

CITY OF LYNDEN

CITY COUNCIL MINUTES OF REGULAR MEETING



January 21, 2025

1. CALL TO ORDER

Mayor Korthuis called to order the January 21, 2025 regular session of the Lynden City Council at 7:00 p.m. in the city council chambers.

PLEDGE OF ALLEGIENCE

ROLL CALL

Members present: Councilors Gary Bode, Lee Beld, Gary Vis, Brent Lenssen, Nick Laninga, Kyle Strengtholt, and Mark Wohlrab.

Members absent: None.

Staff present: Community Development Director Heidi Gudde, Finance Director Laura Scholl, Fire Chief Mike Noonan, Police Chief Steve Taylor, 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

APPROVAL OF MINUTES

Councilor Vis moved and Councilor Strengtholt seconded, to approve the January 6, 2025 regular council minutes. Motion approved on 7-0 vote.

CITIZEN COMMENT

Cynthia Ripke-Kutsagoitz, Lynden

- Safety and Health Information.

2. CONSENT

Berthusen Shotgun Club Lease (2025)

The Lynden Shotgun Club has been leasing the Berthusen property since 1971. After decades of partnership, they have asked for a long-term extension (25 years) in order to seek grant funding for future upgrades. After legal review and a new Environmental Indemnification Agreement was added to the lease, Administration and the Parks Department feel prepared to make such a request feasible for both parties.

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Renew Contract with Whatcom County for Jail Work Crew

The City has contracted with Whatcom County's Jail Work Crew program since 2021. Services provided by this crew include basic vegetation clean-up and debris removal. Work may include weed whacking, trimming, weed pulling, and grass and blackberry cutting. Whatcom County provides transportation of crew members, oversight, tools and safety gear for assigned work.

In the past, contracted work has occurred during the summer and included removing overgrown vegetation from dry detention ponds and cleanup around the ponds. While this is not a service the City uses every year, deploying jail work crews allows City employees to perform higher-level duties while still delivering necessary maintenance. The Public Works Committee reviewed the contract at their January 8 meeting and recommended approval by City Council.

Approve Use of Transportation Improvement Board Grant for 1st and Main Street Intersection Overlay

Public Works staff applied for and received a Transportation Improvement Board (TIB) grant to fund pavement reconstruction at the intersection of 1st and Main Street. The scope of work includes grinding and overlay of two inches of HMA from curb to curb, including the intersection of 1st and Main Street; replacing the five existing non-compliant ADA ramps, and restriping the roadway to the existing configuration including marked crosswalks. The grant is for a maximum of \$374,239, which is 80% of the estimated total project cost. The remaining 20% \$149,435, is budgeted in the Transportation Benefit District fund.

Climate Planning Contract Amendment (Maul Foster Alongi, Inc. – Formerly Peak Sustainability Group)

The contract amendment with Maul Foster & Alongi, Inc (formerly Peak Sustainability Group) is proposed to increase the overall consultant contract total from \$91,000 to \$101,000. This increase reflects costs associated with public outreach efforts, understanding legislative requirements (HB 1181), the required Greenhouse Gas Analysis, and costs associated with developing the new Climate Element.

This is the first time that cities are required to include this element in the City's Comp Plan. Staff believes this amendment accurately reflects costs associated with developing this new Climate Element. The City has these funds available through the Department of Commerce Climate Planning Grant.

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Guide Meridian Utilities (Sewer) Reimbursement Area Notice to Assess Latecomer Fees

The Public Works Department is advising City Council of an intent to assess a latecomer fee to properties that can benefit from the Guide Meridian Utilities project completed in 2024. The assessment area is on both sides of Guide Meridian from Front Street north to approximately 8334 Guide Meridian. The assessment is based on property square footage. Properties immediately adjacent to this sewer line extension are able to connect to City sewer.

A preliminary notice of assessment will be sent by the end of January. If desired, affected property owners may request a Public Hearing. The Public Works Committee reviewed this latecomer proposal at their meeting on January 8 and recommended approval by the City Council.

Resolution 25-1114 - Request to Cancel Check # 31436

RCW 39.56.040 states that any registered or interest bearing warrants of any municipal corporation not presented within one year of the date of their call, or other warrants not presented within one year of their issue, shall be canceled by passage of a resolution of the governing body of the municipal corporation. Upon notice of the passage of such resolution the auditor of the municipal corporation and the treasurer of the municipal corporation shall transfer all records of such warrants so as to leave the funds as if such warrants had never been issued.

