

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

PRESENT BY ROLL CALL:

Councilmember Steve Oliver	Councilmember Mel Hansen
Councilmember Mike Reilly	Councilmember Jim Elliott
Councilmember Ken Downey	Councilmember Gary Jensen
Councilmember Keith Olson	

STAFF:

City Administrator Greg Young	City Clerk Linda Knutson
City Treasurer Mark Peterson	Interim Planning Director Michael Jones
Public Works Director Bob Cecile	Police Chief Michael Knapp

Mayor Jerry Landcastle Presiding

STUDY SESSION – 5PM TO 6:40 PM

5:00 – 5:45 p.m.: Centennial Riverwalk Design Presentation

Paul George of the Cascade Design Group described for the Council the final design phase for the Centennial Riverwalk. The design breaks down the types of trees, shrubs and other vegetation that will be brought in, as well as some existing trees and plants that have been incorporated. Also discussed were the types of pavers, stamped concrete, benches, picnic tables and other items, as well as their locations throughout the Park. In the lawn areas a special hybrid grass will be used that is slow growing and drought tolerant. Items not included are the restrooms and salmon sculpture which can be priced and added in future phases.

The Council had questions and comments on the parking areas, visual barriers, types of materials being used, etc.

The project is on the Consent Agenda for authorization to go to bid.

5:45 – 6:40 p.m.: Presentations: Two Architectural Firms for Law and Justice Facility

Rice Fergus Miller and Calvin Jordan and Associates each presented to the Council their individual approach to planning and building a Law and Justice Center at the Fourth and Vista property.

6:40 – 7:05 p.m.: EXECUTIVE SESSION

The Council met in executive session to discuss personnel issues.

CALL TO ORDER

The regular meeting of the Ferndale City Council was called to order at 7:10 p.m. by Mayor Jerry Landcastle.

PUBLIC COMMENT

Don Imhoff, President of the Old Settlers Association stated that a historic cabin structure has been donated to the OSA for siting in Pioneer Park. The OSA and Heritage Society are working together to get the structure moved to the park and are requesting official permission to do so. The Council indicated that both groups should meet with the Parks Recreation and Trails Advisory Committee, and then with a Council sub-Committee, where donation guidelines and possible placements will be discussed.

Brent Goodrich asked if the Public Works Department had been working toward the synchronization of the signals on Main Street. Mayor Landcastle responded that project will be reported on at the May 10th Community Meeting.

CONSENT AGENDA:

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

- *Approval of Minutes of Council meeting of April 16, 2007*
- *Approval of Payroll of 04/18/07 – Auto Deposit amount \$94,135.91; Federal Tax Auto Deposit Amount: \$34,237.19; Checks #50247 - #50261 amount: \$52,433.35; Total Payroll: \$180,806.45 (Regular Payroll)*
- *Approval of Payroll of 04/19/07 – Auto Deposit amount \$4,537.22; Federal Tax Auto Deposit Amount: \$1,484.46; Checks #50262 - #50271 amount: \$494.52; Total Payroll: \$6,516.20 (Extra Week Payroll)*

- Approval of Payroll of 5/03/07 – Auto Deposit amount \$96,106.84; Federal Tax Auto Deposit Amount: \$34,636.40; Checks #50272 - #50286 amount: \$54,429.36; Total Payroll: \$185,172.60 (Regular Payroll)
- Approval of Payroll of 5/03/07 – Auto Deposit amount \$5,116.86; Federal Tax Auto Deposit Amount: \$2,363.75; Checks #50287 - #50292 amount: \$740.04; Total Payroll: \$8,220.65 (Final Pay and Deduct Correction Payroll)
- Approval of Claims Run of May 7, 2007 – **Manual** Checks #61721 - #61740; amount: \$48,615.07; **Regular** Checks #61741 - #61850 amount: \$210,290.03, Totaling \$258,905.10
- Parks Master Plan – Adoption Ordinance
- Riverwalk Authorization for Bid

Motion passed unanimously.

