

# CITY OF LYNDEN

## CITY COUNCIL MINUTES OF REGULAR MEETING



July 19, 2021

### 1. CALL TO ORDER

Mayor Korthuis called to order the July 19, 2021, regular session of the Lynden City Council at 7:00 p.m., held at the City Annex.

### ROLL CALL

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

Members absent: Councilor Lenssen absent with notice.

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

### OATH OF OFFICE- None

### APPROVAL OF MINUTES

***Councilor Strengtholt moved and Councilor Wohlrab seconded to approve the July 6, 2021, regular council minutes as presented. Motion approved on a 6-0 vote.***

### ITEMS FROM THE AUDIENCE

#### Scheduled- None

#### Unscheduled:

Lynden Chamber Director Gary Vis thanked the city representatives and city staff for their assistance with the Farmer's Day Parade event on July 17<sup>th</sup>. He estimated that the attendance was approximately 15,000 people and 92 parade entries.

Mr. Vis also advised council that the NW WA Fair is experiencing a labor workforce shortage. Of the 400 or so positions normally hired to work during the Fair there are currently 80 positions filled. If you know of anyone that would like to work at the 2021 Fair, ask them to contact NW WA Fair Association.

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Mayor Korthuis announced that Diane Veltkamp has decided to retire from the Planning Commission. Some of the highlights of her 30 years serving the Lynden community on the Planning Commission include the following:

- The opportunity to serve a community that she loves.
- Working and developing relationships with the other Commissioners.
- The diversity of projects, and the ability to create codes and standards for the city.
- Working with Lynden residents, they, like her, care for the city they live in.

A few of the low lights included the occasions where many hours were sunk into a project to only have it withdrawn, developments not turning out like they were envisioned, long hours spent on the legal challenges to decisions and having to work remotely, without personal interaction.

Some projects accomplished while Diane Veltkamp served on the Planning Commission:

- The Homestead development
- RB Development (the area around the Christian Health Care Center and Lynden Manor)
- Many of the design standards and codes were heavily influenced by her work
- Various other plats or neighborhoods in Lynden:
  - Every new plat east of Vinup which include virtually all of the homes in that area. All of this land as well as most of the land between Bender and Vinup was developed since 1992

Diane Veltkamp exemplifies being an engaged and passionate citizen who stepped up to give it her all.

## 2. CONSENT AGENDA

### Payroll Liability to June 1 through June 15, 2021

#### **EFT & Other Liabilities**

#### **Non-L&I Liabilities**

Monthly EFT .....	\$362,745.79
Check Liability .....	\$11,618.67
Total Non-L&I Liabilities .....	\$374,364.46
Quarterly Liabilities .....	\$11,957.28
<b>Total EFT &amp; Other Liabilities</b>	<b>\$386,321.74</b>

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### Payroll Liability to June 16 through June 30, 2021

#### **EFT & Other Liabilities**

#### **Non-L&I Liabilities**

Monthly EFT .....	\$380,322.82
Check Liability .....	\$116,966.54
Total Non-L&I Liabilities .....	\$497,289.36
Quarterly Liabilities .....	\$12,143.48
<b>Total EFT &amp; Other Liabilities</b>	<b>\$509,432.84</b>

### Approval of Claims – July 7, 2021

Manual Warrants No.	<u>22368</u>	through	<u>22368</u>		\$5,130.47
EFT Payment Pre-Pays					\$223,181.28
				Sub Total Pre-Pays	\$228,311.75
Voucher Warrants No.	<u>22369</u>	through	<u>22391</u>		\$73,697.72
EFT Payments					\$0.000
				Sub Total	\$73,697.72
				Total Accts. Payable	<b>\$302,009.47</b>

### Approval of Claims – July 21, 2021

Manual Warrants No.	<u>22407</u>	through	<u>22408</u>		\$9,735.72
EFT Payment Pre-Pays					\$5,882.16
				Sub Total Pre-Pays	\$15,617.88
Voucher Warrants No.	<u>22409</u>	through	<u>22557</u>		\$1,197,235.67
EFT Payments					\$0.000
				Sub Total	\$1,197,235.67
				Total Accts. Payable	<b>\$1,212,853.55</b>

### Set Public Hearing- Skyview Development Agreement

The City Council is being asked to consider a development agreement which outlines the developer obligations and timeline for a mixed-use portion of the Skyview Townhome project.

