

# CITY OF LYNDEN



## CITY COUNCIL MINUTES OF REGULAR MEETING

October 21, 2019

### 1. CALL TO ORDER

Mayor Korthuis called to order the October 21, 2019 regular session of the Lynden City Council at 7:00 p.m. at the Lynden City Hall Annex.

### ROLL CALL

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

Members absent: None.

Staff present: Finance Director Anthony Burrows, Fire Chief Mark Billmire, Parks Director Vern Meenderinck, Planning Director Heidi Gudde, Police Lieutenant Russ Martin, Public Works Director Steve Banham, City Clerk Pam Brown, City Administrator Mike Martin, and City Attorney Bob Carmichael.

OATH OF OFFICE - None

### APPROVAL OF MINUTES

*Councilor Wohlrab moved and Councilor Strengholt seconded to approve the regular council minutes of October 7; the special council minutes for the public safety committee of October 3 and the special council minutes for the public works committee of October 9. Motion approved on a 7-0 vote.*

### ITEMS FROM THE AUDIENCE

Scheduled: None

Nonscheduled: None

### 2. CONSENT AGENDA

#### Approval of Payroll Disbursed – October 1-15, 2019

Paychex EFT .....	\$272,296.43
City of Lynden EFT .....	\$60,797.37
Warrant Liability .....	\$56,984.68
<b>Subtotal</b>	<b>\$390,078.48</b>
Paychex EFT Liability	\$6,065.19
<b>Total EFT &amp; Other Liabilities</b>	<b>\$396,143.67</b>

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### Approval of Claims – October 23, 2019

Manual Warrants No.	-	through	-		\$0.00
EFT Payment Pre-Pays					\$114,726.17
				Sub Total Pre-Pays	\$114,726.17
Voucher Warrants No.	73915	through	74069		\$1,359,081.09
EFT Payments					\$46,481.73
				Sub Total	\$1,405,562.82
				Total Accts. Payable	<b>\$1,520,288.99</b>

### Ordinance No. 1593-Establishing Park Hours

The City of Lynden does not have an ordinance designating hours that parks are open and/or closed to public use. The police department has requested that an ordinance be established for park hours so they will have legal enforcement ability to contact individuals who are in the parks after hours. Ordinance No. 1593 sets the hours that parks are open to the public.

### SCORE Inmate Housing Agreement 2020

The City of Lynden maintains a contract with South Corrections Entity (SCORE) for jail bed space for housing potential long-term offenders when the Whatcom County Jail is at capacity. This agreement reflects an increase in the daily non-guaranteed bed rate from \$180 to \$184 and other minor technical changes. If approved the inmate housing agreement will go into effect January 1, 2020.

***Councilor Bode moved and Councilor De Valois seconded to approve the Consent Agenda. Motion approved on a 7-0 vote.***

### **3. PUBLIC HEARING - None**

### **4. UNFINISHED BUSINESS- None**

### **5. NEW BUSINESS**

#### Contract for State-Level Advocacy Gordon Thomas Honeywell Governmental Affairs

Briahna Murray, Vice-President of Gordon Thomas Honeywell Governmental Affairs, has advocated for the City of Lynden since 2015. That advocacy has resulted in some \$8 million worth of capital earmarks for important city projects. The \$3,000/month cost for a total annual cost of \$36,00 is unchanged from previous years and is included in the proposed 2020 budget.



***Councilor Strengholt moved and Councilor Laninga seconded to approve the Contract for State-Level Advocacy between the City and Gordon Thomas Honeywell in the 2020 legislative session. Motion approved on a 7-0 vote.***

#### Contract for Probation Services with Whatcom County

This contract with Whatcom County for probation services has a two-year term and fees are based on a formula that has been unchanged for many years. If approved the contract will be effective January 1, 2020 and end December 31, 2021. Aside from formatting and other editing changes made for clarification, the document is virtually identical to its predecessor.

***Councilor Lenssen moved and Councilor Wohlrab seconded to approve the Contract for Probation services with Whatcom County. Motion approved on a 7-0 vote.***

#### Mayor's 2020 Budget Message and Preliminary Budget Introduction

Mayor Korthuis read the 2020 Budget Message into the record. This document has been included in the official council file along with the Preliminary Budget document.

***Councilor Lenssen asked for clarification on whether hiring and onboarding the Assistant Chief position for the Fire Department was contingent on approval of the 2020 Budget? Mayor Korthuis stated that an offer may be put forward in the next couple of weeks, but the start date would not be until January 2020 and is contingent on approval of the 2020 Budget.***

#### 2020 Legislative Agenda

The City of Lynden has a practice of adopting a legislative agenda that is used to focus advocacy at the State Legislature. This practice formalizes and strengthens our legislative "ask" and gives it added credibility with state lawmakers.

