, aesthetics, footprints, etc. Josh Wilund of the B&G Club noted that the public participation process would be ongoing throughout the process.

At the Committee's request, ***Mr. Wilund will present an artist's rendering of the Club at the Second and Cherry location, showing building footprint, set backs, and basic configuration, at the upcoming Council meeting.***

CAPITAL PROJECTS FINANCIAL PROJECTIONS

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Councilmember Oliver expressed his appreciation to Treasurer Peterson on the "excellence" of how the City's finances are being managed, and in keeping the regularly Council informed.

ATTACHMENT C:

**MINUTES
Streets and Utilities Committee Meeting
Held Wednesday, March 29, 2006
City Hall Conference Room
7:30 a.m.**

PRESENT: Councilmembers Reilly, Hansen, and Oliver
ADMINISTRATION: Jerry Landcastle, Greg Young, Linda Knutson, Bob Cecile, Mark Peterson, Michael Jones, Corey Smith

ITEMS FOR NEXT CONSENT AGENDA

Public Works Director Cecile updated the committee on the following two items:

A generator for the Police Department is ready for purchase. This item will be funded by a Homeland Security grant and matching City funds. The generator meets the specs required by both the City and the Grantors. This item was previously approved by Council and is in the 2006 City Budget.

SCADA purchase and installation is ready to move forward. This item will enable Treatment Plant personnel to remotely operate the facility. Director Cecile noted that the Company performing this job has done work at the Plant previously, and is well regarded by staff. This item was previously approved by Council and is in the 2006 City Budget.

Administrator Young added the City Administration has been meeting regularly to formulate a pandemic emergency plan, and the SACDA and generator are both very important enhancements to the City's ability to function under emergency conditions.

SUBDIVISION CONNECTIVITY – MT. VIEW

Director Cecile asked the Committee for some historical perspective on road plans near an area of Mt. View that is proposed to be developed. He will bring more information to a future meeting.

REVISED CONFIGURATION TO PIONEER TERRACE PLAT

At the last Council meeting, the Council approved the Pioneer Terrace Subdivision, a project by Homestead Northwest consisting of several four-plexes. A condition of that approval was that a neighboring plat be allowed connectivity through an adjoining roadway, in order to avoid putting traffic directly onto Vista, while not land-locking the adjoining subdivision. Planners met with Homestead officials who presented a revised drawing showing the configuration that included connectivity to the neighboring plat. The Committee agreed that the revised drawing accomplished the connectivity they were seeking in their approval.

The Committee's main focus was on frontage improvements, and most specifically regarding sidewalks from the front of the project on Seamount and extending to Vista. There was much discussion on the plans to upgrade infrastructure along that same stretch, and whether newly installed sidewalks and street improvements would be "torn up" during such an upgrade. Councilmember Hansen felt that it was critical to install the sidewalks at the very least, and that it was his understanding that the Hearings Examiner had conditioned this. He and Councilmember Reilly said that reconsideration of the approval might be in order.

After further discussion, ***Director Cecile stated that he will work on getting some rough engineering analysis on the City's costs for infrastructure and improvements for this stretch of Seamount and have it available for the next Council Meeting.***

MALLOY ROUNDABOUT ENGINEERING

Administration updated the Committee that the Transportation Improvement Board had approved \$450,000 for the Malloy Project, which would place a roundabout on Vista near the High School. Administration was requesting Council authorization to begin full, detailed engineering for this project.

There was a lengthy discussion concerning the history of this project, which started out as a signalization configuration. For a considerable amount of time the City and School District were at odds concerning many aspects of the project, and the TIB eventually tried to broker a compromise by suggesting a roundabout, which they said they would support financially and conceptually. At this point the Council has to determine how administration shall proceed.

Steven Gorcester, Executive Director of the Washington State Transportation Improvement Board, will be present at the next Council meeting to discuss this issue with the Council.

CAPITAL PROJECT FINANCING REPORT

City Treasurer Peterson distributed a multi-page spreadsheet that laid out funding for the major projects that are in progress and/or anticipated to begin shortly. He explained the several sources of financing, as well as City matches, as well as those projects the City will completely fund, and projected fund balances in Real Estate Excise and Traffic Mitigation.