

City of Sumas  
Council Meeting  
Minutes of November 12, 2019

The Sumas City Council met on November 12, 2019 with all councilman present. Everyone stood and recited the Pledge of Allegiance. The minutes of the October 28, 2019 meeting were approved.

Mayor Christensen acknowledged all the veterans and thanked them for their service.

Mayor Christensen asked if there was any citizen input; none received

Mayor Christensen opened the Public Hearing for Lakeport Reach, LLC, Mayor Christensen advised that there will be three-minute timer this will allow everyone a chance to speak.

Rollin Harper, City Planner, spoke about the Lakeport Reach, LLC public hearing, advising this was a consolidated application for a zoning conditional use permit and shoreline substantial developmental permit. The proposal is in the industrial district the site at 3867 Kneuman Road. The project has been in review for about 10 months now. Mr. Harper gave a brief overview of the project, this proposal is for a Concrete Manufacturing Facility, that requires the filling of approximately 0.8 acres of wetlands that are in the 100-year flood plain. The council members have been provided with substantial amount materials that are part of the public record and a draft report of decision. The council members will use the report of decision to build their decision on the proposed facility.

Severin J Samulski, owner of Lakeport Reach LLC dba/Sumas Concrete Products read a statement that he provided the council members. Mr. Samulski purchased the land at 3867 Kneuman Road 12 years ago in 2007 with the intent of building a state-of-the-art manufacturing facility. Mr. Samulski wants to assure the public that they will be good neighbors to the community. The new plant will produce concrete products like block and pavers. Mr. Samulski provided the citizens a slide show that showed what the plant would like and how is would work. He informed the public that the production facility will be fully enclosed, and they do not manufacture cement. The products will be received and shipped from the heavy haul road, and not use Kneuman Road for any truck access.

Mayor Christensen opened the meeting up to the public for their comments:

Kurt Devries, 1217 Hovel Road, Sumas spoke in support for the plant and wanting to see it go forward. Mr. Devries encourages business growth for the city.

Steven Brock, 464 Arthurs Way, Sumas is opposed. Mr. Brock submitted Engrossed Substitute House bill 2171, providing information to the council stating that there are new requirements that the cities redo their zoning and land use over time. Mr. Brock believes that an environmental impact study should be done by the city. Mr. Brock believes the pollution will cause health problems.

Helen Solem, 4289 Rock Road, Sumas, had an exhibit showing pollutants that will affect the air quality if the facility is built. Mrs. Solem thinks this is irresponsible to allow this plant to be built. Mrs. Solem is still undecided on if she is opposed or for the project. Ms. Solem is also concerned about FEMA and flooding potential in this area.

Karen Peck, 204 Washington St, Sumas, Mrs. Peck is opposed to the plant. She is concerned about the pollution and the noise issue, she lives at the top of the hill and sound rises from all the other businesses.

Jacob Williams, 207 Lincoln Circle, Sumas, wanted to address the applicant about the hiring of the plant employees, he has heard that all the positions have been filled by Canadian citizens. Mr. Williams supports this plant, if they will be employing Sumas residents. Mr. Samulski stated during the construction phase they will be hiring local contractors. Mr. Samulski has hired only one technician for the facility who will be handling the technical part of the plant, the rest will be from the U.S.

Randy Hamlin, 617 Cherry Street, Sumas, is in support. He sees no red flags and that it will not cause problems. The noise is another factor, but we live with the train noise at all hours, the sound mitigation the plant has seems adequate.

Gary Meader, 209 Dennison, Nookack, is undecided on the plant, Mr. Meader's concern is with added truck traffic through Everson and Nooksack. Mr. Meader would like to know where these trucks are going to drive. Mr. Salumski advised he can not answer that, because the plant has not been approved and they have not hired any local companies yet.

Joni Heasley, 3160 Alm Road, Everson, opposes the plant, she is concerned about the plant being on top of the Sumas Abbotsford Aquafer. The wells for the water associations are all located on the Kneuman Road.

Henry Buitter, 603 Arthurs Way, Sumas, opposes the plant, his concerns are for the wildlife habitat in the area where this facility is proposed. Also, the noise is a concern and that Kneuman Road will not be able to handle the truck traffic. Mr. Buitter would like the council not to allow this plant.

Brian Fadden, 605 Arthurs Way, Sumas, opposes the plant, his main concern is the noise the plant will produce. The industrial area already produces a lot of noise. Mr. Fadden is concerned about the property value decrease with the plant there and how it will affect the wildlife in the area.