IVAKOTA PRELIMINARY PLAT

Interim Planning Director Michael Jones reviewed a Preliminary Plat application to create 5 single-family residential lots and two open space lot on approximately 2.1 acres in the RS8.5 zone (Residential single-family, 8,500 square foot minimum lot size). The project site is located at the eastern terminus of Nicholas Drive, addressed as 6289 Vista Drive.

The applicant requests City approval of a land division to create 5 lots for residential development, two for wetland preservation, and one for trail, utility, or road purposes. Interim Director Jones stated that this is a “fairly straight-forward” plat.

The Hearings Examiner held a public meeting on April 12, 2007 to consider the application. After considering the materials provided, the report submitted by staff, and public testimony, the Hearings Examiner recommends approval of the Preliminary Plat Application, based on the Findings of Fact and Conclusions of Law contained in the Hearings Examiner Decision, and subject to the Conditions of Preliminary Plat Approval contained in the Staff Report dated April 12, 2007.

It was moved by Councilmember Jensen and seconded by Councilmember Elliott to approve the Ivakota Preliminary Plat as presented subject to all Findings of Fact and Conclusion of Law as contained in the Hearings Examiner report. Motion passed unanimously.

MALLOY ROUNDABOUT MANAGEMENT CONTRACT

Public Works Director Cecile presented a spreadsheet produced by Reichhardt and Ebe that estimates the number of project management hours that will be required for the Malloy Roundabout project. Total dollars estimated are just over \$118,000. Director Cecile indicated that City Engineer Mark Stockton will be taking on some of the project management and estimates that it will save the City around \$30,000 in engineering fees. The revised spreadsheet of engineering hours that includes Stockton’s estimated time reduces the R&E chargeable hours to \$87,370.79. City Treasurer Peterson noted that the City had budgeted \$90,000 for project management.

It was moved by Councilmember Oliver and seconded by Councilmember Reilly to approve the project contract for the Malloy Roundabout to Reichhardt and Ebe in the amount of \$87,370.79. Motion passed unanimously.

JANITORIAL ADDENDUM

City Administrator Young stated that with the additional office and room space created by the drive-through enclosure and remodel, the City’s contracted maintenance provider is requesting an additional \$45 per month for weekly cleaning, bring the total cleaning contract for all City facilities to \$990.00 per month.

It was moved by Councilmember Reilly and seconded by Councilmember Olson to approve the addendum to the Janitorial contract with Coast Building Maintenance. Motion passed unanimously.

ANNEX HOLDING CELL SECURITY

Public Works Director Cecile reviewed that the temporary holding constructed in the hallway room adjacent to the Council Chambers is in need of some upgrades for safety and security reasons. The requested upgrades are estimated to cost approximately \$7,500 and it is proposed that the monies come from the Criminal Justice Fund.

It was moved by Councilmember Downey and seconded by Councilmember Hansen to approve upgrades to the holding cell as presented in the amount not to exceed \$7,500. Motion passed unanimously.

CENSURE RESOLUTION

Mayor Landcastle requested that a censure resolution concerning Councilmember Olson be withdrawn from consideration, as he felt that no further time should be spent on this issue.

Item withdrawn.

MONTHLY CHAMBER OF COMMERCE REPORT

Guy Occhiogrosso, Chamber Director, updated the Council on the past month's accomplishments, as well as upcoming activities planned by the Chamber.

