



Mayor
Scott Korthuis

Council Members
Gary Bode
Ron De Valois
Gerald Kuiken
Nick H. Laninga
Brent Lenssen
Kyle Strengolt
Mark Wohlrab

City Council Agenda - Regular Meeting
City Hall Annex, 205 4th Street
April 01, 2019

Call to Order

Pledge of Allegiance

Roll Call

Oath of Office

Approval of Minutes

1. Draft Minutes- March 18, 2019

Items from the Audience
Scheduled

Unscheduled (20 Minutes)

Audience members may address the Council on any issue other than those scheduled for a public hearing or those on which the public hearing has been closed. Prior to commenting please state your name, address, and topic. Please keep comments under 4 minutes.

Consent Agenda

2. Approval of Payroll and Claims

Public Hearing

Unfinished Business

New Business

Other Business

3. Community Development Committee Mtg Minutes of 03-20-2019
4. Calendar April 1-15, 2019

Executive Session

Adjournment

CITY OF LYNDEN

EXECUTIVE SUMMARY



Meeting Date:	4/1/2019	Legal Review: <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required
Department:	Administration	
Contact Name/Phone:	Pam Brown 360.255.7085	
Council Committee Review:		
<input type="checkbox"/> Community Development	<input type="checkbox"/> Public Safety	
<input type="checkbox"/> Finance	<input type="checkbox"/> Public Works	
<input type="checkbox"/> Parks	<input checked="" type="checkbox"/> Other: N/A	
Attachments:		
Draft Minutes- March 18, 2019		
Name of Agenda Item:		
Draft Minutes- March 18, 2019		
Summary Statement:		
See next page.		
Recommended Action:		
For Council review.		

CITY OF LYNDEN



CITY COUNCIL MINUTES OF REGULAR MEETING

March 18, 2019

1. CALL TO ORDER

Mayor Korthuis called to order the March 18, 2019 regular session of the Lynden City Council at 7:00 p.m. at the Lynden City Hall Annex.

ROLL CALL

Members present: Mayor Scott Korthuis and Councilors Gary Bode, Ron De Valois, Gerald Kuiken, Brent Lenssen, Nick Laninga, Kyle Strengholt, and Mark Wohlrab.

Members absent: None

Staff present: Finance Director Anthony Burrows, Fire Chief Mark Billmire, Parks Director Vern Meenderinck, Planning Director Heidi Gudde, Police Chief John Billester, 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 Wohlrab seconded that the minutes of March 4, 2019 be approved as presented. Motion approved on a 7-0 vote.

A clerical correction was made to the March 4, 2019 minutes: Kathy Stanford, 1322 Birch Bay Lynden Road, Lynden did not speak in favor of Ordinance No. 1577, Pepin Creek Moratorium Extension, she spoke in opposition to Ordinance No. 1577.

ITEMS FROM THE AUDIENCE

Scheduled: None

Nonscheduled:

Dick Vandenberg, 983 VanDyk Road, Lynden

Mr. Vandenberg addressed Council and asked when he could expect an answer to his request that the city collect latecomers fees from Bargaen Properties LLC. Mayor Korthuis stated that a decision was expected later this evening or by tomorrow.

Kathy Kelly, 134 E Grover Street, Lynden

Ms. Kelly addressed council to re-state her belief that locating a Fred Meyer store in Lynden would serve the consumer needs of Lynden and the surrounding communities. She will continue to work toward that goal.

CITY OF LYNDEN



CITY COUNCIL MINUTES OF REGULAR MEETING

2. CONSENT AGENDA

Approval of Payroll Disbursed – March 1-15, 2019

Paychex EFT	\$263,789.33
City of Lynden EFT	\$64,990.76
Warrant Liability	\$57,463.22
	<hr/>
	\$386,243.31

Approval of Claims – March 20, 2019

Manual Warrants No. <u>72610</u> through <u>72611</u>	\$4,644.18
EFT Payment Pre-Pays	\$1,461.18
	<hr/>
Sub Total Pre-Pays	\$6,105.36
Voucher Warrants No. <u>72612</u> through <u>72734</u>	\$432,934.87
EFT Payments	24,500.68
	<hr/>
Sub Total	\$457,435.55
Total Accts. Payable	\$463,540.91

Chamber of Commerce 2019 Events

Councilor De Valois moved and Councilor Wohlrab seconded that the minutes of March 4, 2019 be approved as presented. Motion approved on a 7-0 vote.

