

City of Sumas
Council Meeting
Minutes of February 24, 2020

The Sumas City Council met on February 24, 2020 with all councilman present. Everyone stood and recited the Pledge of Allegiance. The minutes of the February 10, 2020 meeting were approved.

Chief DeBruin swore in the new police Officer Lucas Huyber and congratulated him on joining the department.

Mayor Christensen called for an executive session for potential litigation RCW 42.30.110.1.g, the council, staff and City Attorney Wright left the council chambers. Mayor Christensen advised they would be back by 7:20 pm, back on the record at 7:15 pm.

Mayor Christensen said no action was taken in executive session.

Mayor Christensen spoke about the Lakeport Reach, LLC, and letter from Langabeer and Traxler P.S. The council took no action. The Mayor asked for a motion, Bruce Bosch made a motion not to act regarding a letter from Langabeer and Traxler P.S., Josh Clawson, seconded four were in favor one against.

Rollin Harper, City Planner, spoke about number of documents in the council packets along with the Report of Decision. Three of the documents were submitted to the council at the public hearing by the applicant; a permit from the Northwest Clean Air Agency, Department of Ecology Water Quality Certificate and Geotechnical Engineering Report. The other document included from the applicant was about the culvert removal and cost estimate that the council had requested. The updated draft of Report of Decision provided; is highlighted in areas where text may have been added, revised findings or conditions at the council directions.

Rollin spoke about the new highlighted areas in the draft report of decision and the changes. Finding #16 added language clarifying that the project is vested and that the regulations were in effect the date the application was received. Finding #47-50 goes over the information presented from the public hearing, documents that were submitted, testimony given and the closing of the public hearing. Finding #56 is about the conditional use permit and the general criteria; updated are the findings based on the council's direction; under subsection 1 explains details about how the property is depicted on some of the comprehensive plan maps, subsection

number 4 mentioned that the applicant would relinquished entry access to the property from Kneuman Road. Finding #58 industrial conditional use criteria adjusted those to reflect the council directions from the last meeting. Finding #66 showing the need for the public access to the property, this finding shows the council direction to not allow the public to have access through the site just a visual from Kneuman Road. Finding #85 consistent with the shoreline master program permit requirements. Finding #95 about the culvert removal. There are three condition of approval; number 8 the driveway off Bob Mitchell Avenue it will be a private paved driveway, condition number 30 is about the culvert removal and the proposal of cost sharing with applicant. The applicant would pay 60 percent the city would be responsible for 40 percent not to exceed \$23,462.00. The city would not pay the amount but offer a credit towards the building permit fees. Rollin wanted to point out 8 minor typos that will need to be corrected.

Bruce Bosch finds that all three requirements have been met the Conditional Use Permit, Industrial District conditional use permit and the shoreline master program. Josh Clawson seconded.

Rollin Harper reminded the council about the cost fee sharing with the culvert removal, Jesse Clawson believes it a fair request; that area has been an issue for long time and would be a big improvement for the area.

Jesse Clawson moved to approve the conditional use permit with the modification to the report of decision, Josh Clawson seconded 4 were in favor 1 against.

Josh Clawson moved to approve the Shoreline Substantial Development permit and adopt the report of decision, Rich Postma seconded, 4 in favor, 1 against.

Mayor Christensen asked if there was any citizen input.

Steven Brock, 464 Arthurs Way, spoke that in view of the council's decision and the disregard for the attorney's request and advised there will be an appeal filed regarding land use will be filed in Superior Court with 50 families showing up.

Art Bob, 9528 Swartwood Road, is concerned about the road, the water over the road and the drainage issues. The road is very damaged; it was patched last summer but is still very damaged and needs to be repaired. The power is provided by PSE and the water is provided by Sumas the mail can't be delivered due to the water over the road. Mr. Bob suggested if the road is repaired to let them know in advance so people can make arrangement to get through since it is a one lane road.

Daniel DeBruin, Chief advised the council that the new police car is in and is running great.

Tim Kredit, 9547 Swartwood Road, thanked the City about the great snow removal and flood response. Mr. Kredit was curious about the power situation on Swartwood Road and if the City of Sumas was going to change out the lines and poles to make the power the city's responsible not PSE's. Mr. Kredit would then be able to receive power at a cheaper rate through the city and not have to purchase from the PSE.