MONTHLY ADVISORY BOARD REPORTS

- **Community Coordinating Association** – Steve Malpezzi stated that the recent public discussion on large retail development was productive and informative. He stated that the CCA is attempting to become more self-sufficient, with less dependence on City resources. He added that the CCA has distributed upward of 20,000 flyers to promote interest and attendance for the May 10th annual Community Meeting. Other upcoming projects include candidate debates, researching neighborhood meetings, and centennial fundraising.
- **Ferndale Downtown Development Association** - Mike Chaplin said the FDDA has officially become incorporated. Upcoming activities and projects include a downtown clean-up day and working on strategic downtown issues.
- **Economic Development Commission** – Brent Goodrich reported that the EDC is still evolving in its role to promote economic development opportunities for the City. He added that Nancy Jordan and Tom Dorr have been great outside resources. The EDC hopes to settle on two or more major projects to focus on during the next several months.
- **Parks Recreation and Trails Advisory Board** – Connie Faria thanked the Council for approving the adoption of the Parks Master Plan earlier in the evening. She said that the PRTAB plans to be bringing forth recommendations concerning the funding and staffing of a Parks Director and Parks Assistant, as well as a recommendation to contract out facility scheduling.

MAYOR REPORTS/COMMENTS

- Mayor Landcastle requested Council confirmation for the appointment of Bertella Hansen to the Community Forestry Board. ***It was moved by Councilmember Reilly and seconded by Councilmember Downey to approve the appointment of Bertella Hansen to the Community Forestry Board. Motion passed unanimously (with Councilmember Hansen abstaining).***
- Mayor Landcastle has been working with the organizers of the Highland Games who are requesting that electrical services be expanded at the Park to eliminate the need for several "loud and malodorous" generators. The Games organizers would split the costs of installation, but are asking to spread that cost over a couple of years.

Several Councilmembers stated that they are supportive of the games but are wondering how much they will cost by the time they are completed. Staff indicated that a full accounting will be provided after the event.

It was moved by Councilmember Jensen and seconded by Councilmember Hansen to split the \$7,800 electrical installations costs with the Highland Games organization. Motion passed unanimously.

COUNCIL REPORTS/COMMENTS

Councilmember Olson distributed a Supreme Court Decision regarding the Oneida Nation in New York State involving regaining sovereignty of certain lands.

DEPARTMENT REPORTS

Public Works Director Bob Cecile stated that the City will be bringing forth a sewer issue in the Maria Terrace plat to the Streets and Utilities Committee.

Councilmember Olson wondered how the upgrade of the signals on Main Street was progressing. Director Cecile responded that after acquiring the more modern equipment from the City of Bellingham, it was learned that some upgrades of conduit and radio equipment are needed due to the extremely old equipment currently in use.

After a brief discussion concerning the need to proceed with the signalization upgrades, it was moved by Councilmember Downey and seconded by Councilmember Reilly to approve the expenditure of \$13,500 from the Traffic Mitigation Fund for the signalization upgrade project. Motion passed unanimously.

Interim Planning Director Michael Jones stated that even though the Department is currently very short-staffed, customers and developers are understanding and supportive of the situation.

Police Chief Michael Knapp stated that Officer Gates will be leaving the department soon, and Officer Hatchett recently injured his wrist.

City Treasurer Mark Peterson updated the Council on the Ordinance requiring payoff of LID's upon sale. Once legal review is complete the Ordinance will come back to the Council for consideration.

EXECUTIVE SESSION: 8:25 – 8:45

Mayor Landcastle announced that the Council would be in executive session for approximately twenty minutes to review collective bargaining and personnel issues. He stated that action could be taken upon reconvening.

RECONVENE

The Council meeting was called back to order at 8:45 p.m.

MACHINISTS CONTRACT – POLICE MANAGEMENT UNIT

It was moved by Councilmember Hansen and seconded by Councilmember Reilly to approve the Police Management Unit contract between the City and the Machinists for the years 2006-2008 as written. Motion passed unanimously.

ADJOURNMENT

There being no further scheduled City business, the meeting was adjourned at 8:47 p.m.