This multi-family project is located just north of the North Prairie Phase 7 long plat on the east side of Northwood Road with Badger Road frontage. It consists of two parcels shown on the Skyview Lot Line Adjustment maps.

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The agreement affects Lot A of the Skyview Lot Line Adjustment. This parcel has a zoning of Commercial Services Local (CSL). The City's CSL zoning permits mixed-use development that maintains a minimum of 60% commercial space on combined ground floor areas.

Although the City's code includes provision for this ratio of commercial to residential use to be accommodated in multiple buildings it does not include specifics as to the timing of this build out. The agreement proposes that the residential portion of the mixed-use development may proceed without the establishment of a commercial use. A portion of Lot A will be reserved to accommodate the commercial component at a later date. The residential portion to be constructed on the CSL parcel includes 15 townhomes which are accessed from the southern residential neighborhood.

The future commercial development would be accessed from the Badger Road to the north. The agreement also includes developer obligations including landscape buffer and pedestrian trail connections which must be constructed in association with the residential portion of the project. The agreement is currently under legal review. A draft is provided for Council review ahead of the public hearing proposed to be set for August 2, 2021.

### Introduction of Ordinance No. 1630- Amendment to the 2021 Budget

As required by State regulations, the Finance Department would like to introduce a proposed amendment to the 2021 Budget. Increased Protective Inspections have resulted in additional expenditures requiring an increase to the budget in Fund 119. The amendment reflects Council authorized transactions.

The following funds need to be modified:

	Adopted Budget	Amended Budget	Variance
Fund 119 Protective Inspections	\$65,000	\$140,000	\$75,000

The Finance Committee has reviewed this amendment in their July 19, 2021, meeting.

### SCORE Contract Update

Rates are increasing by 3%, and the \$35 booking feeing that has been suspended in 2021 is being reinstated in the South Correctional Entity (SCORE) 2022 rate amendment agreement.

### Ordinance No. 1629- Line of Credit Renewal

Ordinance No. 1231 was approved by council on May 2, 2005. It allowed the city to have a revolving line of credit. The notes have provided interim financing for capital projects such as the Water Reservoir project (for DWSRF reimbursement), Arterial Street capital

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improvements, Police Station Acquisition/Remodel (prior to issuance of permanent financing), and East Lynden Sewer Sub-Basin improvement projects.

Presently, outstanding balances on the line of credit consist of several funds awaiting reimbursement money. The line of credit is available to provide interim financing for Street Capital Construction projects. These projects are secured by grant and/or other intergovernmental funding on a reimbursement basis.

Since 2005, Ordinance No. 1231 has been amended by Ordinance No. 1261, 1295, 1319, 1355, 1376, 1400, 1420, 1444, 1467, 1485, 1510, 1534, 1558 and 1588 each authorizing an extension of the maturity date of the notes. The City received an offer from Banner Bank to extend the maturity date of the notes from July 31, 2021 to July 31, 2022, at a rate of 2.85%, which is a 0.79% decrease from the previous rate. The closing date is anticipated to be July 29, 2021.

The City's Bond Counsel and Finance Director have reviewed this proposal prior to its review by the Finance Committee on July 19, 2020. The Finance Committee approved the renewal in their June 19th, 2021, meeting and has forwarded the Ordinance to the full Council.

### Interlocal Agreement with Whatcom County for Economic Development Investment Program Grant and Loan Funds to Improve West Front Street to All Weather Street Standards

The City of Lynden has received a combination grant/loan from Whatcom County's Economic Development Investment (EDI) Fund for the reconstruction of West Front Street to City "all weather" standards with widened shoulder and no parking strip, curb, or gutter.