3. PUBLIC HEARING - None

4. UNFINISHED BUSINESS- None

5. NEW BUSINESS

Resolution No. 996-Approving City Use of State Revolving Fund Loan for New Outfall at Wastewater Treatment Plant

Staff applied for a Department of Ecology State Revolving Fund loan to finance the construction of a new Wastewater Treatment Plant outfall to replace the existing outfall. The City received a 20-Year loan offer of \$1,427,234 at an interest rate of 1.5%. The Department of Ecology requires a Resolution by the City Council authorizing the loan and a review of the loan agreement by the City Attorney. The Public Works Committee reviewed this resolution at their March 6th meeting and concurred to recommend approval to the full City Council.



CITY COUNCIL MINUTES OF REGULAR MEETING

Councilor Bode moved and Councilor De Valois seconded to approve Resolution No. 996 approving the City use of a Department of Ecology State Revolving Fund Loan to construct a new outfall at the Wastewater Treatment Plant and authorize the Mayor's signature. Motion approved on a 7-0 vote.

Resolution No. 997-Update to Compost Fees

Public Works staff is planning to accept credit card payments for compost with a point of sale system. Finance has reviewed and supports the use of this system. This payment system will make purchases easier for customers, increase sales and reduce administrative effort, but will add cost to each transaction. The City collected just over \$3,800 in compost sales in 2018. The attached resolution increases the purchase amount for compost (rates were last increased in 2017) to cover the cost of the credit transactions. The Public Works Committee reviewed this resolution at their March 6th meeting and concurred to recommend approval to the full City Council.

Councilor Bode moved and Councilor Wohlrab seconded to approve Resolution No. 997 to update Compost Fees and authorize the Mayor's signature. Motion approved on a 7-0 vote.

Ordinance No. 1578-Amend LMC Chapter 13.12, Sewer System Regarding Industrial Users

The City needs to update the guidelines for potential new and existing Significant Industrial Users to restrict discharges of dangerous wastes into the City's Sewer System, and to match its National Pollutant Discharge Elimination System (NPDES) permit through the Department of Ecology. Attached Ordinance No. 1578 updates these guidelines consistent with the recommendations in the City's adopted Sewer Comprehensive Plan. The Public Works Committee reviewed this ordinance at their March 6th meeting and concurred to recommend approval to the full City Council.

Councilor Bode moved and Councilor De Valois seconded to approve Ordinance No. 1578 Amending Chapter 13.12 Sewer System Regarding Industrial Users and authorize the Mayor's signature. Motion approved on a 7-0 vote.

Interlocal Agreement with City of Bellingham for Vector Waste Facility Use

Staff would like to renew this Interlocal Agreement with the City of Bellingham (COB) for vector waste disposal. The COB accepts street sweepings and vector waste materials and disposes of them in compliance with Department of Ecology (DOE) and Department of Health rules and regulations. This would be a third term renewal through December 31, 2019 at the same price of \$147.56 per ton. All other terms remain the same. The Public Works Committee reviewed this agreement at their March 6th meeting and concurred to recommend approval to the full City Council.

Councilor Bode moved and Councilor Laninga seconded to approve the Interlocal Agreement with the City of Bellingham for Vector Waste Facility Use and Authorize the Mayor's signature. Motion approved on a 7-0 vote.

Contract with Berk Consulting for the Pepin Creek Financial Mitigation Study

Planning and engineering efforts regarding the Pepin Creek Realignment and Subarea are moving forward:

The realignment project seeks to provide flood protection to existing Lynden neighborhoods within the Pepin Creek watershed, it allows for the improvement of Double Ditch and Benson Roads, and assists in the developability of this portion of the City's Urban Growth Area.



CITY COUNCIL MINUTES OF REGULAR MEETING

Planning efforts have focused on existing conditions, proposed land use and zoning, circulation and utility service expansion into this area. The results have been a detailed sub-area plan and associated zoning code updates.

The proposed study by Berk Consulting represents the next step in the Pepin Creek Sub financial analysis and draws the planning and engineering efforts together. As outlined in the attached scope, the study will determine the benefit of the realignment project to the surrounding properties and thereby the proportionate financial share of the project that properties within the subarea must contribute. In determining these formulas, it will explore the use of a SEPA mitigation fee or a Local Improvement District (LID).

The study will hinge on the final design recommendation of the engineering team. This is currently under consideration and expected to be completed at the end of May 2019. Costs of the study is estimated at \$130,574. This cost does not include implementation of an LID. If this financial tool is selected there will be additional costs associated with its execution.

City staff is requesting that the City Council consider and approve the attached contract with Berk Consulting regarding the Pepin Creek Financial Mitigation Strategy.

Councilor Lenssen moved and Councilor Strengholt seconded to approve the contract with Berk Consulting for the Pepin Creek Financial Mitigation Strategy Study and authorize the Mayor's signature on the professional services agreement. Motion approved on a 7-0 vote.