ATTEST:

Jerry Landcastle, Mayor

Linda Knutson, City Clerk

ATTACHMENT A:

**MINUTES
Streets and Utilities Committee Meeting
Held Wednesday, May 1, 2007
City Hall Conference Room
7:30 a.m.**

PRESENT: Councilmembers Oliver, Reilly, and Hanson
ADMINISTRATION: Jerry Landcastle, Greg Young, Mark Peterson, Linda Knutson, Bob Cecile

CROSS CONNECTION CONTROL ENFORCEMENT ISSUES

Public Works Director Bob Cecile and Chief Water/Waster Treatment Operator Mike Olinger informed the Committee of some areas service by City water that could potentially contaminate some or all of the City's water supply, unless homeowners install certain backflow prevention devices. The devices are expensive and Public Works plans to meet with the Homeowners of the area in question to let them know of the severity of this situation.

It was the consensus of the Committee that all new commercial and industrial construction be required to install the recommended devices, and that remodels/add-ons over \$100,000 also be required to install the devices.

Public Works will report back to the Committee regarding this situation.

LARGE RETAIL WORK PLAN

Administrator Young reviewed that he and Interim Planning Director Michael Jones are working on a work plan to address the Council's wishes on the large retail establishment moratorium. This will be overviewed at Monday's Council meeting.

OLD BOYS AND GIRLS CLUB

Administrator Young stated that he has contacted the City's insurance pool regarding final monetary figures on the fire-damaged Boys and Girls Club at Pioneer Park. Staff will be meeting with the pool shortly to finalize estimates, and he will report back to the Council on the outcome of those meetings.

TEMPORARY SKATEBOARD PARK

Mayor Landcastle reported that the Community Coordinating Association has met with the skateboard task force in regard to setting up a temporary skateboard area at Hastings Park next to the Bridge on Main Street. They feel this would re-energize the interest in a permanent skateboard park for which the City pledged \$40,000 as seed money if the group aggressively developed plans and sought financing and grants for a park. Temporary wooden ramps would be built by the boarders and volunteers in and near the small park.

The Committee had concerns regarding the location, visual distractions, and liability issues over possible injuries should the City permit this activity. Administrator Young will check with the City's risk pool regarding this proposal.

MALLOY ROUNDABOUT PROJECT MANAGEMENT CONTRACT

Public Works Director Cecile presented a spreadsheet produced by Reichhardt and Ebe that estimates the number of project management hours that will be required for the Malloy Roundabout project. Total dollars estimated are just over \$118,000. Director Cecile indicated that City Engineer Mark Stockton will be taking on some of the project management and estimates that it will save the City around \$30,000 in engineering fees.

The Committee generally expressed support for this approach to the project management and moved that this item be moved forward to the full Council for approval. At that time a revised spreadsheet will be distributed that incorporates the on-staff savings to the project.

BOOSTER PUMP

Director Cecile stated that progress on the pump design (Bender Property) is undergoing Department of Health review, and that Reichhardt and Ebe are nearly design completion. It is estimated that this project will cost approximately \$800,000 including the generator.

The Committee expressed concerns about rates and connection fees not keeping pace with continuing upgrades and maintenance costs. Treasurer Peterson indicated that debt service on sewer is at capacity at \$1 million per year over the next several years. He said the sewer capital improvement project list will not be able to be addressed without figuring out funding sources. The Committee discussed connection fees and rates analysis and structures and asked that staff bring back financial options for consideration.

CENSURE RESOLUTION

Mayor Landcastle introduced a Resolution that would censure Councilmember Olson for comments recently made in the media. ***After a brief discussion the Committee felt the Resolution should move forward to the full Council for consideration at the next meeting.***

INTERSTATE 5 STUDY

Administrator Young updated the Committee that the State Department of Transportation is drafting initial documents to begin the feasibility study of addition ingress/egress to the City. The final documents should be ready for signing by the end of June.

