

**MINUTES**  
**Ferndale City Council Meeting**  
**Held Monday, October 1, 2007**  
**City Hall Annex – Council Chambers**  
**7 p.m.**

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**PRESENT BY ROLL CALL:**

**Councilmember Steve Oliver**  
**Councilmember Mike Reilly**  
**Councilmember Ken Downey**  
**Councilmember Keith Olson**

**Councilmember Mel Hansen**  
**Councilmember Jim Elliott**  
**Councilmember Gary Jensen**

**STAFF:**

**City Administrator Greg Young**  
**City Treasurer Mark Peterson**  
**Senior Planner Michael Jones**  
**Associate Planner Jori Burnett**  
**Deputy City Clerk Sylvia Stiles**

**City Clerk Linda Knutson**  
**Police Chief Michael Knapp**  
**Planning Director Dennis Rhodes**  
**Assistant Planner Ryan Morrison**  
**Senior Foreman Bo Westford**

**Mayor Jerry Landcastle Presiding**

**PRE-MEETING BUDGET WORKSHOP**

The Council considered several personnel requests from the several departments for additional staffing in 2008. The Council reached preliminary consensus on the following positions: Water/Wastewater Treatment Plant Laborer, Planning Administrative Assistant, Planning Interns, Parks Worker, 19<sup>th</sup> Patrol Officer, Police Admin Support, Shop Mechanic (overlap for training purposes). The other requested positions were put on hold for further discussion and analysis.

**CALL TO ORDER**

The regular meeting of the Ferndale City Council was called to order at 7 p.m. by Mayor Jerry Landcastle.

**EXECUTIVE SESSION**

Mayor Landcastle announced that the Council was going into executive session for approximately ten minutes to discuss personnel issues.

**RECONVENE**

At 7:15 p.m. Mayor Landcastle called the meeting back to order.

**PUBLIC COMMENT**

**Lloyd Zimmerman** informed the Council that his planned special event for the coming weekend, Oktoberfest and Volks March, were facing some financial constraints due to the requirement for police coverage for alcohol service. Councilmember Jensen stated that if the special event sponsor could come up with the money to pay for the police, a grant from the Lodging Tax Committee might be possible after-the fact. The LTAC will be working on a policy to fund the costs of police officers at events that prove, after the first year, to be a benefit to the City in promoting tourism. Councilmember Hansen wondered about attendance to this event considering the short time left to advertise. Mr. Zimmerman acknowledged that the event will probably need to be “downsized” because of uncertainty of attendance and weather. He said he will probably just move it to his establishment on Main Street which would eliminate the need for police presence.

**Rick LaFarve** felt that the City should waive fees charged for reserving parks for events such as Mr. Zimmerman’s.

**Tuttle Jeffrey** said that he lives in the condominiums that front the Centennial Riverwalk Project and is pleased with how the project is progressing. His issue is with the skateboarders, roller blades, and bikes that have been using the project area and damaging the newly poured surfaces. Vandals have recent ruined some flower beds, tagged mailboxes, and cars are using the adjacent street “like a racetrack”. He asked Council to reconsider that allowance of nearby Hastings Park as a temporary skate park.

**CONSENT AGENDA**

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

- Approval of Minutes of Council meeting of September 17, 2007.
- Approval of Payroll of September 18, 2007 – Auto Deposit amount \$96,831.34, Federal Tax Deposit Amount \$36,364.35 Checks # 50473 - #50493 \$55,460.57 Total Payroll \$188,656.26 (regular payroll includes additional Deferred Comp – Young)
- Approval of Payroll of September 20, 2007 – Auto Deposit amount \$0.00, Federal Tax Deposit Amount \$149.82 Checks # 50494 - #50494 \$810.40 Total Payroll \$960.22 (Settlement - Black)
- Approval of Claims Run of October 1, 2007 – **Manual** Checks #62704 - #62713; amount: \$342,397.53; **Regular** Checks #6214 - #62789 amount: \$315,194.11, Totaling \$657,591.64
- Notes from September 24, 2007 Budget Meeting

**Motion passed unanimously.**

#### **CHAMBER OF COMMERCE UPDATE**

Guy Occhiogrosso, Chamber Director, recapped the last month's events. He said that that Chamber office has welcomed over 2,200 visitors in the past five months. Upcoming events include the networking breakfast, Pumpkin People Contest, and political candidate forum.

