

CITY OF LYNDEN



CITY COUNCIL MINUTES OF REGULAR MEETING

May 1, 2023

1. CALL TO ORDER

Mayor Pro Tem Bode called to order the May 1, 2023 regular session of the Lynden city council at 7:00 p.m. held in the city's council chambers.

PLEDGE OF ALLEGIENCE

ROLL CALL

Members present: Mayor Pro Tem Gary Bode and Councilors Ron De Valois, Brent Lenssen, Nick Laninga, Kyle Strengholt, and Mark Wohlrab.

Members absent: Mayor Scott Korthuis and Councilor Kuiken.

Staff present: Planning Director Heidi Gudde, Public Works Director Steve Banham, City Clerk Pam Brown, and City Administrator John Williams.

OATH OF OFFICE - None

SUMMARY REPORTS AND PRESENTATIONS - None

APPROVAL OF MINUTES

Councilor De Valois moved, and Councilor Wohlrab seconded to approve the April 17, 2023, regular meeting minutes. Motion approved on 5-0 vote.

CITIZEN COMMENT

Cynthia Ripke-Kutsagoitz, Guide Meridian, Lynden

Cynthia commented on several general topics, one of which included Loyalty Day, recognized on May 1.

2. CONSENT AGENDA

Payroll Liability to April 9 through April 22, 2023

EFT & Other Liabilities

Non-L&I Liabilities

Monthly EFT	\$264,478.60
Check Liability	\$0.00
Total Non-L&I Liabilities	\$264,478.60
Quarterly Liabilities	\$14,029.13

Total EFT & Other Liabilities	\$278,507.73
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Approval of Claims – May 2, 2023

Manual Warrants No.	<u>27195</u>	through	<u>27195</u>		\$61.75
EFT Payment Pre-Pays					\$38,821.83
				Sub Total Pre-Pays	\$38,583.59
Voucher Warrants No.	<u>27199</u>	through	<u>27279</u>		\$250,689.18
EFT Payments					\$5,512.10
				Sub Total	\$256,201.28
				Total Accts. Payable	\$294,784.86

Whatcom County Library District Interlocal, Amendment No. 1

The original 20-year lease expires in 2023, this agreement would extend the lease for an additional 10 years as provided for by the original agreement. The Library District and City met to discuss the continuation of this lease and it was approved by the Library Board on April 18th at their board meeting.

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

3. PUBLIC HEARING - None

4. UNFINISHED BUSINESS

Ord-23-1660, Whatcom Buildable Land Report

On November 21, 2022, Lynden City Council held a public hearing to review the 2022 Buildable Lands Report for Whatcom County jurisdictions. While the Report covers the entire County, each jurisdiction is responsible for review and adoption by their policy makers.

The Buildable Lands Report is a data driven growth evaluation program that “looks back” at how development has occurred in the County (and specifically in each UGA) since the last Comprehensive Plan update in 2016. The Buildable Lands Report reviews planned densities and land availability for those densities as determined in the Comp Plan, but then specifically evaluates how development has actually occurred in the city since 2016. The data collected for the Report will be used by the city to inform the writing of the 2025 Comp Plan update.



If the analysis in the Report shows that growth assumptions are not occurring as expected, then the city must identify “reasonable measures” that must be enacted in the next Comp Plan update to reduce the differences between development assumptions and actual growth. The Report shows that Lynden has been reaching its density assumptions as development has occurred since 2016, and therefore, no reasonable measures are being proposed for Lynden.

Since the November 21st public hearing, additional review by the County Council has prompted revisions to the Report – these revisions are mostly associated with the Bellingham UGA profile and do not substantially change the Report as it relates to Lynden. Furthermore, additional Findings have been added to Ordinance 1660, a draft of which was available for review at the November hearing. These additional Findings are concerned with housing affordability and specifically recognize that the Buildable Lands Report does not address housing affordability or reasons for the housing crisis in the State. We anticipate that housing issues, particularly through the Housing Element, will be an important component of the 2025 periodic update to the City’s Comprehensive Plan.

Motion made by Councilor Lenssen, seconded by Councilor Wohlrab to approve Ord-23-1660 adopting the Buildable Lands Report and authorize the Mayor’s signature on the document. Motion approved 5-0.

5. NEW BUSINESS

The City Council is being asked to consider a parking easement agreement with Lynden Professional Group, LLC (LPG), the property owner of Buildings A and B of 1610 Grover Street. The easement would be established on the corner of Liberty St and 17th St. where the existing private parking lot encroaches into the City’s right-of-way. The encroachment occurred because the area was inaccurately labeled as “vacated” on a 1972 plat. The issue became known during the currently proposed plat which would separate Building A and Building B onto their own parcels (see attached plat draft). Aside from land division, no redevelopment or changes to the property are proposed at this time. Encroachment, which totals about 1100 square feet, is needed in order for the parking lot to continue to function as designed.

The City currently has no plans to utilize this portion of Liberty Street right-of-way. When public property is utilized by a private entity a value of this use is assigned. The easement agreement details the value at 30% of the assessed land value of the adjacent parcel (which equals \$6,860.86). The easement may remain in place until the property is significantly redeveloped or the right-of-way is successfully vacated and included into the subject parcel. The agreement also requires that the property owner maintain insurance for the benefit of the City and indemnifies the City against claims.

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Motion made by Councilor De Valois, seconded by Councilor Lenssen to approve the Parking Easement Agreement with Lynden Professional Group for a portion of the Liberty Street and 17th Street right-of-ways and authorize the Mayor's signature on the document. Motion approved 5-0.

6. OTHER BUSINESS - None

7. EXECUTIVE SESSION

The council did not hold an executive session.

8. ADJOURNMENT

May 1, 2023, regular session of the Lynden City Council adjourned at 7:25 p.m.

Pamela D. Brown, City Clerk

Scott Korthuis, Mayor