

MINUTES
Ferndale City Council Meeting
Held Tuesday, February 21, 2006
City Hall Annex – Council Chambers
7 p.m.

ROLL CALL:

Councilmember Steve Oliver
Councilmember Marianne Elgart
Councilmember Keith Olson

Councilmember Mike Reilly
Councilmember Gary Jensen

ABSENT:

Councilmember Mel Hansen (excused)
Councilmember Ken Downey (excused)

STAFF:

City Administrator Greg Young
Public Works Director Bob Cecile
Planning Director Tom Black
City Attorney Dick Langabeer

City Clerk Linda Knutson
City Treasurer Mark Peterson
Police Chief Michael Knapp

Mayor Jerry Landcastle Presiding

COUNCIL WORKSHOP: BOYS AND GIRLS CLUB LOCATION IN PIONEER PARK

The Council met from 5 p.m. to 6:50 p.m. to discuss options and consider public input on the location of the Boys and Girls Club in Pioneer Park. Present were members of the Boys and Girls Club, the Old Settler's Association, the Heritage Society, and members of the public.

Generally, members of the Old Settlers and Heritage Society felt that constructing a new B&G Club in Pioneer Park would take away fields and green space, which would be detrimental to the overall ambience and purpose of the Park. Some members also felt that building a new Club in the proposed locations within the Park was in conflict with conditions of the OSA's Quit Claim Deed to the City. Most felt that a location to the west of the American Legion, and not in the confines of the Park, was much more desirable.

In response to concerns over legal conflicts with the Quit Claim, Mayor Landcastle pointed out that the City Attorney had reviewed the document and concluded in a written opinion that the location and/or relocation of the Club within the Park was not in conflict with deed conditions.

Mayor Landcastle noted that the location next to the Legion was not in Pioneer Park proper, and felt that the Council had earlier agreed that the Club should remain within the Park, as a condition of their vote on the Pioneer Park Master Plan. Some Councilmembers agreed, while others felt that the intent of that vote included the Sports Complex area as a viable potential location for the Club. *(Clerk Note: Minutes from the Council discussion and vote on the Pioneer Park Master Plan of December 19th, 2005 are appended hereto as Attachment A)*

Members of the Boys and Girls Club stated that they were amenable to whatever the Council ultimately decided, however the location near the Legion was the least desirable of all locations proposed. Several parents and citizens also asked that the Club remain in the Park proper, saying that visibility and safety aspects for the children were much more advantageous there.

Councilmember Reilly suggested the possibility of remodeling or constructing a new Club at its current site in the Park. He felt that doing so would eliminate the concerns over the diminishing of green space

and ball fields. Members of the Council and groups present generally agreed that this might be a good compromise.

The timing of the Council's decision on a location will be discussed during the regular agenda.

CALL TO ORDER

Mayor Landcastle called the meeting of the Ferndale City Council to order at 7:00 p.m.

CONSENT AGENDA

The following consent agenda was moved for approval by Councilmember Oliver and seconded by Councilmember Jensen:

1. Approval of Minutes of 2/6/06 Council Meeting.
2. Approval of Payroll of 2/17/06; Automatic Deposit Amount: \$110,342.78; Checks #22908 - #22919 Amount: \$46,470.78; Total Payroll:\$155,002.92 (VOID Checks: 22810-22822, and 22838-22850 due to change in benefits for PD Guild)
3. Approval of Claims Run of 1/21/06; Checks #45081 - #45168; Total Claims: \$161,148.64 (Check #45118 & 45120 VOID)

Motion passed unanimously.

PRESENTATION ON STAFF TRAINING – DAVE WAREING

Dave Wareing was present to review for the Council a proposal to train City staff. He described the content of the course, which would be taught over three days to accommodate different schedules, and would cost just under \$7,500.

Some Councilmembers had some concerns regarding this being an unplanned expenditure so soon after the passage of the 2006 budget. Other Councilmembers preferred that staff received training more specific to their duties.

It was decided that this item would go back to Committee, with the idea that a training policy be developed.

DECISION ON SITE OF BOYS AND GIRLS CLUB

The Council held a workshop on the possible sites for a new Boys and Girls Club just prior to the Council meeting. After the conclusion of the workshop, the members of the Boys and Girls Club, Old Settlers Association, and Heritage Society had tentatively agreed that the current site of the Club would be suitable for either a major renovation or a new building.