John Krieg, 601 First Street, Sumas, opposes the plant. Mr. Krieg stated that this plant will not provide any economic value to the city. The cost benefit does not make sense and not to allow the plant.

Meg Krieg, 601 First Street, Sumas opposes the plant. Her concern is with water and the filtration system proposed. Ms. Krieg also is concerned with wildlife and air pollution that will be produced every year from the plant and the flooding it will cause.

Ryan Fadden, 605 Arthurs Way, Sumas opposes this plant being built. Mr. Fadden is concerned about the water and pollution.

Rich VanDiest, 207 W Second Street, Sumas, supports this project, he helped develop the wetlands in that area. The plant meets and exceeds the requirements by the governing agencies. There will be no truck traffic on the Kneuman Road, the facts that have been provided are straight forward.

Someone in the audience asked about is there a difference between a concrete block manufacturing and concrete manufacturing. Sev Samulski addressed the question, the plant will produce concrete at the facility within the building; the difference is there will be is no wet concrete outside the facility.

Mayor Christensen asked if people will be willing by a show of hands if they are opposed or for the facility. Hands were raised but no official count was taken.

Desiree Douglas, Douglas Consulting, advised this is not a wetlands mitigation. The wetland mitigation is the Sumas Wetland migration bank 30 acres west of the facility site; 15 acres of native species have been planted over the last 10 years in that area, this is not on that property site. Rollin Harper asked Ms. Douglas to address the wetland mitigations in relation to this project. The facility project has a permit application with the Army Core of Engineers to fill 0.8 acres of category three of the wetland. The property has been reviewed by Northwest Wetland Consultants, Army Core of Engineers and Department of Ecology they all checked the boundaries and check the categories. All the agencies concurred with all the findings presented, with the request of the fill the applicant is adding additional 7 times to the wetland mitigation site with new trees and shrubs monitoring it for 10 years.

Steven Brock, 464 Arthurs Way, Sumas is concerned about the water level and if the plant is built it will block the water flow.

Meg Krieg, 601 First Street, Sumas also addressed her concerns with the city utilizing the same consulting company as Mr. Samulski. She states that the city did not designate those wetlands in urban two until after the written comments were expressed and the department of ecology wrote about that.

Council Member DeBont asked Ms. Douglas if she has been to the mitigated area and is concerned that the trees are not doing well. Mrs. Douglas advised that the crep program to the west of Barbo Road that there is some cedar tree die off.

Rollin Harper asked if there was any rebuttal, Ms. Douglas addressed the question if she works for the city, she does not. She had done some work 10-15 years ago for the city. In terms of the trees on the site the cedars are gone, water is sitting too long on the roots. Mr. Samulski's property is not in a peat area that is why the location was chosen.

Mr. Samulski addressed the citizens that he and his family just live approximately 2 miles across the border and believes the facility will be harmonious with the community.

Rollin Harper, City Planner wanted to correct some prior information presented by the public. The Department Ecology did report early on in this project and that employee had incorrectly read the provision for the shoreline master program and later corrected that with a statement. There is a statement in the shoreline master program that wetlands that have not been mapped should be included in the urban two categories, they need to be protected but not necessarily hands off. The comment about this site is within the aquifer, the mapped area is all to the northwest of our wells into Canada that need to be protected not to the east on the site. Mr. Harper also spoke about the site being in the hazardous flood area. This site is in the 100-year flood plain but not in the hazardous flood area.

Rollin Harper asked the applicant to address the pollutions and the emission that the citizens are concerned with. Allen Butler, with Parametrics, addressed the air quality concerns and the pollution and emission questions that the facility would possibly produce. Mr. Butler states the facility will be below the standard emission rates, the study has been submitted to the NW Clean Air Agency and a draft order of approval has been granted.

Steven Brock, 464 Arthurs Way, stated cancer for people is measured in the micrograms and it just takes very little to affect people.

Trevor Samulski Abbotsford, BC spoke that he lives near and works at the plant in Abbotsford; it is a non-issue regarding any dust or pollution.

Shaun Goodridge, Third Street, Sumas, is for the facility being built, as long as the company meets the agenda of Washington State, it would be beneficial to the City.

Bruce Bosch motioned to close the public hearing, Todd Daniels, seconded, all were in favor the motioned carried.

Mayor Christensen called the meeting back to order.

Rollin Harper advised the council members they could bring back the draft of decision on the next council meeting November 28, 2019, which the council members agreed to do.

Mayor Christensen opened the Public Hearing for the 2020 Tax Levy.

Jennifer Bell, Finance Director, advised that the City is to establish the 2020 Tax Levy, Whatcom County Taxing Districts advised the city could raise the levy up to 1% which will give us an additional \$4,856.04 for 2020.