#### **DOWNTOWN PARKING STUDY UPDATE**

Senior Planner Michael Jones introduced Keri Shepherd, the Planning intern who has been coordinating the downtown parking study. She said that all of the data has been compiled in draft form and will be going to the Planning Commission shortly. Councilmember Jensen wondered if the study included a determination on how long parking spaces were occupied. Ms. Shepherd stated that a "length of stay" component of the study had been included.

#### **SIDEWALK PROJECT UPDATE**

Senior Foreman Bo Westford updated the Council on the bids received through the small works roster on the sidewalk projects located on Hendrickson Street and on Ferndale Terrace. He said that Public Works Director Bob Cecile is recommending that Friberg Construction be awarded the ditch enclosure portion of the Hendrickson project, and that Whatcom Builder be awarded the asphalt work on both Hendrickson and Ferndale Terrace. The total cost is estimated to be between \$73,305.

Westford also noted that area residents have been or are being contacted about the projects and no road closures will occur. Also, no delays are anticipated other than severe weather related. The Council was pleased with the notification process. Councilmember Hansen suggested traffic calming/slowing devices be located on Ferndale Terrace to deter speeders, as he believed it to be a safety issue.

***It was moved by Councilmember Hansen and seconded by Councilmember Downey to approve the bid awards to Friberg Construction and Whatcom Builders from the small works roster as presented. Motion passed unanimously.***

#### **PUBLIC ART REVIEW PROCESS**

City Administrator Greg Young stated that the Recreation and Finance Committee had met before the Council meeting to narrow down the list of viable artists who responded to the Request for Qualifications for Public Art, to be placed in the new Centennial Riverwalk Park. The five finalists will be contacted to prepare and present their proposals to a panel of eleven "judges" from various boards and organizations.

#### **ORDINANCE #1438 – WATER AND SEWER CONNECTIONS FEES & INTERCEPTOR SURCHARGE**

City Treasurer Mark Peterson presented Ordinance #1438 that would increase water and sewer connection fees, as well as the surcharge for connection to the Southwest sewer interceptor. The new fees, effective November 1, 2007 are as follows:

Water connection: \$3,500

Sewer connection: \$5,000

Interceptor surcharge: \$1,270

***It was moved by Councilmember Reilly and seconded by Councilmember Olson to approve Ordinance #1438 as presented. Motion passed six-to-one, with Councilmember Oliver voting no.***

**BLACK BEAR SOFTWARE PURCHASE REQUEST**

Associate Planner Jori Burnett overviewed for the Council the Black Bear permit tracking software that had been submitted to Council as a 2008 decision card. Black Bear contacted the City regarding a reduction in price and free upgrade if purchased by September 30<sup>th</sup>. The City responded that it would sign up for the free thirty day trial period and request Council authorization for the early purchase.

***It was moved by Councilmember Downey and seconded by Councilmember Hansen to authorize the immediate purchase of the permit tracking software as requested. Motion passed unanimously.***

**COUNCIL REPORTS**

**Councilmember Downey** stated that he was disappointed in all of the recent reports of vandalism caused by skateboarders. He added that if it continues he will not hesitate to withdraw his support of the skateboard park. **Councilmember Jensen** stated that he agreed to a point, but feels that these kids need a place to go. **Councilmember Elliott** also agreed, and related a recent incident where he was nearly run down while walking downtown.

**Councilmember Hansen** stated that the City has not yet approved of the equipment, engineering, and installation of skateboard apparatus, and that the items being brought into the park are not approved. **Paul Koch** responded that he has met with the various skateboard proponents and they are aware of the problems. He said that another meeting has been set up that will emphasize the self-policing aspect of the project.