RCW 35A.40.020 provides code cities with the ability to pay claims via warrant or check and additionally states: "Wherever in this title, reference is made to warrants, such term shall include checks where authorized by this section." The Check Numbering: 31436 has not and will not be presented for payment; and should be canceled.

Ordinance 25-1705 – Set Public Hearing to Amend LMC Chapter 10 – Parking Regulations

The City Administration Department, in cooperation with Parks, Police, Public Works and Community Development Departments have been actively working on solutions for parking conflicts which have been occurring at the city parks. At times visitors park in ways that block driveways or park at city facilities overnight. It is critical that the city address these issues ahead of the busy spring and summer weekends when parking conflicts are at their worst.

In addition to city parks, the proposed amendment will address parking lots at city facilities such as City Hall and the Annex, city-owned lots, and public streets. The code amendment will be supported by the posting of signs and contracting with a towing company to enforce regulations when requested. The City's legal counsel is currently reviewing the draft ordinance in preparation for a public hearing date of February 3rd . Any edits made by legal counsel will be reflected in the final version included in the upcoming Council package.



Councilor Bode moved, and Councilor Beld seconded, to approve the Consent Agenda as presented. Motion approved on 7-0 vote.

3. PUBLIC HEARING

Resolution 25-1115 – 2025 Revisions to the Engineering Design and Development Standards Project Manual

The Engineering Design and Development Standards Project Manual was originally adopted by City Council on April 5, 2004, and was last updated on January 1, 2024. These standards are required by the State's Growth Management Act and include street, water, sewer, and storm drainage standards to be used for all new and replacement construction. In response to inquiries, changes in technology, and the feedback from customers, additions, deletions and/or clarifications have been made to the project manual. The manual also addresses access issues, permitting processes and procedures, and includes various forms necessary in the development process.

Staff plans to update the Manual annually and presents Resolution 25-1115 along with a list of revisions for Council review. The Public Works Committee reviewed the updates at their December 4, 2024, meeting and recommended that they be forwarded to City Council for consideration.

Mayor Korthuis opened the public hearing at 7:07 p.m. There were no comments. Mayor Korthuis closed the public hearing at 7:07 p.m.

Councilor Bode moved, and Councilor Wohlrab seconded, that City Council, after hearing public comment(s), approve and authorize the Mayor's signature on Resolution 25-1115, adopting the 2025 Engineering Design and Development Standards Project Manual. Motion approved on 7-0 vote.

Ordinance 25-1704, Restoring and Amending LMC 19.23.110 - Mixed-Use Development Regulations

On January 6th Council set a public hearing date of January 21st to consider Ordinance 25-1704 which is meant to accomplish one revision to the city's small-scale mixed-use development regulations and to restore the portion of code which was inadvertently deleted in a previous amendment. However, the public notice for this hearing was not published a full ten days prior to the hearing date as required by code and so the scheduled hearing must be delayed until February 3rd .

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Councilor Lenssen moved, and Councilor Strengtholt seconded, to open the Public Hearing regarding Ordinance 25-1704 but table the public comment and discussion on the item until February 3, 2025, so that proper notice can be completed. Motion approved on 7-0 vote.

4. UNFINISHED BUSINESS - None

5. NEW BUSINESS - None

6. REPORTS

Councilor Bode, reviewed the January 8th Public Works committee meeting.

Councilor Wohlrab reported discussion of the following at the most recent Public Safety Committee meeting:

- Fire department annual report.
- Fire department need for additional staff.
- Fire department application for SAFER grant.
- Police department monthly report.

Councilor Strengtholt, reviewed discussion items at the January 21st Finance Committee meeting:

- Overtime costs for Fire and Police personnel.
- Possible Council retreat.
- Sales tax numbers are 2% under the city's budgeted numbers.
- Credit card processing fees paid by the city.
- Cash flow projections.

Councilor Beld invited council members on a tour of the apartment building being constructed on 19th street. The informal tour is scheduled for Wednesday, January 22nd at 3:00 p.m.

7. EXECUTIVE SESSION

Council did not hold an executive session.

8. ADJOURNMENT

January 21, 2025 regular session of the Lynden city council adjourned at 7:38 p.m.

Pamela Brown, City Clerk

Scott Korthuis, Mayor