6. OTHER BUSINESS

Council Committee Updates

Councilor De Valois reporting for the Parks Committee, involving the discussion of:

- Dickinson property and the neighbor's request for a fence or a hedge to separate their property
- Fence at Fisher School is re-installed
- Dogs on leashes and off leashes at city parks
- Berthusen bridge work occurring on Badger Road (June – December 2019)

Councilor Lenssen reporting for the Public Safety Committee, involving the discussion of:

- An ordinance to restrict dogs at public events
- Review of the fire department report and requests that Chief Billmore provide the report to each of the council members
- Status of conditional employment offer for police officer

Councilor Bode reporting for the Public Works Committee, involving the discussion of:

- Funding for Outflow at WWTP
- Request from Island Green Way to become a city street rather than a private street
- Fairgrounds property storm drainage issues

Councilor Kuiken reporting for the Finance Committee, involving the discussion of:

- Approved claims and payroll
- Overtime for fire and police departments
- Sales tax slight decrease
- Resolution addressing City of Lynden per diem rates which were last updated in 2002



7. EXECUTIVE SESSION

Council recessed into executive session at 7:27 p.m. to discuss a potential litigation matter and a potential acquisition of real estate. It was anticipated that the executive session would last approximately 20 minutes total and that a decision would not be made.

The Council meeting reconvened at 7:45 p.m. with a decision.

Councilor Bode moved and Councilor Strengholt seconded that Council direct the Mayor to respond by letter to the petition Dick Vandenberg sent on March 4, 2019 regarding a Latecomer's question. Motion approved on 7-0 vote.

8. ADJOURNMENT

The March 18, 2019 regular session of the Lynden City Council adjourned at 7:46 p.m.

Pamela D. Brown, City Clerk

Scott Korhuis, Mayor

DRAFT

CITY OF LYNDEN



EXECUTIVE SUMMARY

Meeting Date:	4/1/2019	Legal Review: <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required
Department:	Finance	
Contact Name/Phone:	Anthony Burrows (360) 354-2829	
Council Committee Review:		
<input type="checkbox"/> Community Development <input type="checkbox"/> Public Safety <input checked="" type="checkbox"/> Finance <input type="checkbox"/> Public Works <input type="checkbox"/> Parks <input type="checkbox"/> Other: _____		
Attachments:		
None		
Name of Agenda Item:		
Approval of Payroll and Claims		
Summary Statement:		
<p>RCW 42.24.180 sets forth the conditions for issuance of warrants or checks before Council approval. The auditing officer and the City officers designated to sign the warrants shall have an official duty for the faithful discharge of his or her duties.</p> <p>The City Council has adopted contracting, hiring, purchasing, and disbursing policies that implement effective internal controls; and shall provide for its review of the documentation supporting claims paid for its approval of all warrants issued in payment of claims and/or payroll at regularly scheduled public meetings within one month of issuance.</p> <p>The City Council shall require that if, upon review, it disapproves some claims and/or payroll, the auditing officer and the officer designated to sign the warrants or checks shall jointly cause the disapproved claims to be recognized as receivables and to pursue collection diligently until the amounts disapproved are collected or until the City Council is satisfied and approves the claims and/or payroll.</p> <p>The Finance Committee and/or full City Council may stipulate that certain kinds or amounts of claims and/or payroll should not be paid before the City Council has reviewed the supporting documents.</p>		
Recommended Action:		
Approve the payment of City Payroll and Claims.		

CITY OF LYNDEN



EXECUTIVE SUMMARY

Meeting Date:	4/1/2019	Legal Review: <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required
Department:	Planning Department	
Contact Name/Phone:	Heidi Gudde (360) 354-5532	
Council Committee Review:		
<input checked="" type="checkbox"/> Community Development	<input type="checkbox"/> Public Safety	
<input type="checkbox"/> Finance	<input type="checkbox"/> Public Works	
<input type="checkbox"/> Parks	<input type="checkbox"/> Other: _____	
Attachments:		
CDC Minutes 03-20-2019		
Name of Agenda Item:		
Community Development Committee Mtg Minutes of 03-20-2019		
Summary Statement:		
CDC Minutes of 3-20-19 attached for review.		
Recommended Action:		
Council Review		

CITY OF LYNDEN

PLANNING DEPARTMENT
Heidi Gudde – Planning Director
(360) 354 - 5532



COMMUNITY DEVELOPMENT COMMITTEE MEETING AGENDA

4:00 PM March 20, 2019
2nd Floor Conference Room, City Hall

1. ROLL CALL

Council Present: Kyle Strengholt, Brent Lenssen, Gerald Kuiken, Mayor Scott Korthuis

Staff Present: Heidi Gudde, Dave Timmer, Mike Martin (joining late)

Public Present: Kathy Stanford, Gary Vis

2. ACTION ITEMS:

A. Approval of minutes from the February 20, 2019 meeting

3. DISCUSSION ITEMS

A. (Added Item) Kathy Stanford expressed concerns related to rising homelessness within the Pacific Northwest and the associated issues including drug abuse, and petty crime. Noted that local social media groups had raised this as an issue as well as discussed strategies to combat these issues. Sense of security is important to all in Lynden and especially young families using public spaces such as the City Park.

