

CITY OF LYNDEN

CITY COUNCIL MINUTES OF REGULAR MEETING



December 7, 2020

1. CALL TO ORDER

Mayor Korthuis called to order the December 7, 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, Ron De Valois, Brent Lenssen, Nick Laninga, and Kyle Strengholt.

Members absent: Councilors Gary Bode and Jerry Kuiken were absent with notice.

Staff present: Finance Director Anthony Burrows, Fire Chief Mark Billmire, HR Manager Kim Clemons, Parks Director Vern Meenderinck, Planning Director Heidi Gudde, Police Chief Steve Taylor, 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 De Valois moved and Councilor Laninga seconded to approve November 16, 2020 regular council minutes as presented. Motion approved on a 5-0 vote.

ITEMS FROM THE AUDIENCE

Scheduled- None

Unscheduled- None

2. CONSENT AGENDA

Payroll information is unavailable at this time because of the finance department's transition to a new payroll system (Caselle)

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Approval of Claims – December 8, 2020

Manual Warrants No.	<u>20812</u>	through	<u>20817</u>		\$115,062.12
EFT Payment Pre-Pays					\$1,120,760.21
				Sub Total Pre-Pays	\$1,235,822.33
Voucher Warrants No.	<u>20819</u>	through	<u>20848</u>		\$159,965.55
EFT Payments					<u>\$0.000</u>
				Sub Total	\$159,965.55
				Total Accts. Payable	\$1,395,787.88

Ordinance No. 1614-Parks Nuisance
Interlocal Agreement- Whatcom Conservation District
Finds of Fact for the Kamm Creek MPRD, Application 20-02
Appointment of Laura Burford to the Design Review Board
Set the Public Hearing for Ordinance No. 1613 – Vacate Application 20-02

Councilor Laninga moved and Councilor Strengholt seconded to approve the Consent Agenda. Motion approved on a 5-0 vote.

3. PUBLIC HEARING

Final Public Hearing on the 2021 Budget

As published, 7:00 p.m. on December 7, 2020 is the time and date set for the Final Public Hearing on the 2021 Budget as presented to the City Council by Mayor Korthuis at the October 19th City Council meeting.

Mayor Korthuis opened the Public Hearing at 7:04 p.m.

There were no public comments received.

Mayor Korthuis closed the Public Hearing at 7:04 p.m.

Public Hearing only, no action taken for this item.



Public Hearing for Revisions to the Project Manual for Engineering Design and Development Standards

The Project Manual for Engineering Design and Development Standards was adopted by City Council on April 5, 2004 and was updated in November 2006 and November 2010. These standards are required by the City's Growth Management Act and include street, water, sewer, and storm drainage standards. The manual also addresses access issues, permitting processes and procedures, and includes various forms necessary in the development process.

In response to inquiries, changes in technology, and the direction of various City Committees, additions, deletions and/or clarifications have been made to the Project Manual for Engineering Design and Development Standards. The Public Works Committee reviewed the updates at their October 4, 2020 meeting and recommended that they be forwarded to City Council for consideration. Staff is now presenting proposed Resolution No. 1026 along with a list of revisions for Council review. The Public Hearing was scheduled for November 16, and numerous engineers and consultants were provided with the proposed updates and asked to provide comments. The Public Hearing was opened at the City Council meeting on November 16 and continued. The written comments received to date are included in the council packet item.

Mayor Korthuis opened the Public Hearing at 7:07 p.m.

There were no public comments received at the council meeting.

Mayor Korthuis closed the Public Hearing at 7:07 p.m.

Councilor De Valois moved and Councilor Strengholt seconded that City Council direct staff to make the necessary changes to Resolution No. 1026, Revisions to the Project Manual for Engineering Design and Development Standards to address Public comments and to bring the updated Resolution to City Council for approval. Motion approved 5-0.

Public Hearing for Ordinance No. 1612 – Vacate Application 20-11

Mark Groeneweg and John Vree, owners of the commercial property located at 701 Front Street have initiated the vacation of a portion of right-of-way located on the west side of 7th Street. The 5-foot strip of property to be vacated was originally dedicated toward right-of-way to accommodate the construction of a public sidewalk and four on-street parking stalls. These parking stalls were constructed by the adjacent property owner as a condition of a 2004 Parking Variance to reduce the number of required on-site parking spaces.