Norma Christenson stated that she had been a member of the Old Settlers for over 25 years and gave the assembled a brief background history of why the OSA had deeded the Park to the City. In the early 1970's when the roller rink (currently the B&G Club) burnt down, the OSA went into debt of around \$30,000 which they could not afford. They proposed deeding the Park to the City as long as the City would take on that debt along with an additional \$3,000, which the City did. Ms. Christenson said that it was her preference that the Old Settlers be allowed to keep the current building and that the new Club could locate on one of the ball fields.

In order to have suitable time for all groups to meet with their membership to discuss this compromise, it was decided that Council would bring this item back for a decision at the Council meeting of April 3rd. Representatives of each of the three groups were asked to forward their discussions/decisions to City Administration prior to the Recreation and Finance Committee meeting of March 29th.

It was moved by Councilmember Reilly and seconded by Councilmember Oliver to have the Recreation and Finance Committee bring a recommendation to the full Council at the April 3

Council meeting, after gathering final input from the Boys and Girls Club, the Old Settlers and the Heritage Society.

ORDINANCE #1384 – BENDER PARK ANNEXATION

Planning Director Tom Black reviewed that in conjunction with the County's review of the recent Bloomquist Annexation, it was discovered that the area known as Bender Park was never annexed into the City. According to the RCW, this kind of annexation is somewhat simpler to accomplish, since its use is primarily municipal. No one on staff was aware of any reason why this land was overlooked in past years.

It was moved by Councilmember Oliver and seconded by Councilmember Reilly to approve Ordinance #1384, annexing the area known as Bender Park. Motion passed unanimously.

NOTICE OF INTENT TO ANNEX – FERNDALE SCHOOL DISTRICT

Planning Director Black reviewed that the City has received a Notice of Intent to Annex. The property proposed for annexation is located on the west side of Church Road. All three properties could to some degree be considered "in holdings." Two of the three parcels are virtually surrounded by the City and the third is bounded on three sides by the City. Two of the three parcels proposed for annexation contain single-family residences. The third parcel is vacant. The large vacant parcel is the proposed site of a future Elementary School.

The applicant has requested a zoning of RS 8.5 for the annexation area. The area is currently zoned UR-3 by Whatcom County. The property is within the City's UGA. The property is indicated as "Short Term Planning Area" in the Whatcom County Comprehensive Plan.

Councilmember Oliver asked if all of the concerns raised by Mr. Crawford in his letter to the School District, had been addressed. Mr. Crawford was present, and answered that he and the District had work together to resolve his concerns, and he was now supportive of the annexation.

It was moved by Councilmember Jensen and seconded by Councilmember Elgart to accept the Notice of Intent to Annex as submitted by the Ferndale School District and outlined in the staff report. Motion passed unanimously.

ORDINANCE #1383 – UTILITY BILLING REMINDER NOTICE – REVISION TO CODE

City Treasurer Mark Peterson reviewed that the City is in the process of converting to a one-page printed utility bill to replace the postcard bills. In an effort to save funds on postage and man-hours, he proposes to eliminate reminder notices. The City will continue to deliver door-hangers to severely delinquent customers a week before actual shut-off.

It was moved by Councilmember Oliver and seconded by Councilmember Jensen to approve Ordinance #1383 eliminating utility billing reminder notices. Motion passed unanimously.

Councilmember Jensen thanked staff for finding ways to save money.

AGREEMENT FOR THE SALE OF BANNERS FOR SPORTS FIELDS

An agreement for the sale of banners was presented to the Council for consideration. The agreement allows for a commission on banner sales, rather than an hourly compensation. Laura Rehberger, who currently provides tournament scheduling for the City, would perform this service, if approved.

It was moved by Councilmember Jensen and seconded by Councilmember Reilly to approve the agreement for the sale of banners for the Sports Complex. Motion passed unanimously.

RESOLUTION #06-02-021A FOR ECONOMIC DEVELOPMENT, DOWNTOWN REVITALIZATION, AND PARKS

Paul Koch, who has contracted with the City to perform economic development duties, outlined his work plan in the areas of economic development, downtown revitalization, and parks. Mr. Koch stated that he is putting together a steering committee as the first step in community outreach and involvement in this process. In the past several weeks he has been visiting area business and civic groups to raise awareness of the City's efforts in these areas.

