

CITY OF LYNDEN



CITY COUNCIL MINUTES OF REGULAR MEETING

May 20, 2019

1. CALL TO ORDER

Mayor Korthuis called to order the May 20, 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, Brent Lenssen, Kyle Strengholt, and Mark Wohlrab.

Members absent: Councilors Jerry Kuiken and Nick Laninga absent with notice.

Staff present: Finance Director Anthony Burrows, Parks Director Vern Meenderinck, Planning Director Heidi Gudde, Police Chief John Billester, 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 De Valois moved and Councilor Strengholt seconded that the minutes of May 6, 2019 be approved as presented. Motion approved on a 5-0 vote.

ITEMS FROM THE AUDIENCE

Scheduled: None

Nonscheduled:

Martie and Paul Busse, 417 Cascade Way, Lynden

Paul and Martie Busse addressed council for the second time about the utility trailers full of trash and the RVs that are parked in drive ways and on the street for more than the 72 hours that's allowed in the city code. They stated that not only had the situation not approved but that it had gotten worse. They provided photos of the problem residences for council to review. Chief Billester talked with Mr. & Mrs. Busse to gather more detailed information to assist them.

Gary Vis- Director of Lynden Chamber of Commerce, 518 Front Street, Lynden

Mr. Vis invited members of the Council to attend the Farmer's Day Parade scheduled for June 1st. The Parade will honor Whatcom Family Farmers and Jack Louws.

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2. CONSENT AGENDA

Approval of Payroll Disbursed – May 1-15, 2019

Paychex EFT	\$273,094.83
City of Lynden EFT	\$66,290.79
Warrant Liability	\$57,065.03
	\$396,450.65

Approval of Claims – May 21, 2019

Manual Warrants No. <u>72924</u>	through <u>72930</u>	\$59.55
EFT Payment Pre-Pays		\$281,325.43
	Sub Total Pre-Pays	\$281,384.98
Voucher Warrants No. <u>72931</u>	through <u>72973</u>	\$539,414.58
EFT Payments		23,110.69
	Sub Total	\$562,525.27
	Total Accts. Payable	\$843,910.25

Set Public Hearing Date for Ordinance No. 1580

Set Public Hearing Date for Ordinance No. 1581

Set Public Hearing Date for Ordinance No. 1582

Access Easement – Lynden School District- Glenning Street Playground Property

The City of Lynden is considering the purchase of the Glenning Street playground property from the Lynden School District. In anticipation of the purchase, the District is agreeing to grant the City the right to enter the property to perform environmental assessments per the attached easement.

Councilor Wohlrab moved and Councilor De Valois seconded to approve the Consent Agenda. Motion approved on 5-0 vote.

3. PUBLIC HEARING - None

4. UNFINISHED BUSINESS- None



5. NEW BUSINESS

Public Defender Contract Amendment

Individuals who appear in Municipal Court and who are unable to afford a private attorney are assigned a public defender. The attorney who performs that service in Lynden is Dan Parsons. Mr. Parsons has asked that Section VII of his current contract with the City (attachment 1) be modified to lower his malpractice insurance coverage, thus lowering his cost.

His current contract requires him to have \$1 million in malpractice insurance coverage for each occurrence and \$2 million in the aggregate. The amendment (attachment 2) being proposed here requires him to have \$500 thousand for both individual and aggregate malpractice insurance.

The City Administrator has researched the request and determined that the lower malpractice insurance is adequate for the misdemeanor offenses heard by the Lynden Municipal Court. There are no other changes to the contract. It expires December 31, 2020.

Councilor Strengholt moved and Councilor Bode seconded to approve the contract amendment. Motion approved on a 5-0 vote.

Resolution No. 1001- Approving City Use of State Revolving Fund Loan for Pepin Creek / Double Ditch Creek Alignment and Shoreline Stabilization

Staff is applying for a Department of Ecology State Revolving Fund Loan to finance the design of a stream bypass and stabilization measures for approximately .75 miles of shoreline along Pepin Creek, from Badger Road downstream to the confluence of Pepin and Fishtap Creeks in the City. The amount of the loan is \$2,902,593.00. It is a 20-year loan with an interest rate of 1.5%. The Department of Ecology requires a Resolution by the City Council authorizing the loan and a review of the loan agreement by the City Attorney. This was discussed at the March 6, 2019 Public Works Committee meeting.

Councilor Strengholt moved and Councilor Bode seconded to approve Resolution No. 1001, Authorizing City Use of a Department of Ecology State Revolving Fund Loan to design a portion of the Pepin Creek Shoreline and authorize the Mayor's signature on the resolution. Motion approved on a 5-0 vote.

Resolution N. 1002- Acceptance of Department of Transportation Aviation Division Grant for Lynden Municipal Airport

The City is applying for a Washington State Department of Transportation, Aviation Division (WSDOT) grant to re-seal and re-stripe the runway at the airport in the amount of \$150,000. A 5% match is required in the amount of \$7,500. Funds were allocated in the 2019 budget for this project. Construction would be performed in 2020. The Public Works Committee discussed this at their March 6, 2019 meeting when authorizing the hire of Precision Approach Engineering, who is preparing the application.

Councilor Strengholt moved and Councilor Bode seconded to approve Resolution No. 1002, Acceptance of Department of Transportation, Aviation Division Grant and authorize the Mayor's signature. Motion approved on a 5-0 vote.

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6. OTHER BUSINESS

Council Committee Updates

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

- Benson park plan
- Recreation District Bond measure
- Clarification from city attorney on dog leash issue
- Middle school trail wall is being constructed
- Concrete benches (3) is being donated by Lion's Club

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

- Overtime usage and trending downward
- Revenue and expenditures

7. EXECUTIVE SESSION

Council recessed into executive session at 7:20 p.m. to discuss a potential acquisition of real estate. It was anticipated that the executive session would last approximately 10 minutes total and that a decision would not be made.

The Council meeting reconvened at 7:30 p.m.

8. ADJOURNMENT

The May 20, 2019 regular session of the Lynden City Council adjourned at 7:30 p.m.

Pamela D. Brown, City Clerk

Scott Korthuis, Mayor