

# CITY OF LYNDEN

## CITY COUNCIL MINUTES OF REGULAR MEETING



August 17, 2020

### 1. CALL TO ORDER

Mayor Korthuis called to order the August 17, 2020 regular session of the Lynden City Council at 7:00 p.m. held through an online web-based meeting platform (Microsoft Teams).

### ROLL CALL

Members present: Mayor Scott Korthuis and Councilors, Ron De Valois, Gerald Kuiken, Brent Lenssen, Nick Laninga, and Kyle Strengholt.

Members absent: Councilor Gary Bode

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

***\*Councilor Mark Wohlrab joined the meeting at approximately 7:09 p.m.***

**OATH OF OFFICE- None**

### APPROVAL OF MINUTES

***Councilor Lenssen moved and Councilor Kuiken seconded to approve August 7, 2020 special council meeting, and August 3, 2020 regular council minutes as presented. Motion approved on a 5-0 vote.***

### ITEMS FROM THE AUDIENCE

**Scheduled:** Cameo Besherse, 1508 Grover Street, Lynden, WA

Cameo Besherse, shared with Council what she and her friends have experienced in the city of Lynden while marching and holding signs in support of Black Lives Matter. Cameo stated that while many of the public reactions were negative, she has seen some improvement and a willingness to discuss the topic from people, and a difference in public reaction between the July and August events. She reminded council that the group is aware that

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changing the world takes a lot of work and a lot of people. That is why her group is focusing on what they can do to work through the problems within the Lynden community, in an effort to bring people together and make everyone feel welcome and know that black lives, indigenous lives and people of color's live matter too.

**Unscheduled- None**

**2. CONSENT AGENDA**

**Approval of Payroll Disbursed – August 1 through August 15, 2020**

Paychex EFT .....	\$277,050.13
City of Lynden EFT .....	\$62,272.95
Warrant Liability .....	\$59,886.59
<b>Subtotal</b>	<b>\$399,209.67</b>
Paychex EFT Liability	\$7,584.39
<b>Total EFT &amp; Other Liabilities</b>	<b>\$406,794.06</b>

**Approval of Claims – August 17, 2020**

Manual Warrants No.	<u>19931</u>	through	-		\$240.00
EFT Payment Pre-Pays					\$5,896.86
				Sub Total Pre-Pays	\$6,136.86
Voucher Warrants No.	<u>19951</u>	through	<u>20070</u>		\$1,079,273.23
EFT Payments					\$0.00
				Sub Total	\$1,079,273.23
				Total Accts. Payable	<b>\$1,085,410.09</b>

Young Long Plat (Double Ditch Road) Request to Cash Out Water Improvements on Double Ditch Road instead of Installing Water Main

Faith Community Church Waterline Easement

***Councilor Kuiken moved and Councilor Strengholt seconded to approve the Consent Agenda. Motion approved on 6-0 vote. (Councilor Mark Wohlrab joined the meeting at approximately 7:09 p.m.)***



### 3. PUBLIC HEARING

To help the City of Lynden protect its IT systems and secure the data it needs to operate, the city conducted a performance audit designed to identify opportunities to improve IT security.

This audit answered the following questions:

- Does the city have vulnerabilities in its IT environment that could lead to increased risk from external or internal threats?
- Do the city's IT security practices align with selected security controls?

The city is required to have a public hearing to provide the public with notice of the audit.

Michael Hjermsstad from the Washington State Auditor's Office gave a brief overview of the program and the audit process conducted on the behalf of the City of Lynden.

Mayor Korthuis opened the Public Hearing at 7:15 p.m.

There were no comments provided to council.

Mayor Korthuis closed the Public Hearing at 7:15 p.m.

### 4. UNFINISHED BUSINESS - None

### 5. NEW

#### Set Public Hearing Date for Ordinance No. 1607- Extension of the Pepin Creek Moratorium

The Pepin Creek moratorium has been in place since September of 2016. It was established in recognition of significant constraints associated with what is now known as the Pepin Creek Subarea.

