

MINUTES
Ferndale City Council Meeting
Held Tuesday, January 19, 2010
City Hall Annex – Council Chambers
6:00 p.m.

PRESENT BY ROLL CALL:

Councilmember Mel Hansen	Councilmember Connie Faria
Councilmember Paul Ingram	Councilmember Jon Mutchler
Councilmember Lloyd Zimmerman	Councilmember Brent Goodrich

ABSENT: Councilmember Steve Malpezzi (Excused)

STAFF:

City Administrator Greg Young	City Clerk Linda Knutson
Finance Director Mark Peterson	Public Works Director Janice Marlega
CD Director Dennis Rhodes	Chief of Police Michael Knapp
Senior Planner Jori Burnett	City Engineer Bill Henry

Mayor Gary Jensen presiding.

6 p.m. CALL TO ORDER

Mayor Jensen called the Council meeting to order at 6:00 p.m.

6:01 p.m. PUBLIC COMMENT

None

6:02 p.m. CONSENT AGENDA

The following consent agenda was moved for approval by Councilmember Ingram, with a second by Councilmember Hansen:

- **Approval of Minutes** of Council meeting of January 4, 2010.
- **Approval of Payroll** of January 5, 2010 – Auto Deposit amount \$115,371.97; Guild Dues: \$315.50; Federal Tax Auto Deposit Amount: \$41,982.38; Checks #51663 - #15678 amount: \$66,310.53; Total Payroll: \$223,980.35 (Regular Payroll)
- **Approval of Payroll** January 8, 2010 – Federal Tax Amount: \$144.30; Checks #51683 - #51685 Amount: \$932.31; Total Payroll: \$1,076.61 (OT Police Pay) Checks #51680,51682,15683,15684 & 32982 VOID
- **Approval of Payroll** of January 14, 2010 – Check #51686 Amount: \$190.62 (Quarterly L&I)
- **Approval of Claims Run** of January 19, 2010 – Manual Checks #69273 - #69283; amount: \$7,599.75; Regular Checks #69343 - #69394 amount: \$417,190.17; Total Claims Run: \$424,789.92
- **ORDINANCE #1558 – Amending the 2009 Budget - Finance Director note:** “We need a final (number 10) 2009 budget amendment for the Court Agency fund number 650, whereby we take money in and send money out – with a zero cash balance at the end of each month. We need to increase both revenues and expenditures by \$10,000.” (No actual cash or budget impact.)
- **ORDINANCE #1559** – Completing Documentation for 2009 budget & Council approved purchase of Vector Truck.

Motion passed unanimously.

6:02 p.m. PRESENTATION: HOMELESS CONNECT PROJECT

Community Resource Center Coordinator Lucy Morse reviewed for the Council that Project Homeless Connect would be taking place on March 4th as a one-day event. She was asking Councilmembers to consider volunteering at the event for at least one hour in order for them to better understand the plight of area homeless people. She said that the homeless would be treated as guests, with the volunteers acting as guides to ferry them through an array of available resources and agencies. She thanked Mayor Jensen for volunteering and reiterated that all public officials were encouraged to participate.

Councilmembers Ingram and Zimmerman both stated that they would participate.

6:11 p.m. PRESENTATION: NATIONAL ALLIANCE FOR MENTAL ILLNESS (NAMI)

Diana Ash from the National Alliance for Mental Illness (NAMI) is based in Bellingham and was now doing outreach to the area communities to let people know about the services they offer to those struggling with mental illness. She said it was NAMI's goal to lessen the stigma associated with this illness, which is a medical condition that is nearly always "recoverable". She provided the Council and staff with information regarding the resources available through NAMI's phone center.

FINAL PLAT: DOUGLAS PLACE

Senior Planner Jori Burnett provided Council with the following staff report, with recommendations:

Douglas Place, a 36 lot residential preliminary plat, was approved by the City Council on December 5, 2007. The City Council approval included the ability of the applicant to split final plat approval into three phases. Staff has reviewed the Final Plat application for Phase I, as well as the preliminary plat conditions of approval, and finds that the applicant has completed all necessary improvements to receive final plat approval for Phase 1, Lots 1,2, and 3. Except as modified, all other conditions of the Preliminary Plat will apply to Phases 2 and 3. Burnett noted that there is an existing residence on proposed Lot 3, which will be preserved. All three lots are accessed from Douglas Road. Frontage improvements along Douglas Road have been constructed as part of the South Douglas development to the west of the Douglas Place plat.