**Councilmember Reilly** stated that he is very uncomfortable that helmets would be required; only recommended. **Councilmember Jensen** responded that such a requirement was unenforceable without constant police oversight.

Staff and Council gave opinions regarding the suitability of the site and the problems that have arisen, and the proposed solutions. Staff will report back to Council regarding the meetings with the park supporters.

**DEPARTMENT REPORTS**

**City Treasurer Mark Peterson** stated that i-Connect, a program that enables utility customers to pay their bills on-line, is up and running. The program also allows customers to view their usage history.

**EXECUTIVE SESSION**

At 8:20 p.m. Mayor Landcastle announced that the Council would be adjourning to executive session to discuss collective bargaining matters. He stated that the Council would probably take action upon reconvening after twenty to thirty minutes.

**RECONVENE**

Mayor Landcastle reconvened the Council meeting at 8:37 p.m.

**POLICE GUILD CONTRACT**

***It was moved by Councilmember Reilly and seconded by Councilmember Hansen to approve the negotiated Police Guild Contract. Motion passed unanimously.***

**ADJOURNMENT**

There being no further scheduled City business, the meeting was adjourned at 8:40 p.m.

**ATTEST:**

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Jerry Landcastle, Mayor

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Linda Knutson, City Clerk

**ATTACHMENT A:**

**MINUTES - Streets and Utilities Committee Meeting  
Held Wednesday, September 26, 2007**

**VOTH FAMILY CONCERNS REGARDING EFFECTS OF ROUNDABOUT PROJECT**

Maynard Voth and his son were present to bring attention to some issues that have affect Mr. Voth's residence in regard to the Roundabout Project.

1. The first problem encountered was the boundary line that runs through Mr. Voth's garage and outbuilding that was discovered after the property was surveyed. The City bought the property adjacent as part of the project. This problem will be addressed by way of a lot line adjustment, and staff will contact the City Attorney for the best approach to accomplish this.
2. Mr. Voth also had an issue with his driveway configuration and alignment. After review, the Committee and staff felt that the City crew could realign and extend the driveway pavement as requested by the Voths.
3. A drainage issue will be further investigated by the City and Reichhardt and Ebe.
4. Finally, the City will install some landscaping as a buffer to afford some privacy to the residence, as the removal of neighboring structures has raised some privacy challenges.

**UPGRADE OF FENCING**

Mick Jolly was present to request that the City consider upgrade to the chain link fencing installed as part of the Malloy project, as he feels it does nothing to enhance his property, and in fact downgrades it, in his opinion. The Committee felt that an allowance of approximately \$1700 (over and above the cost of the chain link) was appropriate to upgrade the fencing materials to Mr. Jolly's satisfaction.

**UPDATE ON ROUNDABOUT PROJECT COSTS**

Luis Ponce outlined for the Committee several unexpected costs that were incurred during the duration of the Roundabout Project. There were also several areas where costs were reduced from original estimates. There are no change orders being presented at this time, but a budget amendment in the near future is likely.

**DOUGLAS AND MAIN STREET PROJECT UPDATE**

The current traffic situation and road closure at the Douglas and Main Project was discussed. Staff will be asking the contractor to use more flaggers, and will be installing additional directional and detour signage. This situation will be monitored and adjusted as needed.

**FERNDALE TERRACE TRAFFIC AND SIDEWALK ISSUES**

Staff is currently addressing some citizen complaints received regarding traffic and sidewalks at and near Ferndale Terrace.

**SIDEWALK PROJECT UPDATE**

Public Works Director Cecile stated that the City will be opening bids in a few days for the installation of sidewalks in areas designated by the Council as high-priority safety "areas of concern". The Committee had some comments regarding their understanding of the permanent nature of the installation on Hendrickson. Staff noted that full curb, gutter, and sidewalk on Hendrickson would be cost prohibitive at this time. All felt that the Ferndale Terrace sidewalks ranked highest in priority. It was decided that Ferndale Terrace and Hendrickson sidewalks should be installed with the allotted \$100,000. Hendrickson will not be upgraded to the full c/g/s but will be a less permanent installation.