Mr. Koch asked to Council to consider two motions; the first to support the three work plans as presented, and the second to approve Resolution #06-02-021A promoting Downtown Revitalization.

Councilmember Olson asked how people were being notified and selected for the steering committees. Mr. Koch replied that he is advertising through the media as well as word-of-mouth, and he will forward names to the Mayor for appointments.

It was moved by Councilmember Reilly and seconded by Councilmember Jensen to approve the Economic Development, Downtown Revitalization, and Parks work plans as presented. Motion passed unanimously.

It was moved by Councilmember Oliver and seconded by Councilmember Reilly to approve Resolution #06-02-021A Promoting Downtown Revitalization. Motion passed unanimously.

RESOLUTION #06-02-021B PROMOTING GREEN BUILDING IN THE CITY OF FERNDALE

City Administrator Greg Young reviewed a proposed Resolution that encouraging the use of green building techniques. He explained that there are many positive results from such techniques, including conservation, energy efficiency, and improved air quality.

It was moved by Councilmember Jensen and seconded by Councilmember Elgart to approve Resolution #06-02-021B Encouraging the Use of Green Building Techniques in the City of Ferndale.

Amendment to Main Motion:

It was moved by Councilmember Oliver and seconded by Councilmember Elgart to amend the main motion to include a provision that an annual report be generated to provide an overview of green built accomplishments in City owned facilities. Motion passed unanimously.

Vote on Main Motion:

Main motion, as amended, passed unanimously.

FERNDALE CENTENNIEL CELEBRATION

City Administrator Young stated that Ferndale will celebrate 100 years of incorporation in March of 2007. He asked that Council begin thinking about how they would like to mark this milestone. He included several ambitious projects that could be accomplished, such as a centennial park or boardwalk. The most ambitious project would probably require a bond vote. The Council asked that administration formulate a prioritized list that the citizens could vote on.

REQUEST FOR FUNDING FOR TECHNICAL MANUAL UPDATE

Administrator Young stated that with the completion of updates at the treatment plant, it has come to the attention of management that the plant's operations/technical manual has not been updated in thirty years. The Department of Health does mandate that such manuals be current. The cost of updating is approximately \$17,500 the RH2, the company that did many of the plants computer upgrades.

It was moved by Councilmember Oliver and seconded by Councilmember Jensen to approve the expenditure of \$17,500 to RH2 for the update of the treatment plant's technical manual. Motion passed unanimously.

Councilmember Reilly wondered why this expenditure was overlooked during budget time. Councilmember Oliver responded that these things sometimes slip through the cracks, especially when there is staff turnover.

STAFF REPORTS

Planning Director Tom Black would like to schedule an educational Council workshop on density issues. This workshop will be held before the regular Council meeting of March 6th, from 5-7 p.m.

City Treasurer Mark Peterson informed the Council that the 2006 Budget document is back from the printer and available in both hard copy and compact disc.

Public Works Director stated that he has been restructuring his workdays in order to better allocate time to accomplish the core duties of the Public Works Director position. This will better help him to identify areas that are deficient or in need of funds or updates.

EXECUTIVE SESSION

Mayor Landcastle announced at 8:45 p.m. that the Council would be adjourning to executive session for updates on potential and current litigation. He expected that the session would take no longer than ten minutes, at which time the Council would reconvene to regular session and take no action.

ADJOURNMENT

The Council reconvened from executive session at 8:55 p.m. There being no further scheduled City business, the meeting was adjourned at 8:55 p.m.

ATTEST:

Jerry Landcastle, Mayor

Linda Knutson, City Clerk

ATTACHMENT A:

(Insert December 19, 2006 Council Decision and Vote on Pioneer Park Plan Here for Reference):

PRESENT: Councilmembers Oliver, Hansen, Cole, Jensen and Wilson

ABSENT: Councilmembers Reilly and Elgart Absent

Council Discussion (after Public Hearing)

Councilmember Jensen said that he completely supports the Club remaining at the Park as he knows of the great need that it supplies to the community's children. He is not convinced the location on the Master Plan is the best choice.