There are **two modifications to the preliminary plat conditions:**

Condition 1 of the Preliminary Plat required that Lots 1 and 2 utilize a shared driveway. The frontage improvements constructed with the plat provide an access point for each lot, negating the shared driveway concept. The original condition was added as a method to limit the number of access points along Douglas Road. However, there is no requirement in the Ferndale Municipal Code that all (or most) lots within a subdivision utilize a shared access point. Staff recommends that the City Council amend Condition 1 to read "With the exception of Lots 1 – 3, no other lots shall utilize Douglas Road for access," and that this condition be made visible on the face of the plat.

Condition 8 required a "quit claim deed or similar document granting property east of the eastern fence line to the easterly neighbor." This condition was established to ensure that a disputed fence line issue was resolved prior to the creation of lots. The applicant proposes realigning the subdivision boundaries to avoid the fence line. This realignment would satisfy the requirement of this condition, but would not have any impact on Phase I of the plat.

New Requirement: The Public Works Department has identified an existing well on proposed Lot 2 of the plat and has required that the applicant provide verification that the well has been decommissioned prior to recording the final plat. The applicant shall also provide evidence that the septic tank and drain field on Lot 3 is decommissioned in conformance with the Whatcom County Health Department requirements. These modifications, as well as the remainder of the Preliminary Plat conditions, including the final plat punch list, will be completed administratively following City Council approval.

With the acceptance of the minor alterations to the preliminary plat conditions described in this staff report, both the Public Works Director and the Community Development Director have determined that all preliminary plat conditions have been met or will be met prior to recording of the Final Plat. The role of staff and the City Council at this point is to ensure that the conditions of the preliminary plat have been met. The applicant has agreed to all recommended conditions and amendments.

It was moved by Councilmember Hansen and seconded by Councilmember Ingram to approve the Douglas Place Final Plat as recommended by staff.. Motion passed unanimously.

6:31 p.m. MOTION ON GROWTH MANAGEMENT ISSUE

Councilmember Hansen stated that as a follow-up on the executive session held at the Council meeting of January 4th he wished to make the following motion:

It was moved by Councilmember Hansen and seconded by Councilmember Faria to approve Filing of Objections to the County's Compliance Report filed January 5, 2010 and a Petition for Review of Whatcom County Ordinance Number 2009-071. Motion passed unanimously.

6:33 p.m. BID AWARD: PARTIAL DEMO AND SHELL ENCLOSURE – OLD BOYS AND GIRLS CLUB

Public Works Director Janice Marlega reviewed that three bids have been received for the first phase of the renovations of the old Boys and Girls Club building located at Pioneer Park. This phase of the project includes demolishing the north 40-feet of the Old B&B Club building and constructing a new wall at the new end of the building. Additional/alternate work includes constructing gravel or paved parking area in the footprint of the removed section of the building.

It was decided that most of the current flooring will be salvaged and re-used, with any extra flooring to be stored for possible future use.

Councilmember Hansen said that a meeting with several members of the Old Settlers Association and park stakeholders will be held with City Administration and Public Works staff to determine some outstanding concerns that could be addressed regarding the appearance of the front of the building, as well as next steps to be taken on this renovation. The results of this meeting would be conveyed to the Public Works Committee at their next meeting.

It was moved by Councilmember Hansen and seconded by Councilmember Goodrich to accept the awarding of the bid to Roosendaal and Honcoop Construction in the amount of \$83,821.25 (Base Bid and Alt 1 plus Alt 2) plus an additional ten-percent contingency of \$8,382. Motion passed unanimously.