**WATER AND SEWER CONNECTION FEES**

As directed at a previous Streets and Utilities Committee meeting, Treasurer Mark Peterson distributed a spreadsheet that included water and sewer capital improvement projects only though 2009, and no projects beyond. He followed that with another scenario showing fifty-percent of CIP listed yearly improvements. The Committee discussed the financial impacts of various rate and fee increases, as well as some of the changing market conditions affecting the number of connections anticipated.

***It was moved by Councilmember Reilly and seconded by Councilmember Hansen to recommend to the full Council the adjustment of sewer connections to \$5,000 , water connections to \$4,000 , and Southwest Sewer Connector surcharges to \$1,270 each. Motion passed.***

**ATTACHMENT B:**

**MINUTES - Recreation and Finance Committee Meeting  
Held Wednesday, September 26, 2007**

**SKATEBOARD PARK UPDATE**

Public Works personnel reported vandalism and graffiti incidents at and near Hastings Park in the past several days. Also reported was skateboard damage to the uncured concrete poured at the Centennial Riverwalk Park construction site. Several Councilmembers have also heard from neighboring properties concerning trespass issues. Planning Director Rhodes stated that he will contact Paul Koch, and leaders of the skateboard park proponents regarding these issues and the "promise of self-policing".

**WATER AND SEWER RATES AND FEES**

Treasurer Mark Peterson distributed a spreadsheet that included water and sewer capital improvement projects only through 2009, and no projects beyond. He followed that with another scenario showing fifty-percent of CIP listed yearly improvements. The Committee discussed the financial impacts of various rate and fee increases, as well as some of the changing market conditions affecting the number of connections anticipated. The Committee generally felt that rate discussions were more critical than connection fees, as connection fees are based upon estimated building permits. Peterson again stressed that the City has over \$1 million a year in debt service that must be paid, and that for every one-percent raise in fees, about \$30,000 in collect (annually).

This discussion will go before the full Council on October 15<sup>th</sup>.

**BLACK BEAR PERMIT SOFTWARE – EARLY PURCHASE DISCOUNT**

Planning Director Rhodes and Associate Planner Burnett overviewed the Black Bear Permitting software that has been submitted as a decision card for the 2008 budget. The current permitting software by ASP/Harris does not function as anticipated, and the City has not paid for it. Planners must manually track permits, which takes an unreasonable amount of staff time and also impacts customer service. Black Bear is offering a discount and free upgrade if purchased by September 30<sup>th</sup>.

***It was moved by Councilmember Downey and seconded by Councilmember Oliver to recommend to the full Council to purchase the Black Bear Permit Tracking Software immediately in an amount not to exceed \$10,000. Motion passed.***

**PUBLIC ART PANEL**

Administrator Young outlined some ideas for narrowing down the field of qualified artists for the public art to be installed at the Centennial Riverwalk Park. ***The Recreation and Finance Committee will hold a special committee meeting at 4:30 p.m. , immediately prior to the Council workshop and meeting of October 1<sup>st</sup>, in order to define the selection process.***

**ATTACHMENT C:**

**MINUTES - Planning and Judicial Committee Meeting  
Held Wednesday, September 26, 2007**

**POLICE DUTY ASSIGNMENTS**

Chief Knapp outlined the need and purpose of some assignments within the police department. ***The Committee was in agreement that this item should be discussed in executive session at the next regular Council meeting.***

**ASSESSED VS. MARKET VS. REPLACEMENT VALUE DEFINED**

Assistant Planner Morrison reviewed that staff and the Planning Commission have been working on language and definitions to better define the meanings and applications of assessed, market, and

replacement value. The Committee discussed the methodology in which the appropriate values would be applied. ***This will come before the Council on October 1<sup>st</sup> for discussion and possible adoption.***

**DOWNTOWN PARKING SURVEY UPDATE**

Senior Planner Michael Jones stated that intern Carrie Shepherd will present to the Council the preliminary results of the downtown parking survey that she has been assembling for the past several months. Once the Council has had this informal review, the survey results will be presented to the FDDA and the EDC, then back to the Council for formal review.