Councilmember Oliver thanked everyone who has participated in this process, as this will result in a major policy statement by the City for the future of this Park. He added that Pioneer Park is the logical site for the Club, and that the location needed to be carefully considered.

Councilmember Wilson also agreed that the Club needed to stay in Pioneer Park, and that some "fine-tuning of the Master Plan" was needed in order to accommodate everyone's needs.

Councilmember Hansen stated that after thinking about this issue for a number of months, he is going to support the Club staying at the Park. He further stated that he will support the Master Plan as long as doing so does not "lock in" the proposed site of B&G Club. He felt that other locations within the Park should be studied.

Councilmember Cole agreed, saying that the Club should stay in the Park, but options should remain open.

It was moved by Councilmember Oliver and seconded by Councilmember Wilson to approve the Pioneer Park Master Plan Concept.

Councilmember Oliver re-stated his support for the B&G Club and the Master Plan, saying that current and future plans and objectives will enhance the community in very positive ways. He wished the Club great success in raising funds for the new building.

The Council did wish to make clear for the record that while they intended to adopt the principles of the Pioneer Park Master Plan, they also expected that some interior flexibility was needed, especially in looking at existing and conceptual building within the Park for the B&G Club.

Vote

Motion passed unanimously.

ATTACHMENT B:

**MINUTES
Planning and Judicial Committee Meeting
Held Wednesday, February 15, 2006
City Hall Conference Room
9:30 a.m.**

PRESENT: Councilmember Jensen

**ADMINISTRATION: Jerry Landcastle, Greg Young, Linda Knutson, Mark Peterson,
Tom Black**

NOTICE OF INTENT TO ANNEX

A notice of Intent to Annex has been received from the Ferndale School District. The proposed annexation consists of approximately 6.6 acres of land, and is located on the west side of Church Road approximately 950 feet north of Thornton Road, addressed as 6141, 6159, and 6175 Church Road.

The property proposed for annexation is located on the west side of Church Road. All three properties could to some degree be considered "in holdings." Two of the three parcels are virtually surrounded by the City and the third is bounded on three sides by the City. Two of the three parcels proposed for annexation contain single-family residences. The third parcel is vacant. The large vacant parcel is the proposed site of a future Elementary School.

If the Council votes to accept the Notice of Intent the applicant is expected to proceed with submittal of a Petition to Annex. Following which, City staff will conduct technical review and present the findings to the Planning Commission and City Council. At such time the Council will have the opportunity to consider the future zoning for the property, and the actual decision to annex or not annex the land.

Larry Willman who is working with the District on this annexation says he will be meeting with County planning staff and elected officials to move this through the process. He feels the request is simple enough to allow for the process to move quickly. Planning Director Black also requested that the District complete the required fiscal analysis, which the City will review.

The Committee recommended that this request move forward to the full Council for consideration.

RESOLUTION #06-02-21A – PROMOTING GREEN BUILDING TECHNIQUES

Administrator Young present a resolution that would encourage the use of "green building techniques" whenever possible. The resolution sets out the many positive results of green building such as conservation, energy efficiency, and improved air quality. Councilmember Jensen expressed his appreciation, as he is a strong proponent for these types of conservation methods.

The Committee recommended that Resolution #06-02-21A move forward to the full Council for consideration.

WORK PLAN FOR ECONOMIC DEVELOPMENT, DOWNTOWN REVITALIZATION, AND PARKS

The City has hired Paul Koch on a part time basis to help guide the City to an active economic development and downtown revitalization program. Mr. Koch has many years of experience in these areas, and has created a work plan that sets out the steps necessary to accomplish active programs. Also included is a Resolution regarding downtown revitalization that sets forth the Council's support for enhancement of the Downtown Business District. The Committee and staff discussed the work plan and were optimistic of the positive interest the work plan will generate among the community and business leaders.

The Committee recommended that Resolution #06-02-21B move forward to the full Council for consideration.

ATTACHMENT C:

**MINUTES
Recreation and Finance Committee Meeting
Held Wednesday, February 15, 2006
City Hall Conference Room
8:30 a.m.**

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

CONTRACT FOR BANNER SALES

Mayor Landcastle and City administrator Young reviewed a proposed contract for banner sales. The banners will be situated at the CP Sports Complex and will promote those businesses and entities purchasing them. Proceeds will go towards parks activities, and it is proposed that ten-percent of the proceeds be designated as a commission for the salesperson/contract holder. Laura Rehberger, who has been scheduling the fields for the City, would not collect her hourly wage while promoting and soliciting banner sales.