In 2020 the City passed Resolution 1019 as part of the application to Whatcom County for EDI funding, but was unsuccessful, in part due to COVID-19. The City reapplied earlier this year (2021) with a scaled down version of the project and was successful in receiving both EDI Board and Whatcom County Council support. The combination 1/3 grant, 2/3 loan is for a total of \$2M rather than the previous \$3M application.

This street is a federally classified street and identified as a City "impact fee funded" street and has been designed for future widening to full arterial standard should federal funding become available. The interlocal agreement was approved by the Whatcom County Council on July 13, 2021. The City will repay the \$1,333,333 loan using a combination of TBD, Impact Fees and General Funds.

***Councilor De Valois moved and Councilor Wohlrab seconded to approve the Consent Agenda. Motion approved on a 6-0 vote.***



### 3. PUBLIC HEARING

#### Ordinance No. 1625 Amending LMC Titles 1 and 12

In May of 2019 the City Council identified a desire to update the municipal code to remove or revise some sections which were no longer necessary. Although revisions were drafted, the details of the amendments related to the serving of alcohol and horse taxis proved to be more complicated than initially thought and the amendment stalled. In an effort to conclude this item the proposed amendments were brought to the Community Development Committee meeting on April 21, 2021.

The Committee concluded discussion by requested that staff move forward only with the revisions to Title 1 regarding the City's datum point and Title 12 regarding a requirement for oil drip pans. Ordinance 1625 amends the Lynden Municipal Code as requested.

Mayor Korthuis opened the Public Hearing at 7:09 p.m.

Gary Vis, 518 Front Street, Lynden asked if the LMC will have code language for vehicles that leak oil.

Mayor Korthuis closed the Public Hearing at 7:11 p.m.

***Councilor Bode moved and Councilor Wohlrab seconded to approve Ordinance No. 1625 amending portions of Titles 1 and 12 of the Lynden Municipal Code and authorize the Mayor's signature on the ordinance. Motion approved on a 6-0 vote.***

### 4. UNFINISHED BUSINESS- None

### 5. NEW BUSINESS

#### City Administrator Employment Agreement- John Williams

At the July Council meeting, the City Council confirmed the appointment of John Williams as the successor to City Administrator Mike Martin and authorized the Mayor to negotiate an employment agreement with him. This employment agreement is the result of those negotiations.

Notably, it includes an annual salary of \$141,743, which is the 8<sup>th</sup> step on a 10-step salary scale. He will receive annual COL adjustments consistent with those that all city department directors receive. He will also receive a \$300/month car allowance and accrue twenty days of vacation annually, along with standard City benefits (health, retirement etc.) received by all non-represented employees.



John Williams is expected to join the City in mid-August, but a definite date is not yet confirmed.

***Councilor Strengholt moved and Councilor Kuiken seconded to approve the Employment Agreement between John Williams and the City of Lynden. Motion approved on a 6-0 vote.***

## 6. OTHER BUSINESS

### Council Committee Updates

Councilor Strengholt reporting for the Finance Committee stated discussion of the following:

- Line of Credit renewal and Budget Amendment on the night's consent agenda
- Increasing budget amount for inspection fee updated
- Monthly financial report
- Sales, property, and excise tax remain strong
- Water & Sewer fund remain strong
- Stormwater fund is good but could be better
- Utility billing delinquent accounts
- City debt capacity

Councilor De Valois reporting for the Parks Committee stated discussion of the following:

- Parks department succession plan for Parks Director
- Picnic tables for Glenning Park
- Benson Park barn renovations being scaled back
- Pump station location
- Dickinson house
- Trail location around the Dickinson Park
- Depot to 8<sup>th</sup> street progressing
- Funding needs for the Parks department

Councilor Wohlrab discussed the plan to hold another portable water park event. Tentatively the plan is to have the event on Saturdays for the following dates: July 31, August 7, August 21, and August 28. These are tentative dates based on weather conditions and other circumstances.



## 7. EXECUTIVE SESSION

Council did not hold an executive session.

## 8. ADJOURNMENT

The July 19, 2021, regular session of the Lynden City Council adjourned at 7:23 p.m.

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Pam Brown, MMC  
City Clerk

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Scott Korthuis  
Mayor

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