

# CITY OF LYNDEN

## CITY COUNCIL MINUTES OF REGULAR MEETING



April 1, 2024

### 1. CALL TO ORDER

Mayor Korthuis called to order the April 1, 2024 regular session of the Lynden City Council at 7:00 p.m. in the city's council chambers.

### PLEDGE OF ALLEGIENCE

OATH OF OFFICE – None.

### ROLL CALL

Members present: Councilors Gary Bode, Lee Beld, Gary Vis, Brent Lenssen, Nick Laninga, and Mark Wohrab.

Members absent: Councilor Strengholt absent.

Staff present: Community Development Director Heidi Gudde, Finance Director Anthony Burrows, Fire Chief Mark Billmire, Parks Director Brent DeRuyter, Police Chief Steve Taylor, Public Works Director Jon Hutchings, City Clerk Pam Brown, City Administrator John Williams, and City Attorney Bob Carmichael.

SUMMARY REPORTS AND PRESENTATIONS – None.

### APPROVAL OF MINUTES

*Councilor Bode moved, and Councilor Lenssen seconded, to approve the March 18, 2024 regular council minutes. Motion approved on 6-0 vote.*

### CITIZEN COMMENT

Cynthia Ripke-Kutsagoitz, Guide Meridian, Lynden

- Miscellaneous thoughts and opinions on Easter, Lynden Tribune cartoon, and the Lynden Senior/Community Center.

# CITY OF LYNDEN

CITY COUNCIL  
MINUTES OF REGULAR MEETING



## 2. CONSENT AGENDA

### Payroll Liability to March 10 through March 23, 2024

#### EFT & Other Liabilities

##### Non-L&I Liabilities

Monthly EFT .....	\$439,365.97
Check Liability .....	\$0.00
Total Non-L&I Liabilities .....	\$439,365.97
Quarterly Liabilities .....	\$13,896.25
<b>Total EFT &amp; Other Liabilities</b>	<b>\$453,262.22</b>

### Payroll Liability to March 24 through April 6, 2024

#### EFT & Other Liabilities

##### Non-L&I Liabilities

Monthly EFT .....	\$609,147.76
Check Liability .....	\$0.00
Total Non-L&I Liabilities .....	\$609,147.76
Quarterly Liabilities .....	\$13,442.69
<b>Total EFT &amp; Other Liabilities</b>	<b>\$622,590.45</b>

### Approval of Claims – March 5, 2024

Manual Warrants No.	29531	through	29531		\$54.75
EFT Payment Pre-Pays					\$0.00
				Sub Total Pre-Pays	\$54.75
Voucher Warrants No.	29749	through	29821		\$220,137.14
EFT Payments					\$55,309.48
				Sub Total	\$275,446.62
	<b>Total Accts. Payable</b>				<b>\$275,501.37</b>

### BCH Consultants: 2025 Periodic Update-Professional Services and Scope of Work

The Planning Division has selected BHC Consultants, LLC to work with staff on the 2025 update to the City's Comprehensive Plan. The update will be substantial, requiring coordination with Whatcom County, and the Department of Commerce and will be

# CITY OF LYNDEN

## CITY COUNCIL MINUTES OF REGULAR MEETING



completed by the end of 2025. The Scope of Work, explaining the work that they will be conducting, Exhibit A is included in the council packet. Funding for this update and for these consultant services is coming from the Department of Commerce. That grant contract (No. 24-63335-056) was reviewed and approved by the City Council at the February 20 meeting.

Peak Sustainability for Climate Planning Element within the 2025 Comprehensive Plan-Contract Approval- This item pulled from the consent agenda.

***Motion made by Councilor Vis, seconded by Councilor Bode to approve the Consent Agenda with the omission of the Peak Sustainability for Climate Planning Element within the 2025 Comprehensive Plan-Contract Approval Motion approved 6-0.***

Peak Sustainability for Climate Planning Element within the 2025 Comprehensive Plan-Contract Approval-

The Planning Division has selected Peak Sustainability Group to work with staff on mandated (HB1181) Climate Planning initiatives for the City's 2025 update to the Comprehensive Plan. The Climate Planning Element will include public outreach, greenhouse gas reduction ideas, resiliency planning, and will be included as a new element to the City's Comprehensive Plan – scheduled to be completed by the end of 2025.