Recent City-initiated upgrades to 7th Street revised the intersection of 7th and Front Street to meet engineering standards. This resulted in the elimination of 2 of the 4 parking stalls in this location. It also revised the location of the adjacent public sidewalk so that the area originally dedicated in 2005 was no longer needed for public use. Property owners of 701 Front Street have subsequently made plans to construct 2 parking stalls on-site which will then be exclusively available their clients.

The vacate is needed to accommodate this on-site construction. Based on the assessor's value of the unimproved land the total value of the right-of-way to be vacated is \$3980.00. However, the Public Works Director is recommending waiving the assessment for the property due to the unique circumstances associated with the original dedication of the 5-foot strip of frontage. The draft of Ordinance 1612 is provided in council packet. The application for right-of-way and corresponding staff report is also provided.

Mayor Korthuis opened the Public Hearing at 7:10 p.m.

Mark Groeneweg spoke in favor of Ordinance No. 1612.

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

Councilor Lenssen moved and Councilor De Valois seconded to approve Ordinance No. 1612 and the Mayor's signature on the document which vacates a portion of 7th Street and waives the payment assessed value due to the unique nature of the original dedication. Motion approved on a 5-0 vote.

4. UNFINISHED BUSINESS

Ordinance No. 1611- Adoption of the 2021 Budget

The Preliminary 2021 Budget was presented to the City Council by Mayor Korthuis at the October 19, 2020 City Council meeting. The first public hearing for the 2021 Budget was held on November 16, 2020. The final RCW required budget hearing was held earlier in the council meeting of December 7, 2020.

Ordinance No. 1611 represents the results of the budget process. Passage of this ordinance will finalize and adopt the 2021 budget; and which is in compliance with RCW deadlines. The Finance Committee has been presented with this information for their review throughout the budget process, as has Council.

Councilor Strengholt moved and Councilor Lenssen seconded to approve Ordinance No. 1611, 2021 Budget and authorize the Mayor's signature.



Councilor Lenssen moved and Councilor Strengholt seconded to amend the 2021 Budget motion to include a Parks Maintenance Supervisor position, add \$40,000 to the 2021 Budget and remove three Seasonal Parks positions from the 2021 Budget. Motion approved 5-0.

Councilor Strengholt moved and Councilor Lenssen seconded to approve Ordinance No. 1611, 2021 Budget with the above approved amendment and authorize the Mayor's signature. Motion approved 5-0.

5. NEW BUSINESS - None

6. OTHER BUSINESS

Council Committee Updates

Councilor Wohlrab for the Public Safety Committee reported discussion of:

- Discussion of releasing Lynden's biologic COVID information gathered through testing of wastewater
- Lynden Watch program participation continues to grow
- Public Safety OT hours were down in September
- Fire Department call report
- Assistant Chief Hatley leaves for another position on December 11, 2020
- Eastside Fire Academy went well, 3 more volunteers added to Lynden Fire Dept.
- Fire Station remodel bids open tomorrow, crew moving to temporary housing site on Badger Road the first week of January
- Police call report showed several areas where the number of calls had decreased
- Chief Taylor gave report on the officers assaulted at the fair grounds
- Police officers participated in No Shave November to raise funds for a cancer fundraiser
- COVID items are in stock and ready for any uptick in cases

Mayor Korthuis thanked Lynden Police Department staff and Lynden Chamber Director Gary Vis for the work on the Lighted Christmas Parade. Although there were issues with traffic it was a wonderful event.

Councilor Lenssen thanked Laura Burford for her willingness to serve on the Design and Review Board and to also thank Mr. Denny VanderVelden for his years of service to our community serving on the Design and Review Board.



7. EXECUTIVE SESSION

Council did not hold an executive session.

8. ADJOURNMENT

The December 7, 2020 regular session of the Lynden City Council adjourned at 7:29 p.m.

Pamela D. Brown, MMC
City Clerk

Scott Korthuis
Mayor

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