

# CITY OF LYNDEN



## CITY COUNCIL MINUTES OF REGULAR MEETING

September 21, 2020

### 1. CALL TO ORDER

Mayor Korthuis called to order the September 21, 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, Gary Bode, Ron De Valois, Gerald Kuiken, Brent Lenssen, Nick Laninga, Kyle Strengtholt, and Mark Wohlrab.

Members absent: None

Staff present: Parks Director Vern Meenderinck, Planning Director Heidi Gudde, Public Works Director Steve Banham, City Clerk Pam Brown, City Administrator Mike Martin, and City Attorney Bob Carmichael.

**OATH OF OFFICE- None**

### APPROVAL OF MINUTES

*Councilor Kuiken moved and Councilor Wohlrab seconded to approve September 8, 2020 regular council minutes as presented. Motion approved on a 7-0 vote.*

### ITEMS FROM THE AUDIENCE

Scheduled: None

Unscheduled- None

### 2. CONSENT AGENDA

#### **Approval of Payroll Disbursed – September 1 through September 15, 2020**

Paychex EFT .....	\$282,964.97
City of Lynden EFT.....	\$63,702.05
Warrant Liability .....	\$60,120.38
<b>Subtotal</b>	<b>\$406,787.40</b>
Paychex EFT Liability	\$7,504.32
<b>Total EFT &amp; Other Liabilities</b>	<b>\$414,291.72</b>

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## Approval of Claims – September 25, 2020

Manual Warrants No.	<u>20146</u>	through	-		\$5,156.17
EFT Payment Pre-Pays					\$36,020.56
				Sub Total Pre-Pays	\$41,176.73
Voucher Warrants No.	<u>20147</u>	through	<u>20284</u>		\$2,865,954.38
EFT Payments					\$28,625.16
				Sub Total	\$2,894,579.54
				Total Accts. Payable	<b>\$2,935,756.27</b>

### Coronavirus Relief Fund Requests

The Federal Government through the United States Department of Treasury has created the Coronavirus Relief Fund (CRF). From this Fund the City of Lynden has been awarded \$651,150 in the form of grants to award to local businesses in need that have suffered loss from the impact of the Coronavirus. Both for profit and not for profit businesses were allowed to apply for this assistance. The program is administered by the Washington State Department of Commerce.

The council packet contained the summary sheets listing the eight for-profit businesses and the six non-profit businesses that were awarded grants and their awarded amounts. These grants are paid to the businesses by the City of Lynden first, after which the City is required to submit proof of these payments to the Department of Commerce for reimbursement.

The Finance Committee reviewed this information and approved it for review by the full Council. The City Council is being asked to give consent approval for the expenditure of the requested relief funds out of the current 2020 Budget.

***Councilor Kuiken moved and Councilor Wohlrab seconded to approve the Consent Agenda. Motion approved on 7-0 vote***

### **3. PUBLIC HEARING - None**

### **4. UNFINISHED BUSINESS – None**

### **5. NEW**



## Ordinance No. 1608- Rezone of Lions Gate Property (Site Specific Rezone #20-01)

AVT Consulting, as agent for the property owner, has requested a site-specific rezone of the 22-acre property located at the northeast corner of the intersection of the Guide Meridian. Formerly part of the City Bible Church campus the current project proposal is known as Lions Gate.

The zoning request is to shift the property from an RS-100 zoning category, which is single family residential homes on lots a minimum of 10,000 square feet, to Residential Mixed Density (RMD). RMD encourages a blend of single family and cottage lots of various sizes. It also permits some attached housing product as duplexes or paired homes on individual lots. The shift in the zone would allow for a higher density of housing in a variety of lot sizes.

The applicant has submitted a corresponding Master Planned Residential Development application which details how the site could accommodate 134 housing units. Current zoning would allow for approximately 95 large lot homes. The goal in creating a variety of lot sizes is to provide a range of housing products including small lot homes at more attainable price points for working families in an area of the City where services and bus lines are located nearby.

On August 13, 2020, the Planning Commission held a virtual public hearing via Microsoft Teams. The group heard a presentation from the applicant as well as comments from the public. The resulting 4-0 vote on the application was to recommend to the Council approval of the rezone proposal.

***Councilor Lenssen moved and Councilor Strengholt seconded to approve Ordinance No. 1608 which shifts the residential zoning of the subject property from RS-100 designation to a Residential Mixed Density (RMD) designation and to authorize the Mayor's signature on the Finding of Facts and Conclusions of Law and Ordinance No. 1608. Motion approved on 7-0 vote.***

## Preliminary Approval of the Lions Gate MPRD Application #20-01

AVT Consulting, as agent for the property owner, has requested the approval of a Master Planned Community (MPRD) concept for the 22-acre property located at the northeast corner of the intersection of the Guide Meridian. Formerly part of the City Bible Church campus the current project proposal is known as Lions Gate.

The request for the 135 home MPRD is coming forward concurrently with a zoning request is to shift the property from an RS-100 zoning category to the RMD category (Residential Mixed Density). The RMD zone encourages a blend of lot sizes and housing types as compared to



the 10,000-sf minimum of RS-100. Staff's review concluded with a recommendation of approval.

