

CITY OF LYNDEN

CITY COUNCIL MINUTES OF REGULAR MEETING



August 5, 2024

1. CALL TO ORDER

Mayor Korthuis called to order the August 5, 2024 regular session of the Lynden City Council at 7:00 p.m. in the city's council chambers.

PLEDGE OF ALLEGIENCE

OATH OF OFFICE – None

ROLL CALL

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

Members absent: None.

Staff present: Community Development Director Heidi Gudde, Finance Director Laura Scholl, Police Chief Steve Taylor, Public Works Director Jon Hutchings, City Clerk Pam Brown, City Administrator John Williams and City Attorney Bob Carmichael.

SUMMARY REPORTS AND PRESENTATIONS – None.

APPROVAL OF MINUTES

Councilor Vis moved, and Councilor Beld seconded, to approve the July 15, 2024 regular council minutes. Motion approved on 7-0 vote.

CITIZEN COMMENT

H. Kaur	Lynden, WA	Spoke in opposition of Mayor's Veto – No Fluoride
Amrit Kaur	Lynden, WA	Spoke in opposition of Mayor's Veto – No Fluoride
B. Kaur	Lynden, WA	Spoke in opposition of Mayor's Veto – No Fluoride
Betty Vandyken	Lynden, WA	Read Letter from Dr. A. Martin in opposition to Fluoride
Jude Gray	Lynden, WA	Spoke in opposition of Mayor's Veto – No Fluoride
Robert Taylor	Lynden, WA	Read Letter from Lynden Family Chiropractic LLC in opposition to Fluoride
Kate Nelson	Lynden, WA	Spoke in opposition of Mayor's Veto – No Fluoride
Becki Taylor	Lynden, WA	Read Letter from Dr. Sarah Kotlerman in Opposition to Fluoride
Sarah Feenstra	Lynden, WA	Spoke in opposition of Mayor's Veto – No Fluoride
Khushdip Brar	Lynden, WA	Spoke in opposition of Mayor's Veto – No Fluoride
Carolyn Miller	Lynden, WA	Spoke in opposition of Mayor's Veto – No Fluoride
Mary Lou Childs	Lynden, WA	Spoke in opposition of Mayor's Veto – No Fluoride

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2. CONSENT AGENDA - None

3. PUBLIC HEARING

Ordinance 24-1688- Sign Regulations Update LMC 19.33

Aware that some sections of the City's sign code were inconsistent with recent case law, Planning staff have been working closely with legal counsel, Luke Phiher, to develop the proposed amendments to the City's sign regulations. Generally, the revision does not alter the character of signs, that is the size, shape and location of signs used in the city, but close attention was given to the following topics:

- Inclusion of a substitution and exclusionary clauses.
- Clear directions on temporary signs including political speech.
- Revision to portions of the special exemptions section that are not legally defensible.
- Clarify the difference between off-premise signs (billboards) and shared plaza signs.
- Add regulations on electronic message boards to regulate lighting levels.

The code amendment was also a good opportunity to create a more concise and practical document. Repetitive sections were consolidated, and the code was reorganized to appear in a more intuitive order. The draft amendment went to a public hearing before the Planning Commission on May 9th. The resulting recommendation was to approve as presented. The amendment was subsequently sent to the Department of Commerce for review and no comments were received.

It should be noted that after Commission review, staff realized that LMC 5.08 contained language related to billboard regulations. The ordinance proposed tonight was revised to include the deletion of this redundant section in LMC 5. Council is asked to review and make a final determination on the ordinance.

Mayor Korthuis opened the public hearing at 7:35 p.m.

David Vos, Lynden, spoke in opposition to the ordinance as presented.

Mayor Korthuis closed the public hearing at 7:37 p.m.

After council discussion, the ordinance was pulled from the agenda for further review and will be brought back to council at a future council meeting.

4. UNFINISHED BUSINESS – None

5. NEW BUSINESS

Resolution 24-1101 – Approving Use of a Clean Water State Revolving Fund Loan for Wastewater Treatment Plant (WWTP) Expansion – Construction

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Staff has applied for and received Department of Ecology approval for a Clean Water State Revolving Fund Loan to fund construction of a Modified Ludzak-Etinger (MLE) retrofit of the oxidation ditches, aerobic digestion supplemental aeration, dewatering capacity increase, RAS/WAS reconfiguration, air gap system, and replacing the existing WWTP transformers. The loan is in the amount of \$18,394,140 with terms of 20 years and a 1.2% interest rate. Staff is planning to use wastewater funds for repayment of the loan. This was discussed at the July 1, 2024, Public Works Committee meeting.

Motion made by Councilor Bode seconded by Councilor Strengtholt to approve Resolution 24-1101 approving city use of a Clean Water State Revolving Fund loans for Wastewater Treatment Plant (WWTP) Expansion-Construction and authorize the Mayor's signature on the applicable agreement with the Department of Ecology. Motion approved 7-0.

6. REPORTS

Approval of Payroll and Claims: None.

Councilor Lenssen reviewed the draft Community Development Committee minutes.

Councilor Vis reporting for the Chamber of Commerce regarding the success of the Razz Festival and he also thanked city public works staff and all the volunteers that contributed to the success.

7. EXECUTIVE SESSION

Council did not hold an executive session.

8. ADJOURNMENT

August 5, 2024 regular session of the Lynden city council adjourned at 8:20 p.m.

Pamela D. Brown, City Clerk

Scott Korthuis, Mayor