

**CITY OF BLAINE
CITY COUNCIL MEETING MINUTES**

Monday, February 14, 2011

7:00PM

**Bonnie Onyon – Mayor
John Liebert – Mayor Pro Tem**

- A. **STUDY SESSION:** 5:34pm – Joint Study Session with Birch Bay Water and Sewer District – Hydrogeology and Groundwater Monitoring

PRESENT: Scott Dodd, Paul Greenough, Charlie Hawkins, John Liebert, Bonnie Onyon, Harry Robinson and Alan Black.

ABSENT: None.

STAFF: Gary Tomsic, Steve Banham, Michael Jones, and Sheri Sanchez.

Representing Birch Bay Water and Sewer District:

Commissioners Pat Alesse and Carl Reichhardt, General Manager Roger Brown, and Assistant General Manager Dan Eisses.

Presentation by Chuck Lindsay – Hydrogeologist with Associated Sciences gave the presentation.

Adjourn: 6:54pm

- B. **CALL TO ORDER: 7:02pm**

- C. Moment of Silence and Pledge of Allegiance

➤ **ROLL CALL:**

PRESENT: Scott Dodd, Paul Greenough, Charlie Hawkins, John Liebert, Bonnie Onyon, Harry Robinson and Alan Black.

ABSENT: None.

STAFF: City Manager Gary Tomsic, PW Director Steve Banham, Police Chief Mike Haslip, CDS Director Michael Jones, Finance Director Jeffrey Lazenby, and City Clerk Sheri Sanchez.

- D. **RECOGNITIONS AND AWARDS**

1. Employee Length of Service Awards – Presented by Gary Tomsic to the following employees:
20 Years: Rod Smith, Tom Erickson, and Bill Dodd
15 Years: Dan Sartain and Jon Landis

10 Years: Tim Esposito, Ed Yurgalevicz, Steve Hrutford, Steve Banham and Gary Tomsic

1 Year: Bill Bullock, Scott Langton, Amy Bundy and Matt Luttrell

E. AUDIENCE PARTICIPATION

1. Charlie Sheldon – Director for Port of Bellingham - introduced himself and reviewed some of the projects that the Port is working on including the Bellingham Airport and the marinas.

F. COMMISSION, COMMITTEE AND BOARD REPORTS

1. Blaine Economic Development Advisory Committee – no report.
2. Whatcom Economic Development Board – John Liebert reported - the board met January 26th and the current issue they are working on is combining Whatcom Chamber and Whatcom Economic Development Board. They will be meeting again on February 23rd.
3. Chamber of Commerce – John Liebert reported - the Bite of Blaine has been moved to March 21st at the Semiahmoo Inn. John also noted that Wings over Water is fast approaching, and Bob Boule is the new president of the Blaine Chamber. There is a school bond presentation that will given at an upcoming council meeting.
4. WTA Board – Paul Greenough reported - WTA is poised to enter into an agreement with the Bellingham Transportation District to resume the Sunday service in Bellingham sometime in June.
5. Marine Resources Committee – Paul Greenough reported - Paul missed the last meeting and advised that he will catch up with what is going on.
6. Blaine Tourism Advisory Committee – Harry Robinson reported - the BTAC is a great committee and they are looking at the tourism plan, including reviewing other cities and area tourism plans in comparison to our plan. BTAC received a proposal from the company that did our original tourism plan 10 years ago, to do an update of our plan. BTAC is reviewing the proposal and BTAC will look at other companies for bids. The BTAC financial assistance application form was reviewed, and the committee is looking at forming subcommittees. The next meeting is in early March, and Harry added that Debbie Harger is doing a terrific job heading up the committee.
7. R.E.D. Loan Committee – Harry Robinson reported - there hasn't been much activity and they have not received any applications.
8. Drayton Harbor Shellfish Advisory Committee – Charlie Hawkins reported - the next meeting is this coming Wednesday.
9. Library Committee – no report.
10. Planning Commission – no report.
11. Park and Cemetery Board – Michael Jones reported – Michael commented that Bill Bullock's son is doing his Eagle Scout work at Lincoln park.
12. Law and Justice Council – no report.