Rollin Harper, City Planner spoke about the Interlocal Agreement with Whatcom County and the small cities. Rollin describe an interim agreement to establish procedures for countywide planning policies. Bruce Bosch made a motion to approve the Mayor to sign the Interlocal Agreement with Whatcom County and the small cities, Rich Postma seconded all were in favor the motion carried.

Rollin Harper spoke about the letter from the Nooksack Valley School District and their request regarding the proposed new school. The city's requirements at this time it that critical facilities to be elevated three feet about the level of the 100-year flood elevation. The school district would like the city to consider changing the regulations of three feet to a lower evaluation. Bruce Bosch and Mayor Christensen would like this to go to the committee. Deborah Morgan asked where the current school is in the evaluation is. Rollin believes it may be one foot below the current flood evaluation, in the most recent flood no water got inside. Mayor Christensen assigned review of this, to the building and ordinance committee.

Sunny Aulakh, PW Director, advised that Braaksma Engineering submitted their qualifications per our request of RFQ for the Bob Mitchell Way Power Upgrade. The current power supply is outdated and needs to be upgraded, Sunny says this project will bring the current 200 amps to 600 amps which is needed. Jesse Clawson inquired about the cost of this upgrade and were the funds come from. Jennifer Bell advised that this project has been budgeted this year. Josh Clawson inquired if the city crew does the work or is it all outsourced. Sunny advised most of the work will be done by our lineman. Bruce Bosh motioned to accept the RFQ from Braaksma Engineering, Josh Clawson seconded, all were in favor the motion carried

Sunny Aulakh, the next item from Inland Potable Services is to clean our water tanks, which should be done every 5 years. Josh Clawson motioned to accept the Inland Potable Services \$4,033.00 for the tank cleaning, Deborah Morgan seconded, all were in favor the motion carried.

Sunny Aulakh, PW Director, advised the next quote was from National Metering and Technical Services, allowing them to come out and give training on our meter reading, wiring and testing equipment. Bruce Bosch made a motion to approve the training provided by National Metering and Technical Services for \$6900.00, seconded by Rich Postma, all were in favor the motion carried.

Jennifer Bell, Finance Director, presented Ordinance 1763 to include Lucas Huyber our new hire establishing his pay step scale. Bruce Bosch made a motion to adopt Ordinance 1763 establishing Lucas Huybers salary, Josh Clawson seconded all were in favor the motion carried.

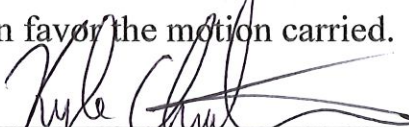
Jennifer Bell, Finance Director, advised the council about the request from the Breckenridge Dairy, local gas station. A hand delivered noticed to the owners requesting them to file their gas taxes from May 2019, showing they were overdue. They came right in a filed all months that were delinquent. Mr. Singh now is requesting that the penalty amount of \$1215.72 be waived because they were unaware, paperwork was to be filed with the city. They would like to pay the balance of \$6078.62 without the penalty. Bruce Bosch recommends that Breckenridge pay the penalty amounts from November and December and waive the rest of the penalty amount. Bruce Bosch made a motion that Breckenridge Dairy pay the late penalty from November and December and waive May thru October, Rich Postma seconded; all were in favor the motioned carried.

Mayor Christensen referenced a letter from the Nooksack Valley School District stating their appreciation to the city on the recent flood response.

Josh Clawson requested an executive session regarding legal matters RCW 42.30.110.1.g, with Jim Wright City Attorney present, for approximately ten minutes reconvened at 8:10 pm. RCW 42.30.110.1.g

The bills were presented for approval and payment. Check Numbers #41444 thru #41481 in the amount of \$48,408.51, EFT's in the amount of \$144,402.50. Bruce Bosch made a motioned to pay the bills, seconded by Rich Postma, all were in favor the motion carried.

Jesse Clawson motioned to adjourn the meeting Josh Clawson seconded; all were in favor the motion carried.



Mayor

ATTEST:


City Clerk