Earlier this year the City Council approved the Pepin Creek Sub-Area Plan that addresses circulation, open space and assigned land use and zoning within the area. Because of the significant infrastructure improvements associated with the creek re-alignment and the improvement of Benson and Double Ditch Roads, Council has recognized that work must be undertaken in a phased approach. Given this approach, the engineering team, Public Works, and Planning departments are developing a plan which decreases the overall infrastructure cost associated with the creek realignment. This plan has become known as Pepin Lite. Pepin Lite is largely consistent with the concepts of the approved sub-area plan but focuses on portions of the sub-area already within the City and under moratorium. Cost estimates for this



version of the creek realignment project has been reduced from approximately \$36 million to \$17 million.

Using these estimates, a consultant team is developing a strategy for the financial assessment. Work in this area has been somewhat slowed by the disruptions of COVID-19. It is estimated that results of the mitigation study will be completed by the end of September 2020 and a subsequent course of action brought to the Council for approval.

As these final elements are defined and executed, City staff recommends that the Council set a public hearing date of September 8, 2020 to consider an additional 6 months of moratorium.

***Councilor Lenssen moved and Councilor Strengholt seconded to set a public hearing date of September 8, 2020 to consider a 6-month extension of the existing moratorium of development on those properties previously identified within the Pepin Creek Sub-Area. Motion approved on 6-0 vote.***

#### Planning Commission Application of Karen Timmer

The Mayor has appointed a new member, Karen Timmer, to fill a vacancy on the Planning Commission. The position recently opened when Lynn Templeton stepped down from the position. Karen is a local real estate agent who has lived and worked in the Lynden area for years. Her depth of knowledge of the City and the real estate market will be an asset to the Planning Commission.

Title 2.08 of the Lynden Municipal Code describes the position: The Commission consists of seven members. Commission members are selected without respect to political affiliations and serve without compensation. At the time of appointment and throughout his term of office, the primary residence of each member of the Planning Commission must be within the city limits of Lynden. The term of office for each member is 4 years.

***Councilor De Valois moved and Councilor Laninga seconded to confirm the appointment of Karen Timmer to the Lynden Planning Commission for a term beginning September 2020 and expiring September 2024. Motion approved on 6-0 vote.***

#### IT Department (Exempt) – Out of Schedule Compensation and Costing Policy

To recognize the work of the city's IT Department exempt employees that are required beyond traditional work schedule to meet department needs and emergency events. To cost this expense to appropriate departments when implemented.

***Councilor Strengholt moved and Councilor Lenssen seconded to approve and accept the IT Department (Exempt) – Out of Schedule Compensation and Costing Policy. Motion approved on 6-0 vote.***



## 6. OTHER BUSINESS

### Council Committee Updates

Councilor Strengholt reporting for the Finance Committee which involved discussion of:

- Review of overtime
- Sales tax for online sales are healthy for the month of May
- Review of LTAC and Satellite agencies' budget requests
- Utility bill due dates will be moved to the last day of the month beginning September 30, 2020

Councilor De Valois reporting for the Parks Committee which involved discussion of:

- Heusinkveld Barn improvements
- Berthusen restroom on schedule
- Pump track is open and well used
- Misbehaving kids at Bender fields

Councilor Lenssen thanked Lynn Templeton for the time he served on the Planning Commission and welcomed Karen Timmer to the Commission. He also notified council that the Community Development Committee meeting is canceled for August.

Councilor Wohlrab reporting for the Public Safety Committee which involved discussion of:

- Possible 10-day NW Fair schedule for 2021
- Request from Heather Brown and Jetje Williams for council to consider issuing a statement that would affirm that Lynden stands for racial equality
- Review OT
- Fire department monthly report and station remodel
- Drive up COVID testing at Bender Fields
- Promotion of 2 police corporals
- Lynden Watch growth and hits for social presence was almost 100,000

Councilor Strengholt asks city administration to consider uploading the council meeting recordings to the city's Municode webpage. City Administrator assure Councilor Strengholt that it could be done and with a minimal amount of cost.

## 7. EXECUTIVE SESSION

Council did not hold an executive session.



## 8. ADJOURNMENT

The August 17, 2020 regular session of the Lynden City Council adjourned at 7:40 p.m.

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Pamela D. Brown, MMC  
City Clerk

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Scott Korthuis  
Mayor

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