

CITY OF LYNDEN

CITY COUNCIL MINUTES OF REGULAR MEETING



October 17, 2022

1. CALL TO ORDER

Mayor Korthuis called to order the October 17, 2022 regular session of the Lynden City Council at 7:00 p.m. at the city's council chambers.

ROLL CALL

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

Members absent: Councilor Kuiken absent with notice.

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 Administrator John Williams, City Clerk Pam Brown, and City Attorney Bob Carmichael.

OATH OF OFFICE - None

SUMMARY REPORTS AND PRESENTATIONS – None

APPROVAL OF MINUTES

Councilor Strengholt moved, and Councilor De Valois seconded to approve the October 3, 2022 regular meeting minutes with the noted correction on page 3. Correction made. Motion approved on 6-0 vote.

CITIZEN COMMENT

Cynthia Ripke-Kutsagoitz, Guide Meridian, Lynden
Commented on her experience with equity and diversity.

Stephanie Rogers, Westview St., Lynden
Commented on the lack of lighting for the pump track is a safety matter.

CITY OF LYNDEN

CITY COUNCIL
MINUTES OF REGULAR MEETING



2. CONSENT AGENDA

Payroll Liability to September 25 through October 8, 2022

EFT & Other Liabilities

Non-L&I Liabilities

Monthly EFT	\$542,634.37
Check Liability	\$0.00
Total Non-L&I Liabilities	\$542,634.37
Quarterly Liabilities	\$13,605.76
Total EFT & Other Liabilities	\$556,240.13

Approval of Claims – October 19, 2022

Manual Warrants No.	=	through	=		\$0.00
EFT Payment Pre-Pays					\$0.00
				Sub Total Pre-Pays	\$0.00
Voucher Warrants No.	25804	through	25923		\$1,221,012.46
EFT Payments					<u>\$10,833.66</u>
				Sub Total	\$1,231,846.12
				Total Accts. Payable	\$1,231,846.12

Resolution No. 1054- Set Public Hearing- 2023 Revisions to the Engineering Design and Development Standards Project Manual

The Engineering Design and Development Standards Project Manual was originally adopted by City Council on April 5, 2004 and was last updated on January 1, 2022. These standards are required by the State's Growth Management Act and include street, water, sewer, and storm drainage standards to be used for all new and replacement construction.

In response to inquiries, changes in technology, and the feedback from customers, additions, deletions and/or clarifications have been made to the project manual. The manual also addresses access issues, permitting processes and procedures, and includes various forms necessary in the development process. Staff is updating the Manual annually and presents Resolution No. 1054 along with a list of revisions for Council review.

The Public Works Committee reviewed the updates at their October 5, 2022, meeting and recommended that City Council set a Public Hearing for November 7, 2022, to hear comments on the proposed revisions.



Resolution No. 1055- Support 2022 Countywide EMS Levy

A resolution in support of the passage of the 2022 EMS levy has been placed on the November ballot. The 2022 EMS levy provides for long term, stable and dedicated funding for countywide Emergency Medical Services. Resolution No. 1055 was reviewed by the Public Safety Committee and is forwarded to the full Council for consideration.

Motion made by Councilor Bode, seconded by Councilor Lenssen to approve the consent agenda as presented. Motion approved 6-0.

Mayor Korthuis noted that with this vote the City of Lynden will be supporting the 2022 Countywide EMS Levy. He encourages all citizens to vote yes and note that if the EMS Levy is approved the City will benefit from the 5th ALS (advanced life support) unit stationed in Lynden will benefit all of those residing in northeastern Whatcom County.

3. PUBLIC HEARING

Substitute Ordinance 1658-Interim Zoning Provisions on Community Residential Facilities and Emergency Interim Ordinance 1650-Zoning Provisions on Community Residential Facilities

On September 15, 2022, the City Council adopted Ordinance No. 1650, an interim zoning ordinance pertaining to the prohibition of community residential facilities within 500 feet of the City's schools and within 300 feet of other community residential facilities. Pursuant to RCW

36.70A.390 and 35A.63.220, this was done to rapidly adopt temporary zoning controls during the time in which permanent regulations are being developed.

As no public hearing was held at that time, tonight's public hearing is held in order to accept public comment on these provisions. This is required within 60 days of the original passage of the interim ordinance.