On August 13, 2020, the Planning Commission held a virtual public hearing via Microsoft Teams. The group heard a presentation from the applicant as well as comments from the public. The resulting 4-0 vote on the application was to recommend to the Council approval of the proposed concept with some specific conditions.

These are:

- (1.) That the maximum unit count be no more than 134 units.
- (2.) That paired housing lots be a minimum of 3000 square feet, single family detached lots a minimum of 4000 square feet, and single-family detached lots adjacent to green space be a minimum of 3500 square feet.
- (3.) That there be a variety of townhomes and 4-plex units with the 4-plex units being permitted along the Guide Meridian only.
- (4.) That the reference to open spaces between the duplex / 4-plex buildings along the west side of the development be removed and considered part of the lot.
- (5.) That zero lot lines be added to separate the townhome lots south along Main Street.

***Councilor Lenssen moved and Councilor Strengholt seconded to approve the Lions Gate MPRD concept as recommended and conditioned by the Planning Commission and to authorize the Mayor's signature on the corresponding Findings of Fact and Conclusions of Law. Motion approved on 6-1 vote with Councilor Laninga opposed.***

### Terminate Agreement with YMCA

The Whatcom Family YMCA has operated the Lynden Recreation Center since 1997. It closed the facility March 17, 2020 due to issues arising from the COVID pandemic. The City is in the process of identifying a successor agency that can operate the facility into the future.

The original Lease Agreement with the YMCA would terminate the agreement December 31, 2020. The City wishes to terminate the Agreement Oct. 1, 2020 because doing so will help facilitate transferring management of the facility to a new operator. Staff has contacted the YMCA and confirmed that the agency supports terminating the Agreement Oct. 1, 2020.



***Councilor De Valois moved and Councilor Strengholt seconded to approve termination of the Lease Agreement with the Whatcom Family YMCA. Motion approved on 7-0 vote.***

### Short Term Lease- "Let's Pool Together"

Staff would like Council to consider a short-term lease with "Let's Pool Together" which is an affiliate of the Bellingham Bay Swim Club. In brief, the lease agreement would give the Club access to the pool in the Lynden Recreation Center in exchange for providing public access. In the beginning this access would be limited to water aerobics on weekdays only. If there is sufficient demand, pool hours could be expanded and include other uses, such as lap and recreational swimming.

To accomplish this, the Bellingham Swim Club would provide the staff to run the programs, insurance, and water testing. It would also be responsible for ensuring all activities comply with Phase 2 COVID restrictions.

***Councilor De Valois moved and Wohlrab seconded to approve the short-term lease for "Let's Pool Together" and authorize the mayor to sign. Motion approved on 7-0 vote.***

### Statement Support Equality

The **draft** statement supporting equality is as follows:

*Lynden's elected officials take seriously their oath to uphold the laws and Constitution of United States, the State of Washington, and the City of Lynden. We believe we are all created in God's image and have equal worth and value; as such, every life should be protected and deserves dignity.*

*We affirm that everyone should be allowed to live, learn, worship, raise families and prosper, without regard to race, gender, color, or creed. No one should be harassed, intimidated, hurt, or hindered in their pursuit of happiness so long as it does not infringe on the happiness or freedom of others. We uphold the personal freedoms and rights guaranteed in the Bill of Rights which allows citizens to express themselves without fear of retribution. As elected officials we desire that all who share these ideals should find Lynden to be a safe and positive place to live and flourish. As we have steadfastly done in the past (added revision) we will remain vigilant to support and undergird the goal of equality in the public square and also encourage each community member to affirm and cultivate harmony in diversity.*

***After council discussion the draft equality statement was pulled from the agenda and no action was taken.***



## Chalk Art Drawing

There is a request from a resident to create a chalk art drawing on the north west corner of 4th and liberty, on the sidewalk area adjacent to the library.

***This item was pulled from the agenda and referred to the Community Development Committee.***

## 6. OTHER BUSINESS

### Council Committee Updates

Councilor Bode read a statement regarding Peace Health's purchase of a 5-acre land parcel in Lynden for the purpose of building a medical facility to serve north Whatcom County. Construction is expected to begin in the Spring of 2021.

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

- Lights for Bender field costs
- YMCA Pool plans
- Benson Barn project to focus on the barn for now
- Hooligans at Bender field have the attend of Lynden police department
- Art Wall design and possible placement
- Berthusen restrooms expected in late October

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

- Payroll and Claims
- Overtime use for police and fire where the overtime hours have been required
- Sales tax continues to be very strong
- Projected a 10% budget shortage due to COVID
- Coronavirus relief fund requests
- Financial monthly reports in Caselle
- YMCA plans
- Peace Health medical facility

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## 7. EXECUTIVE SESSION

Council did not hold an executive session.

## 8. ADJOURNMENT

The September 21, 2020 regular session of the Lynden City Council adjourned at 7:57 p.m.

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Pamela D. Brown, MMC  
City Clerk

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Scott Korthuis  
Mayor

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