6:42 p.m. RESOLUTION: LABOUNTY ROAD RESTRICTIONS

Director Marlega updated the Council that the condition of LaBounty Road south of Seahawk Drive is worsening by the day. Currently the crew is only able to use cold mix, while a more long-term repair of the roadway is being considered. LaBounty's sub-base was not constructed to accommodate heavy duty industrial use. Currently, weight restrictions are posted on this roadway. Director Marlega suggested that the stretch of LaBounty from Smith to Sunset be signed for local access only and that trucks be prohibited until a solution can be accomplished.

It was moved by Councilmember Faria and seconded by Councilmember Ingram to approve the Resolution regarding restricting traffic to local access only, as well as prohibiting truck use of LaBounty Road. Motion passed unanimously.

Chief of Police Michael Knapp followed up on a question from Councilmember Goodrich regarding the enforceability of these restrictions. He stated that weight restrictions are difficult to enforce due to the need for a portable scale. He added that the area will be routinely patrolled for compliance, and if necessary, emphasis patrols could be instituted.

6:50 p.m. PROJECT UPDATE: SECOND AVENUE EXTENSION

City Engineer Bill Henry updated the Council on the progress of the Second Avenue Extension Project. He stated that after the Christmas and New Years holidays, work has resumed and is running fairly close to schedules. All base gravel has been installed, and two PSE vaults has been installed. Conduit has been placed for other non-City owned utilities. Henry predicts that by February/March most curb, gutter, and sidewalks will be in place, and asphalt will be laid in approximately two months. Undergrounding is expected to take place in early March.

The roundabout is scheduled to be constructed in April/May. He added that the southbound ramp of Interstate 5 is expected to be closed for around two weeks during the roundabout completion. Mayor Jensen said that he hoped this closure would be as well-advertised as earlier detours and closures in order to inform the motoring public well ahead of time. Staff is working closely with WashDOT to coordinate this public information.

Finally, staff is reviewing the "Road Closed" area next to the City Hall Annex for the expected sidewalk installation, with the possibility of some very basic landscaping.

7 p.m. MAYOR REPORTS/COMMENTS

Mayor Jensen reported on the following:

- The new Boys and Girls Club being constructed at Pioneer Park is still around \$100,000 short of its fundraising goals, and will be offering pavers for sale.
- The City recently discussed how the City of Lynden utilized a project manager during its library construction, and feels this may be a good way for Ferndale to proceed on this multi-entity project.
- The Holiday Giving Store was very successful this year and its coordinators wished to thank the City for the use of the "Pizza Annex" building for that purpose. Mayor Jensen noted that the Store help nearly 60% more families in need over the previous year.
- Mayor Jensen asked that Council confirm his appointment of Rebecca Xczar to the Parks Recreation and Trails Advisory Board, due to the resignation of Jason Britain. ***It was moved by Councilmember Faria and seconded by Councilmember Hansen to confirm the appointment of Rebecca Xczar to the vacancy on the Parks Recreation and Trails Advisory Board. Motion passed unanimously.***

7:10 p.m. COUNCIL REPORTS/COMMENTS

- Councilmember Faria reported that the phone number to call to participate in the Homeless Connect Project was: 734-3055.
- Councilmember Ingram stated that those wishing to attend the Chamber of Commerce Banquet should do so in the next two days.
- Councilmember Mutchler reported that he had enjoyed the Newly Elected Officials Training held the previous weekend. He suggested that Councilmembers themselves could upgrade the Council Chambers by painting the interior walls, and that he would solicit donations of paint. Councilmember Goodrich stated that he would provide mini-blinds for the windows.
- Councilmember Hansen reported that three memorial benches have now been installed in the downtown area by the Ferndale Downtown Association.
- Councilmember Goodrich thanked public works staff for the purchase and installation of the "super sacks" on Ferndale Road.

7:15 p.m. DEPARTMENT REPORTS

- Community Development Director Rhodes reported that Super Feet has file permits for a major expansion of their facility. He also noted that Black Bear permitting software is now up and running in the Planning/Building Department.
- Public Works Director Marlega updated that the City's water main flushing project will resume in one week after a several week delay. Affected areas will be well signed in advance of the flushing, and information will be posted on the City's website.

ADJOURNMENT

There being no further scheduled City business, the meeting was adjourned at 7:22 p.m.

ATTEST:

Gary S. Jensen, MAYOR

Linda Knutson, CITY CLERK