CENTENNIAL RIVERWALK

Administrator Young stated that the engineering estimates for the Centennial Riverwalk Project have come in at approximately \$1.3 million, which is what was estimated. The Committee reviewed the spreadsheets and, while supportive of the project, asked that some major items be listed as "alternates" so that they could be considered on a case-by-case basis. Administration indicated that this could be done.

ATTACHMENT B:

**MINUTES
Recreation and Finance Committee Meeting
Held Wednesday, May 1, 2007
City Hall Conference Room
9 a.m.**

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

Bo Westford, Laura Rehberger

ROD RUN SPECIAL EVENT VARIANCE REQUEST

Gary Patterson, organizer of the annual Rod Run Event held at Pioneer Park, was present to request that the Committee waive the new rule regarding parking/camping restrictions in Pioneer Park. While he understood the new restrictions, he felt that his event and its participants have been very good stewards of the Pioneer Park area over the past twenty years. He said that his organization canvasses the area several times over the weekend picking up garbage, re-stocking restrooms, and generally looking after the park. Louse Sager said that the Heritage Society has welcomed this event over the years because they are such good guests of the park area.

After a brief discussion the Committee agreed to waive the camping restriction at Pioneer Park for the Rod Run Special Event.

LARGE RETAIL WORK PLAN

Administrator Young reviewed that he and Interim Planning Director Michael Jones are working on a work plan to address the Council's wishes on the large retail establishment moratorium. This will be overviewed at Monday's Council meeting.

OLD BOYS AND GIRLS CLUB

Administrator Young stated that he has contacted the City's insurance pool regarding final monetary figures on the fire-damaged Boys and Girls Club at Pioneer Park. Staff will be meeting with the pool shortly to finalize estimates, and he will report back to the Council on the outcome of those meetings.

LID PAYOFF ORDINANCE

City Treasurer Mark Peterson reviewed a proposed ordinance that would require payoff on local improvement assessments on segregation of property sale. Administrator Young felt that this is common practice in other cities and it would streamline some LID processes if implemented. Councilmember Oliver wondered if the ordinance had been reviewed by the City Attorney. City Clerk Knutson said it was currently being reviewed and would not go to the Council until legal review was completed. Councilmember Oliver responded that certain language regarding division of property should be carefully considered.

TEMPORARY SKATEBOARD PARK

Mayor Landcastle reported that the Community Coordinating Association has met with the skateboard task force in regard to setting up a temporary skateboard area at Hastings Park next to the Bridge on Main Street. They feel this would re-energize the interest in a permanent skateboard park for which the City pledged \$40,000 as seed money if the group aggressively developed plans and sought financing and grants for a park. Temporary wooden ramps would be built by the boarders and volunteers in and near the small park.

The Committee had concerns regarding the location, visual distractions, and liability issues over possible injuries should the City permit this activity. Administrator Young will check with the City's risk pool regarding this proposal.

The Committee also felt that this item should be reviewed by the Parks Recreation and Trails Advisory Board.

ADDENDUM TO JANITORIAL CONTRACT

City Clerk Knutson stated that she had met with the City's janitorial contractor regarding weekly cleaning of the new addition to the City Hall building. She said that Coast Building Maintenance has requested an additional \$45.00 per month to clean the addition which includes two offices, a restroom, and a conference room with coffee bar. This would bring the monthly service fee for cleaning (most) all City locations from \$945.00 to \$900.00 a month.

The Committee felt that this increase was reasonable and voted to ***recommend approval to the full Council at the next meeting.***

HIGHLAND GAMES FINANCIAL REPORT

Mayor Landcastle reviewed that the Highland Games officials have expressed a need for some basic electricity sources near the ball fields/sports complex. Hannegan Electric has estimated that the cost to install will total around \$7200. The City intends to ask the Highland Games organizers to split the cost with the City. Mayor Landcastle believed that the Games organizers would respond favorably within the next two days.

It was noted that the City will collect about \$1200 in user fees for the ball fields, park use, etc. It was also noted that City police and public works personnel will be needed for event activities and oversight. Realistic costs of the Highland Games will not be known until after the event, at which time a detailed report will be made to Council.