13. Small Cities Caucus – Bonnie Onyon and Gary Tomsic reported - the next meeting is February 15th. The Port makes grants available to the small cities of about \$80,000 per year. On the 15th, the applications will be reviewed. The City submitted an application for \$25,000 to help with the engineering of the Boblett Court project. The same grant of approximately \$20,000 from the Port assisted the City with the extension of Boblett Street.
14. Whatcom Council of Governments – Bonnie Onyon reported – a meeting was held last week and included a presentation by the census group. The census is pretty much compiled but there is still more to do. Information of the summation of various cities in Whatcom County was provided to the council and John Liebert commented that Blaine’s unemployment rate is the second lowest in the Whatcom County cities. Bonnie also mentioned that Blaine came out on top as far as education level for citizens, with the highest number of high school and college graduates.

G. CITY MANAGER AND STAFF REPORTS

1. Public Works – no report.
2. Public Safety – Mike Haslip reported -
 - a. Addressing Update - regarding Grandis Pond and East Blaine annexation, Public Safety is working with the fire district and Public Works to come up with the best way to do the addressing and it looks like we’re going to stick closely with how the County does its addressing.
3. Community Development Services – Michael Jones reported -
 - a. Year-end Report - the year-end review included home occupation permits, building permits, development permits, and various other types of permits.
4. Finance – Jeffrey Lazenby reported -
5. Year-end Report - the year-end report included some of the key highlights for 2010 including the cash flow in general fund, sales tax, gas tax, hotel/motel tax, property tax, and enterprise funds. Council and staff discussed the issues regarding internet sales tax.
6. City Clerk – Sheri Sanchez reported – council was advised of the upcoming 2^{0th} anniversary of Blaine Clean-up day scheduled for May 2^{1st}.
7. City Manager – no report.

Calendars:

Thursday, February 17, **9:30am** – Park and Cemetery Board Meeting

City Offices will be closed on Monday, February 21, in observance of Presidents’ Day

Thursday, February 24, **CANCELED**– Planning Commission Meeting

Monday, February 28, 5:30pm – Study Session – 2011
Comp Plan Docket
7:00pm – Council Meeting

H. PUBLIC HEARING (MEETING)

1. **Continuation of Public Hearing - Intent to Form ULID – Vista Terrace Area**

The Mayor continued the public hearing at 8:00pm

Testimony:

- **Adam Williamson, 9735 Lincoln Lane, regarding questions posed at the last meeting.**

Steve Banham advised that answers were provided and the information is published on the City's website. Steve reviewed the five questions from the last meeting:

1. Why is the portion of H Street sewer extending beyond the east boundary part of the LID? Response: that it is not a benefit to the ULID and so it is being removed and the estimates have been reduced based on that.
2. When do property owners have to connect to sewer after construction is complete? Response: that information is established in the Blaine Municipal Code and reinforces that if someone has a working septic they can continue to use it until one of those code conditions are met.
3. Can future general facility fees (GFF) be waived or paid ahead for members of the LID? Response: the general facility fee cannot be included in the LID as it involves costs outside of the LID. Recommendation from counsel is that the property owner pay the amount of the GFF that is in place at the time of the connection.
4. Are there options for those who have financial hardships? Response: more detailed information is on the City website and anyone can stop by Public Works and get a copy.
5. If there are differences in terms of benefit to different properties, specifically some that are served by gravity and some that cannot be served by gravity, should they be assessed differently? Response: the City recognizes that there are some differences associated with that and whether or not there are larger lots that can be subdivided, which will be addressed in the assessment phase of the ULID.

Steve also addressed the fact that the City has identified the Bonneville Power Administration easements, such as larger lots that may be constrained by a restrictive easement associated with the overhead

transmission lines that BPA operates, and there has been some refinement in terms of the numbers.