The Council may consider revising, ending, or extending the temporary zoning provisions based on public comment and staff recommendation. Legal counsel can support the extension of the ordinance but has proposed minor revisions which are being presented as substitute Ordinance No. 1658. It should be noted that the intent of the substitute ordinance is the same, but the document now clarifies the definition of a "recovery residence," it references cities with similar separate regulations, and has been updated a few other minor revisions. These changes are shown as strike-through / underlined format with the agenda packet.

CITY OF LYNDEN

CITY COUNCIL MINUTES OF REGULAR MEETING



Ordinance No. 1658 proposes to extend the interim zoning provisions to the middle of March 2023. This extension will provide time for additional public input on the document, and staff research into the housing needs of the community. A draft, for public review, will go to Council Committees in mid-November and early December. Public hearing on the final provision, with the Planning Commission, is expected in mid to late December. After the State's review, the final Council hearing can be slated for early March.

Mayor Korthuis opened the hearing at 7:10 PM.

Cynthia Ripke-Kutsagoitz, Guide Meridian, Lynden- Spoke in support.
Lori Price- 17th Street, Lynden- Spoke in support.
Tiffany Kingery, Westview Place, Lynden- Spoke in support.
Nick Sawka, Village Drive, Lynden- Spoke in support.
Travis Krueger, Westview Place, Lynden- Spoke in support.

Carrie Rogers, 17th Street. Lynden- Spoke in support.
Nathan Libolt, 17th Street, Lynden- Spoke in support.
Stephanie Rogers, Westview Street, Lynden- Spoke in support.

Mayor Korthuis closed the hearing at 7:25 PM.

Councilor Lenssen moved, and Councilor Strengholt seconded to approve and authorize the Mayor's signature on Ordinance No. 1658 which amends Ordinance No. 1650 and extends its date of effectiveness through March 15, 2023. Motion approved on 6-0 vote.

4. UNFINISHED BUSINESS- None

5. NEW BUSINESS

Agreement for Probation Services (2023-2025)

The City of Lynden is authorized by Washington State law to provide probation services to the citizens of the City. The City has found it in the best interests of its citizens if such services were provided to those persons that have been cited into Municipal Court.

The City does not possess the staff with expertise or the facilities to provide such services. The County does however possess the staff, expertise, and facilities to provide the described

CITY OF LYNDEN

CITY COUNCIL MINUTES OF REGULAR MEETING



services. The attached mutual agreement is for the County to provide pretrial and post-conviction probation services for the City.

Councilor Lenssen moved, and Councilor Strengholt seconded to approve the Agreement for Probation Services and authorize the Mayor's signature. Approved on 6-0 vote.

Introduction of the 2023 Preliminary Budget and the Mayor's Budget Message

Mayor Korthuis read the 2023 Preliminary Budget message to Council. Council members received a copy of the 2023 Preliminary Budget at the council meeting. Both the Budget Message and the Preliminary Budget have been included in the official council record. For information purposes only, no action was taken.

6. OTHER BUSINESS

Councilor Wohlrab reporting for the Public Safety Committee:

- City management of recreational burning
- Parking issues (not related to public safety)

Councilor Strengholt reporting for the Finance Committee:

- Reviewed OT for police and fire shift coverage
- Reviewed sales tax revenue, up 10% from 2021
- Discussed Probation Services Agreement
- Preliminary Budget preview
- September financial report

Councilor De Valois reporting for the Parks Committee:

- Discussion of Glenning Street Plan
- Discussion Benson Park Barn
- Relocation of the swinging gate in Berthusen to Double Ditch
- Automated locks are in place at Bender and City Park
- Soccer season almost finished at Bender Field
- Trail Signs

Councilor Wohlrab reported that the 'ladder truck' has been sold.

Councilor Bode reporting for the Public Works Committee:

- Discussion concerning source control business inspections (Whatcom County Health Department) for local businesses
- Septic tank to Sewer postcards were distributed (waives the connection fee)



CITY COUNCIL
MINUTES OF REGULAR MEETING

- 15-Minute parking signs downtown
- Bay-Lyn Drive & Guide Meridian pump station work
- Double Ditch culvert work
- Bender Road Water Association equipment requires monthly repairs, the line requires replacement

Mayor Korthuis asks that everyone vote yes on the TBD measure in November.

7. EXECUTIVE SESSION

Council did not have an executive session.

8. ADJOURNMENT

The October 3, 2022, regular session of the Lynden City Council adjourned at 7:53 PM.

Pamela D. Brown
City Clerk

Scott Korthuis
Mayor