It was the consensus of the Committee to move the electrical expenditure of \$7200 to the full Council for consideration.

CENSURE RESOLUTION

Mayor Landcastle introduced a Resolution that would censure Councilmember Olson for comments recently made in the media. ***After a brief discussion the Committee felt the Resolution should move forward to the full Council for consideration at the next meeting.***

Administrator Young noted that the Council could continue to review a refine a proposed code of conduct/ethics to use as a guide in avoiding future situations similar to that of the past few months.

INTERSTATE 5 STUDY

Administrator Young updated the Committee that the State Department of Transportation is drafting initial documents to begin the feasibility study of addition ingress/egress to the City. The final documents should be ready for signing by the end of June.

CENTENNIAL RIVERWALK

Administrator Young stated that the engineering estimates for the Centennial Riverwalk Project have come in at approximately \$1.3 million, which is what was estimated. The project will be discussed at the Council meeting of May 7.

LAW AND JUSTICE FACILITY

Administrator Young stated that the Council is scheduled to hear presentations this Monday evening from the top two firms who submitted RFP's. Documents submitted by both forms were distributed to Council to review before the scheduled workshop.

OTHER

Mayor Landcastle updated the committee on the progress of a possible community garden.

Councilmember Jensen asked about possible future uses of the Bergsma House.

ATTACHMENT C:

**MINUTES
Planning and Judicial Committee Meeting
Held Wednesday, May 1, 2007
City Hall Conference Room
10 a.m.**

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

ANNEX SECURITY – PRISONER HOLDING CELL

Police Chief Knapp stated that the holding cell at the Annex has been working well, but as time passes there is evidence that certain things need updating or renovating for security reasons. Upgrades to the holding cell, judge/attorney room, prisoner entrance/exit, and bathrooms are estimated at between \$7,000 - \$8,000. Some of the requested equipment will be able to be transferred to the new Law and Justice Facility once it is constructed. Administrator Young noted that funds are available in the Criminal Justice Fund.

It was the consensus of the Committee to move this item to the full Council for approval via the Consent Agenda.

IVAKOTA PRELIMINARY PLAT

Interim Planning Director Michael Jones reviewed a Preliminary Plat application to create 5 single-family residential lots and two open space lot on approximately 2.1 acres in the RS8.5 zone (Residential single-family, 8,500 square foot minimum lot size). The project site is located at the eastern terminus of Nicholas Drive, addressed as 6289 Vista Drive.

The applicant requests City approval of a land division to create 5 lots for residential development, two for wetland preservation, and one for trail, utility, or road purposes.

The Hearings Examiner held a public meeting on April 12, 2007 to consider the application. After considering the materials provided, the report submitted by staff, and public testimony, the Hearings Examiner recommends approval of the Preliminary Plat Application, based on the Findings of Fact and Conclusions of Law contained in the Hearings Examiner Decision, and subject to the Conditions of Preliminary Plat Approval contained in the Staff Report dated April 12, 2007.

It was the consensus of the Committee to move this Preliminary Plat forward for full Council consideration.

LARGE RETAIL WORK PLAN

Administrator Young reviewed that he and Interim Planning Director Michael Jones are working on a work plan to address the Council's wishes on the large retail establishment moratorium. This will be overviewed at Monday's Council meeting.

OLD BOYS AND GIRLS CLUB

Administrator Young stated that he has contacted the City's insurance pool regarding final monetary figures on the fire-damaged Boys and Girls Club at Pioneer Park. Staff will be meeting with the pool shortly to finalize estimates, and he will report back to the Council on the outcome of those meetings.

CENSURE RESOLUTION

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Administrator Young noted that the Council could continue to review a refine a proposed code of conduct/ethics to use as a guide in avoiding future situations similar to that of the past few months.