Mayor Christensen asked if there was any public comment, there was none. Gary DeBont moved to close the public hearing, Todd Daniels seconded, all were in favor the motioned carried.

Bruce Bosch made a motion to pass Ordinance 1754 Tax Levy for 2020, Josh Clawson seconded; all were in favor the motioned carried.

Mayor Christensen opened the Preliminary Budget for 2020 public hearing.

Jennifer Bell, Finance Director explained the budget history she prepared for the council to review with graphs showing the ending balance and of the operational funds from the last six years. Jennifer presented a memo showing a financial budget goal for 2020. This includes the sidewalk proposal for the Hovel Road and the Howard Bowen Park projects. Jennifer also advised the council that there is an exit meeting scheduled with the Washington State Auditor's Office for November 22, 2019 at 2:30 pm to conclude the recent audit. Mayor Christensen would like the finance committee to please attend if possible.

Jennifer asked if there were any comments from the public, there were none.

Gary DeBont motioned to close the public hearing for the Preliminary Budget 2020, Todd Daniels, seconded, all were in favor the motioned carried.

Jennifer Bell, Finance Director called for a public hearing for the Final Budget 2020 on November 25, 2019 at 7:00 pm. Gary DeBont motioned to call for the public hearing for the final budget hearing, Bruce Bosch seconded, all were in favor the motion carried.

Daniel DeBruin, Chief of Police, advised that the police department is fully integrated with WHAT-COMM dispatching, everything so far in running smoothly.

Jennifer Bell, Finance Director presented an Interlocal Cooperative Agreement/License Pictometry with Whatcom County, it is a software mapping system. The cost for the first year is \$1560.00 and for the second year \$1560.00. Also, \$287.00 for the software license to have the program. Gary DeBont motioned to authorize the Mayor to sign the agreement, Bruce Bosch seconded, all were in favor the motion carried.

Jennifer Bell, Finance Director, also presented an agreement with the Department of Ecology Agreement, for grant money we received for \$11,200.00 to help with our shoreline master program. Rollin Harper advised the council that city completed the shoreline master program not long ago, but state law requires that city must do a periodic review of our shoreline master program and complete it by June 2021. Gary DeBont motioned to authorize the Mayor to sign the shoreline master program agreement, Bruce Bosch, seconded, all were in favor the motion carried.

Michelle Quinn, City Clerk called for a Public Hearing for P. Shane Bradley for December 09, 2019 at 7:00 pm for a Conditional Use Permit. Gary DeBont motioned to approve the public hearing request for the P. Shane Bradley Conditional Use Permit, Todd Daniels seconded, all were in favor the motioned carried.

Kyle Christensen, Mayor, presented to the council Resolution 785 of Intent Pursuant to Substitute House Bill 1406, this allows Whatcom County to use the funds for affordable housing. Rollin Harper advised that all small cities in the county are allowing Whatcom County to collect the funds. Gary DeBont motioned to adopt Resolution 785, Bruce Bosch seconded, all were in favor the motioned carried.

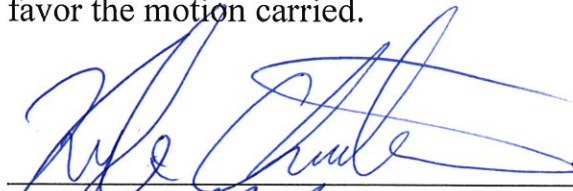
Mayor Christensen thanked Bruce Bosch for filling in as pro-tem mayor, he also wanted to welcome Sunny Aulakh, and said Sunny is doing a great job. Mayor Christensen also wanted to thank Jennifer for coming on board and jumping right into an audit and the budget season.

Jim Wright, City Attorney, presented two ordinances regarding street vacations. The first one is Ordinance #1755 for Cyr's request for a street vacation. Gary DeBont motioned to approve Ordinance 1755, Todd Daniels seconded, all were in favor the motion carried

Jim Wright, City Attorney also present Ordinance 1756 for the Olthuis vacated property lot request. Todd Daniels motioned to approve Ordinance 1756, Rich Postma seconded, all were in favor the motion carried.

The bills were presented for approval and payment. Check Numbers #41121 thru #41168 in the amount of \$66,958.50. Manual checks 41117-41120 in the amount of \$7,527.54 and payroll in the amount of \$138,659.48. Bruce Bosch made a motioned to pay the bills, it was seconded by Gary DeBont, all were in favor the motion carried.

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

  
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Mayor

ATTEST:

  
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City Clerk

