

# CITY OF LYNDEN

## CITY COUNCIL MINUTES OF REGULAR MEETING



February 6, 2023

### 1. CALL TO ORDER

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

### PLEDGE OF ALLEGIENCE

### ROLL CALL

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

Members absent: Mayor Korthuis and Councilor Wohlrab.

Staff present: Finance Director Anthony Burrows, Fire Chief Mark Billmire, Parks Director Brent DeRuyter, Planning Director Heidi Gudde, Police Chief Steve Taylor, Public Works Director Steve Banham, 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 Kuiken moved, and Councilor Strengholt seconded to approve the February 6, 2023, regular meeting minutes. Motion approved on 5-0 vote.*

### CITIZEN COMMENT

Cynthia Ripke-Kutsagoitz, Guide Meridian, Lynden

- Spoke about cardiac wellness month and the effect heart health has on police and fire personnel as well as pilots. She said that medical doctors suspect there is a correlation between the COVID vaccinations and protein spikes in the heart.

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## 2. CONSENT AGENDA

### Payroll Liability to January 15 through January 28, 2023

#### EFT & Other Liabilities

#### Non-L&I Liabilities

Monthly EFT .....	\$617,621.02
Check Liability .....	\$0.00
Total Non-L&I Liabilities .....	\$617,621.02
Quarterly Liabilities .....	\$12,999.25
<b>Total EFT &amp; Other Liabilities</b>	<b>\$630,620.27</b>

### Approval of Claims – February 7, 2023

Manual Warrants No.	<u>26540</u>	through	<u>26560</u>		\$1,020,388.10
EFT Payment Pre-Pays					\$1,460,637.56
				Sub Total Pre-Pays	\$2,480,975.66
Voucher Warrants No.	<u>26564</u>	through	<u>26655</u>		\$312,056.31
EFT Payments					<u>\$14,829.88</u>
				Sub Total	\$326,886.19
				Total Accts. Payable	\$2,807,861.85

#### 2023 Advisory Committee Approvals

The Park and Trail Advisory Committee discussed possible candidates to fill the vacancies left by Mr. Colby Weg and Mr. Mike Schaeffer and unanimously voted to submit Len VanderVelden and Ms. Pam Holladay for council approval. Their one-year term would be from January 1, 2023 to December 31, 2023.

The Berthusen Park Advisory Committee also received notification and approved the reassignment for a 3-year term to Dave Timmer. His term would be from January 1, 2023 to December 31, 2025

#### 2023 MOU with North Sound Region- Setting Opioid Fund Distributions

As a result of the lawsuit filed by the Washington State Attorney General against the opioid manufacturing companies, the City of Lynden is receiving a prorated share of the settlement based on population. One of the requirements of the settlement is that the

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City is required to be a part of a regional group established within the agreement (North Sound Region) The attached agreement would make the City of Lynden a part of the “North Sound Region” group as required by the State. There will be a later agreement that will establish the use of the funds as required for education and services related to opioid misuse.

### Amendment to Friendship Diversion Contract

Friendship Diversion is requesting a \$17.00 increase in fees starting February 1, 2023. The \$15.00 enrollment increase \$1.00 GPS/\$1.00 SCRAM.

***Motion made by Councilor De Valois seconded by Councilor Lenssen to approve the consent agenda as presented. Motion approved 5-0.***

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

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

### **5. NEW BUSINESS - None**

### **6. OTHER BUSINESS**

Councilor Lenssen reporting for Community Development Committee involving discussion of:

- Necessity of municipal code language regulating requirements for enclosing patios.
- Affordable housing, specifically the category known as Middle Housing.
- Short-term rentals and the development of municipal code to regulate that permitting process.

Councilor Lenssen reporting for Public Safety Committee involving discussion of:

- Utility Task Vehicles (UTVs) – further discussion will be held at the February 9<sup>th</sup> Public Safety meeting.

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

- Affordable housing and the number of spaces available in Duffner mobile home park.
- Review of current public works projects.
- Paving of Pepin Creek bridge.

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- Water quality in Double Ditch is not caused by the city of Lynden, but rather the cause originates from across the border in Canada.
- Water fluorination and whether the city wants to continue fluorinating the water or whether to cease the practice.

### 7. EXECUTIVE SESSION

Council adjourned into executive session at 7:55 p.m. to discuss with legal counsel representing the city, two matters relating to agency enforcement actions, under RCW 42.30.110(1)(i). Council expected the executive session to last fifteen minutes and end at 8:10 p.m. with potential action to follow.

Council reconvened at 8:10 p.m. and made a motion.

***Councilor Strengholt moved, and Councilor De Valois seconded to direct the city attorney to file a court action to enforce the city code against Lynden Automotive located at 8894 Bender Road. Motion approved 5-0.***

### 8. ADJOURNMENT

The February 21, 2023, regular session of the Lynden City Council adjourned at 8:12 p.m.

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Pamela D. Brown, City Clerk

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Scott Korthuis, Mayor