

# CITY OF LYNDEN

## CITY COUNCIL MINUTES OF REGULAR MEETING



November 6, 2023

### 1. CALL TO ORDER

Mayor Korthuis called to order the November 6, 2023 regular session of the Lynden City Council at 7:00 p.m. in the city's council chambers.

### PLEDGE OF ALLEGIENCE

### ROLL CALL

Members present: Councilors Gary Bode, Ron De Valois, Brent Lenssen, Nick Laninga, Kyle Strengholt, and Mark Wohlrab.

Members absent: Councilor Kuiken absent with notice.

Staff present: Community Development Director Heidi Gudde, Fire Chief Mark Billmire, Public Works Director Jon Hutchings, City Clerk Pam Brown, City Administrator John Williams, and City Attorney Bob Carmichael.

**OATH OF OFFICE – None.**

**SUMMARY REPORTS AND PRESENTATIONS - None**

### APPROVAL OF MINUTES

***Councilor De Valois moved, and Councilor Laninga seconded, to approve the October 16, 2023, regular council meeting minutes. Motion approved on 6-0 vote.***

### CITIZEN COMMENT

Cynthia Ripke-Kutsagoitz, Guide Meridian, Lynden

She spoke to the following topics:

- Support of Veterans Day events.
- Support of Engedi Refuge, a program that works with sex trafficking victims.
- Fluoride toothpaste.

Mikhail Nichols, Andress Lane, Lynden

Mr. Nichols spoke about his interactions with the city of Lynden's police department without providing specific details. He stated that the police officers were doing their job the best they can but believes there are some shortcomings that could be corrected. Mr. Nichols expressed gratitude to the PD for their assistance.

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## 2. CONSENT AGENDA

### Approval of Claims – November 7, 2023

Manual Warrants No.	<u>28659</u>	through	<u>28659</u>		\$61.75
EFT Payment Pre-Pays					\$0.00
				Sub Total Pre-Pays	\$61.75
Voucher Warrants No.	<u>28662</u>	through	<u>28774</u>		\$659,096.08
EFT Payments					<u>\$652,755.50</u>
				Sub Total	\$1,311,851.58
				Total Accounts Payable	\$1,311,913.33

### Payroll Liability to October 22 through November 4, 2023

#### **EFT & Other Liabilities**

#### **Non-L&I Liabilities**

Monthly EFT .....	\$560,947.32
Check Liability .....	\$0.00
Total Non-L&I Liabilities .....	\$560,947.32
Quarterly Liabilities .....	\$13,218.35

**Total EFT & Other Liabilities** **\$574,165.67**

Set the Public Hearing for the 2024 Property Tax Levy

2024 State Legislative Agenda

Contract Extension with Gordon Thomas Honeywell for State Lobbying Services

Contract Extension with CFM Advocates for Federal Lobbying Services

ORD-23-1675- Amend LMC9.08 (Blake Fix)

ORD-23-1676-Amend LMC 9.08, Remove Statutes (RCWs) Repealed by WA State

ORD-23-1677-Amend LMC 9.30, Concealed Carry Pistols

ORD-23-1678-Amendment to the 2023 Budget

***Councilor Bode asked for clarification for ORD-23-1677. After some clarification of the item, the following motion was made.***

***Motion made by Councilor De Valois, seconded by Councilor Lenssen, to approve Consent Agenda. Motion approved 6-0.***

***Councilor Lenssen provided feedback concerning the November 6, 2023 packet. He stated that the context information was not clear and asked staff to provide greater clarity on the agenda items submitted for the council packets.***



### 3. PUBLIC HEARING

#### Public Hearing for the Preliminary 2024 Budget

Mayor opened the public hearing at 7:12 pm. Jon Henry, BC Avenue, Lynden asked a question about line items which was answered. Mayor closed the public hearing at 7:13 pm.

***No action taken, public hearing only.***

### 4. UNFINISHED BUSINESS

#### Ord-23-1674- Amendment to LMC 19.22 regarding Residential Patios and Decks

At the June 19 meeting the City Council heard but did not take action on an amendment to LMC 19.22 regarding the screening of covered patios. The Council indicated that additional review may be needed to reach a solution which would allow for a higher degree of enclosure while ensuring adequate ventilation. The Council voted to have the item reconsidered by the Community Development Committee (CDC) meeting and passed Resolution 23- 1076. Based on CDC feedback, revisions have been made to the section of code related to enclosure of patios and staff has also taken the opportunity to clarify other portions of this code to be consistent with current enforcement. Revisions, as recommended by the CDC, are reflected in ORD-23-1674.

***Motion made by Councilor Lenssen, seconded by Councilor Bode, to approve ORD-23-1674 amending LMC 19.23.030(E) to clarify the development standards associated with residential porches, stoops, decks, and patios; to allow for a greater degree of enclosure of decks and patios that encroach into rear yard setbacks; and to authorize the Mayor's signature on the document. Motion passed on a 6-0 vote.***

### 5. NEW BUSINESS - None

### 6. REPORTS

Councilor Lenssen, Community Development Committee, reported discussion of the following:

- Special Event Permit code criteria for tier levels and fees.
- Development Report – some things have slowed down a bit, but Commercial development remains strong.
- Council direction to staff regarding homeowner associations (HOAs) and whether HOAs leverage better quality developments.

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- The Senior/Community Center building's current condition and possible future costs and how to budget for those services.

Councilor Bode, Public Works Committee, reported discussion of the following:

- Interlocal agreement with Whatcom Conservation District.
- Proposed utility rate increases due to sewer plant upgrade costs to assist with new construction and increased number of businesses coming into the city.

***Mayor Korthuis announced a 2024 opening for the LEOFF I board and the process for committee selection next year. This process is based on council seniority. The selection continues until all committees have been filled.***

Gary Vis, Chamber Director

- The Chamber is seeing some slowdown in the local economy and thinks it wise for council and community to consider some upcoming financial strategies.

### 7. EXECUTIVE SESSION

The council did not hold an executive session.

### 8. ADJOURNMENT

November 6, 2023, regular session of the Lynden city council adjourned at 7:26 p.m. but then reconvened at 7:26 p.m. to address the upcoming Nooksack Valley Disposal rate increase for 2024.

***Motion made by Councilor De Valois, seconded by Councilor Strengholt, to set a public hearing at the next council meeting to review the upcoming Nooksack Vally Disposal rates. Motion passed on a 6-0 vote.***

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Pamela D. Brown, City Clerk

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Scott Korthuis, Mayor