It was moved by Councilmember Jensen and seconded by Councilmember Oliver to move this item forward to the full Council for consideration.

DISCUSSION ON TOURNAMENT SCHEDULING

The Committee and administration discussed how ongoing softball tournaments are being scheduled and whether previous tournaments should be "right of first refusal" or "first come, first served" for upcoming seasons. The Committee requested staff to formulate a policy for future Committee review.

2006 BUDGET

Treasurer Peterson reported that the 2006 Budget document is now at the printer. He will make available to Council and interested persons either a hard copy, compact disc, or it may be viewed and downloaded from the City website.

ORDINANCE: SCHOOL DISTRICT IMPACT FEES

Mark Deebach and Larry Willman were present to review a proposed ordinance that will set impact fees tied to new building permits for single family and multi family dwellings. The proposed addition to the Ferndale Municipal Code still needs some language changes and format revisions which staff will complete and bring back to the Committee at their next meeting.

BOYS AND GIRLS CLUB – PREPARATION FOR FEBRUARY 21 COUNCIL WORKSHOP

Representatives of the Boys and Girls Club discussed with the Committee what they should bring to the Council Workshop of February 21st in order to be fully prepared to discuss the siting of their new facility within Pioneer Park.

ATTACHMENT D:

**MINUTES
Streets and Utilities Committee Meeting
Held Wednesday, February 15, 2006
City Hall Conference Room
7:30 a.m.**

PRESENT: Councilmembers Oliver, and Jensen (for Hansen)
ADMINISTRATION: Jerry Landcastle, Greg Young, Linda Knutson, Bob Cecile,
Mark Peterson

DESIGNATED PARKING

Councilmember Jensen asked about the possibility of reserving or designating an on-street parking space at the Lederblock building to accommodate Chamber of Commerce visitors. Staff responded that it was generally not a good idea to designate such on-street spaces, as other businesses and establishments would also request such consideration.

REQUEST FOR TECHNICAL MANUAL UPDATE

Public Works Director Cecile stated that the upgrades to the Treatment Plant have been completed. The contractor noted that while the physical improvements are in place, the technical manual is nearly thirty years old. Director Cecile also stated that the Department of Health requires that such documents be regularly updated. Public Works is recommending that RH2 be retained to complete the updates to the operations manual for approximately \$17,500.

It was moved by Councilmember Oliver and seconded by Councilmember Jensen to recommend approval of the expenditure, as well as a budget amendment, for RH2 to update the operations manual for the Treatment Plant. Motion passed.

UPDATE ON PUBLIC WORKS PERSONNEL CHANGES

Public Works Director Cecile updated the Committees that at the City Shop Bo Westford was upgraded to Senior Public Works Foreman and Jim Slaughter to Foreman. At the Treatment Plant Mike Olinger was upgraded to Chief Water/Wastewater Operator, and Dennis O'Shaughnessy was hired to replace Mike as Water/Wastewater Operator. The City is still advertising for another Utility Worker for the crew.

UPDATE ON BYPASS PROJECT

Director Cecile said that the Bypass Project is reportedly on schedule and nearing Imhof Road.

UPDATE ON FAILING DRAIN FIELD AT PORTAL WAY MOBILE HOME PARK

Director Cecile stated that the portion of a failing drain field at a Portal Way Mobile Home park affects only five or six units which have now have to connect to City services. This will allow the Park to phase in the total units over time rather than all connecting at once.

ORDINANCE - UTILITY BILLING REMINDER NOTICE ELIMINATION

City Treasurer Mark Peterson said the City is asking that a code revision be granted in order to eliminate the requirement for a reminder notice to be mailed to utility customers who are delinquent over 30 days. This will save a good deal of money in both employee time and postage and supplies.

The Code revision requires an ordinance passage by the Council. The Committee felt that this was an appropriate and logical revision.

It was moved by Councilmember Oliver and seconded by Councilmember Jensen to move this item forward to the full Council for consideration. Motion passed.

Treasurer Peterson and Administrator Young also updated the Committee the staff will be revision how late fees are calculated, and how research requests are processed.