The Scope of Work explaining the work that they will be conducting, Exhibit A, is included with the council packet. Funding for this update and for these consultant services is coming from Department of Commerce Climate Planning Grant Funds. That grant contract (No. 24-63610-137) was reviewed and approved by City Council at the February 20 meeting.

After council discussion the following motion was made:

***Motion made by Councilor Lenssen seconded by Councilor Vis to approve the attached Scope of Work and authorize the Mayor's signature on the Professional Services Agreement with Peak Sustainability Group. Motion approved 5-1, with Councilor Laninga opposed.***

### 3. PUBLIC HEARING

The City Council is being asked to hear and consider a proposed amendment to the development regulations related to accessory dwelling units (ADUs) as found in LMC 19.20.



The staff report includes analysis of the city's existing code and the proposed amendment. Although the amendment would personally benefit the applicant, it is important to note that the State has required that these changes occur by the start of 2026. This proposal would simply implement most of these changes prior to the State's deadline.

The Planning Commission and Technical Review Committee have provided a recommendation on the proposal that supports the amendment but includes staggered implementation dates for the removal of the owner-occupied covenant and a collection of impact fees for ADUs. Currently the city does not collect impact fees for ADUs while the

State outlines that the cities may collect up to 50% of the impact fees collected for a single-family home. Subsequent feedback from the Community Development Committee indicates support of the revision including the delayed implementation date regarding the removal of the owner-occupancy requirement. However, the Committee indicated that the Council may wish to begin collecting impact fees for ADUs at an earlier date to assist in mitigation of impacts. The Department of Commerce has concluded their comment period and commends the City for considering this action ahead of the State's deadline.

Mayor Korthuis opened the public hearing at 7:26 p.m.

There was no public comment.

Mayor Korthuis closed the public hearing at 7:26 p.m.

***Motion made by Councilor Lenssen seconded by Councilor Bode to approve Zoning Text Amendment 24-01 in the format recommended by the Planning Commission except that a start date for impact fee collection should be altered to July 1, 2024, and to authorize the Mayor's signature on ORD-24-1684. Motion approved 6-0.***

#### **4. UNFINISHED BUSINESS – None.**

#### **5. NEW BUSINESS**

##### Approve Expenditure of Funds for the Recreation Center Roof Repair Design

Forge Fitness procured a structural analysis of the roof over the swimming pool at the City-owned Recreation Center located at 100 Drayton Street. Findings show widespread moisture damage to the roof and excess loading of the structural joists. Engineer's recommendations for snow load limit wintertime use of the building. The facility requires



major repair that must be completed this summer to enable viable business use of the facility through next winter.

Current cost projections include \$19,000 to proceed with further characterization and design of repairs. The Public Works Committee, Parks and Recreation Committee, and Finance Committee will review the findings in the Kingworks Structural Calculations Report and discuss the matter in preparation for a proposed budget allocation of \$19,000 in Fund 356 Parks Capital Reserve for the continued work. If needed, a budget amendment will be presented later in the year.

***Motion made by Councilor Bode, seconded by Councilor Vis to approve the appropriation of \$19,000 in Fund 356 Parks capital Reserve to proceed with further characterization and design of roof repairs for the Recreation Center. Motion approved 6-0.***

Council discussed concerns over the cost impacts associated with the newly revised Washington Building Code. The revisions show a considerable increase in the costs associated with residential construction of new homes.

## 6. REPORTS

Councilor Bode reviewed the Public Works Committee minutes.

Councilor Lenssen reviewed the Community Development Committee minutes.

## 7. EXECUTIVE SESSION

The Council did not hold an executive session.

## 8. ADJOURNMENT

April 1, 2024 regular session of the Lynden city council adjourned at 8:28 p.m.

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Pamela D. Brown, City Clerk

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Scott Korthuis, Mayor