Harry Robinson asked about the questions that appeared in the local paper. Steve advised that there are cost issues on the parts of members who have working septic systems. The code defers the requirement to connect if you have a working septic. The Department of Health provided information that there are at least twelve to fourteen residential units that have not gone through the evaluation of the septic systems, there are some in that area that are not functioning, and most of the properties do not meet current standards for lot size and soil conditions for septic. Gary advised that staff does not typically respond to letters to the editor, but can address the writer directly.

John Liebert asked about the proposed LID line (pipe). Steve advised that there are options associated with the line and staff is evaluating those options. John also asked if the property owners have access to the closest line. Steve responded that is an option if there are easements and the connection doesn't run across someone else's property. Steve reviewed the lots that may require grinder pumps and other information about easements and rights-of-way and also advised that the City will want to select a local engineer to have interaction with regards to specific issues.

Steve provided council with clarification on where the proposed sewer lines would run, that the City is looking at a mid-2012 timeframe for installation of line upon passage of the LID, and discussed the schedule for the process of the LID.

Additional Testimony:

- Dennis Olason, regarding the H Street project.
- Adam Lambe, 9718 Vista Terrace, regarding clarification on meeting septic standards.

Steve advised that the properties that have not been inspected will receive letters from the Department of Health.

- Adam Williamson, regarding removing the GFF from the LID.

The City Clerk read into the record the emails received from Tracey Helvan and Dennis Olason regarding the ULID.

The public hearing was closed at 8:30pm.

I. WRITTEN COMMUNICATIONS

1. Letter dated January 28, 2011 from Dennis Olason regarding wastewater rate schedule.
2. Email dated February 1, 2011, from Gordon Ames regarding development along Peace Portal.
3. Email dated February 3, 2011, from Tracey Helvan regarding ULID in Vista Terrace area.
4. Letter dated February 7, 2011 from Dennis Olason regarding ULID for Vista Terrace.
5. Emails received February 14, 2011, regarding the proposed shipping terminal at Cherry Point: Danne Neill, Frank James, Loren Vander Yacht, William Hunter, Amy Mower, Anne Nugent, Bob and Mary Loquvam, Clint Duncan, Erin Page, Liz Washburn, Paul Anderson, Wanda Cucinotta, David Nellis, Lee First, Marj Leone, Alistair Jackson, Andrew Renaud, Charles Law, Eleanor Hines, Jennifer Hahn, Mara Mitchell, Walter Lockwood, and Pam Borso.

J. CONSENT AGENDA

1. Approval of Bills – Amount: \$211,636.67
2. Approval of January Payroll Paid in February - Amount: \$471,825.52
3. Approval of January 24, 2011, City Council Minutes and February 7, 2011, Special Council Minutes

MOTION WAS MADE BY CHARLIE HAWKINS TO APPROVE THE CONSENT AGENDA, SECONDED BY HARRY ROBINSON AND APPROVED 7 – 0.

K. COUNCIL ACTION ITEMS

1. Revised Interlocal Agreement with Birch Bay Water and Sewer District – presented by Steve Banham.

MOTION WAS MADE BY SCOTT DODD TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE NEW INTERLOCAL AGREEMENT WITH BIRCH BAY WATER AND SEWER DISTRICT AS DRAFTED, SECONDED BY CHARLIE HAWKINS AND APPROVED 7 – 0.

2. Ordinance 11-2786, Formation of ULID in Vista Terrace Area – presented by Steve Banham.

MOTION WAS MADE BY SCOTT DODD TO ADOPT ORDINANCE 11-2786 ORDERING CERTAIN LOCAL WASTEWATER IMPROVEMENTS TO PROPERTIES ALONG PORTIONS OF H STREET, ALLAN STREET, VISTA AVENUE, VISTA TERRACE DRIVE, TERRACE AVENUE, AND LINCOLN LANE BY CREATING