- City Trail, Depot to 8th Street. The cost of this project is \$1.1 million. As Council knows, the City will link the existing City Trail to the section of trail around Fisher School that was completed in 2018. The City hopes to have the trail under construction in 2020.
- \$3 million for the Line and Bradley Roads: This is the arterial between Lynden High School and Lynden Middle School. This  $\frac{3}{4}$ -mile stretch of road will include a path/sidewalk as well as a widened street and a new culvert.
- Delay of the State's SR-546 (Badger Road) Culvert Replacement project: The Washington State Department of Transportation (WSDOT) intends to replace culverts at Badger and Double Ditch roads in 2022. The new culverts will worsen flooding in the Pepin Creek project area. We want 1) State help in funding the infrastructure needed to avoid flooding



and 2) WSDOT to delay their culvert replacement project until those infrastructure improvements are in place.

***Councilor Bode moved and Councilor Wohlrab seconded to approve the 2020 Legislative Agenda. Motion approved on a 7-0 vote.***

Resolution No. 1009- Support of Lynden Regional Park and Recreation District Bond Issue

The Lynden Regional Park and Recreation District has assisted the City in several park projects over the last number of years. The District is desirous to again assist the City in expanding its trail system, beginning to develop park properties, and with the acquisition of park properties.

The District is proposing Proposition 2019-4 to the voters on the general election to be held on Nov. 5, requesting approval of a \$3 million-dollar Bond to extend the trail system through the Dickinson property, begin the utilities, roads and restrooms needed to make Benson Park usable, and to assist with the acquisition of the Glenning Street property.

Parks Committee reviewed Resolution No. 1009 and recommends forwarding the resolution to full council for their approval of support for the Rec. District Bond issue #2019-4.

***Councilor De Valois moved and Councilor Wohlrab seconded to approve Resolution No. 1009 in support of the Lynden Regional Park and Recreation District bond issue proposal and authorize the mayor's signature on said document. Motion approved on a 7-0 vote.***

Condition Use Permit- Ellis

Ben and Suzanna Ellis are seeking to establish a short term (vacation) rental at their home located at 1808 Pine Circle. Commonly marketed through websites such as Air BNB and VRBO, the City of Lynden regulates these transient accommodations consistent with LMC 19.49 - Conditional Use Permits and Bed and Breakfast. As transient accommodations located within a neighborhood zoned for single family residences could potentially have negative impacts on surrounding property owners, applicants must seek a Conditional Use Permit. This process includes notifying the surrounding property owners.

On September 12, 2019, the Planning Commission held a public hearing to accept public testimony on the request, the minutes of this meeting were included in the council packet. The Commission carefully considered the criteria outlined in LMC 19.49 and recommended approval of the Conditional Use Permit with the condition that the use be reviewed after 12 months' time to determine if additional screening at the northwest property line is needed due to the impacts associated with the transient accommodations.

***Councilor Lenssen moved and Councilor Kuiken seconded to approve Conditional Use Permit #19-02 for Ben Ellis and authorize the mayor's signature on the Findings of Fact. Motion approved on 7-0 vote.***



## 6. OTHER BUSINESS

### Council Committee Updates

Councilor Lenssen reporting for the Community Development Committee, involving the discussion of:

- Travel trailers and recommended changes to the Lynden Municipal Code
- Wayfaring signs, pricing and icon changes
- Impact fees
- Decommission ADUs

Councilor Strengholt reporting for the Finance Committee, involving the discussion of:

- Review of payroll, overtime and sales tax
- Mayor's 2020 Budget
- Contracts that came before the council that evening
- Breakdown of who is paying Lynden's sales tax
- Highlights and availability of monthly financial report

Councilor De Valois reporting for the Parks Committee, involving the discussion of:

- Possibility of constructing a pump track
- Ordinance No. 1593- Setting Park Hours
- Resolution No. 1009-Support of Bond
- Cameras for the city's parks
- Progression of the Rotary project
- Park impact fees
- Possibility of constructing an Art Wall
- Correspondence requesting a skate park

Councilor Bode reporting for the Public Works Committee, involving the discussion of:

- Vehicle and pedestrian traffic at Lynden middle school
- LED lighting and solar powered lights
- Line Road sidewalks
- Economic development plans for West Front Street
- Arborist evaluation of trees in the city
- Old water treatment plant demolition has been completed
- 7<sup>th</sup> Street work has begun

### Quarterly Work Plan Update

Department directors provided council with a high-level overview of their department's 3<sup>rd</sup> quarter work plan. It has been anticipated that 80% of the work that is occurring in the city departments is not reflected on the work plan.



## 7. EXECUTIVE SESSION

Council did not hold an executive session.

## 8. ADJOURNMENT

The October 21, 2019 regular session of the Lynden City Council adjourned at 8:17 p.m.

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Pamela D. Brown, MMC  
City Clerk

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Scott Korthuis  
Mayor

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