Committee discussed the documentary “Seattle is Dying” that studied homelessness in the City of Seattle.

B. Park and Trail Master Plan Progress: Public Survey Results

Memo summarizing the survey results was distributed as part of the CDC package.

Discussed the summary of responses and the willingness of respondents to contribute funding toward an aquatic center or rec center. Also, a strong support shown for trails and trail development.

Questions related to funding discussed. Given a \$10 a month contribution and the number of households in the City the estimated result is about 12 million dollars over 20 years.

Committee members related experiences with touring new YMCA facilities in Stanwood and Mt Vernon and the attributes that they include.

Locally there is a number of fund raising efforts currently in place for other efforts which may result in the community feeling over burdened and less willing to contribute.

Mike Martin noted that the survey results were referred to in Parks meeting and serve as good information for planning purposes. Positive feedback for Dave Timmer who headed up the survey.

Dave gave an update on the latest park and trail planning efforts which was a focus group that specifically discussed the City's trail network and the areas of potential expansion. An ambitious trail map has been drafted and can serve as a place holder as we move forward with planning.

C. Pepin Creek Zoning Layout and Unit Count

Gudde noted that based on the new zoning category of RM-PC, the adopted overlays, and the changes made to RMD standards, Berk had calculated the new unit count.

Unit count midrange in the 1500 was suggested by the Mayor.

Discussion related to the affordability of homes.

Homelessness and high home values go hand in hand.

It was noted that the portions of the sub-area that are currently within the City are weighted toward RM-PC, the multi-family category specific to the sub-area.

Staff noted that the 85 acres under moratorium could seem geared toward multi-family but because there is no minimum density here that RM-PC could be developed into single family home and a variety of housing types. And, unit count / maximum value of the property is important when we consider the cost of the creek realignment project.

Committee feedback on the zoning layout concluded that staff create an option that includes RM-3 near to the City's future park and in exchange that more RS-72 be created. Because the sub-area is well connected with trails and has park space it's a great location to have higher density housing associated with RM-3 (rentals).

Staff and Committee also discussed the possibility of revising the zoning layout at the time of annexation. Gudde noted that zoning could be decided at the time of annexation but that it should be consistent with the comprehensive plan which divides the sub-area into low and medium

residential densities. Or, that the comprehensive plan be revised to reflect changes.

Other topics will be discussed before the sub-area plan is brought forward for adoption. This includes the circulation system and airport expansion. Park planning and the potential to share spaces with a school. The financial mitigation study conclusions and the proposed flood hazard overlay.

Conclusions: Staff to create alternate schemes that include RM-3 near the community park to be discussed with the Planning Commission at the March 28th meeting.

Next Meeting Date: April 17, 2019

DRAFT

CITY OF LYNDEN



EXECUTIVE SUMMARY

Meeting Date:	4/1/2019	Legal Review: <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required
Department:	Administration	
Contact Name/Phone:	Pam Brown 360.255.7085	
Council Committee Review:		
<input type="checkbox"/> Community Development	<input type="checkbox"/> Public Safety	
<input type="checkbox"/> Finance	<input type="checkbox"/> Public Works	
<input type="checkbox"/> Parks	<input checked="" type="checkbox"/> Other: N/A	
Attachments:		
Outlook Calendar		
Name of Agenda Item:		
Calendar April 1-15, 2019		
Summary Statement:		
See next page.		
Recommended Action:		
Information Only.		

April 1, 2019

Monday

7:00 PM - 9:00 PM

Council Meeting -- Annex Council Chamber; Annex East Training Room; Annex North East Conference Room; Annex South East Conference Room

7:00 PM - 9:00 PM

Spring Health Promotion Begins (Wellness)

April 2, 2019

Tuesday

8:30 AM - 9:30 AM

LT Meeting -- City Hall 1st Floor Large Conference Room

5:00 PM - 6:30 PM

Design Review Board Meeting -- Annex South East Conference Room

April 3, 2019

Wednesday

9:00 AM - 5:00 PM

Court -- Annex Council Chamber; Annex East Training Room; Annex North East Conference Room; Annex South East Conference Room

10:00 AM - 11:00 AM

Check-In -- Mike's Office

4:15 PM - 6:00 PM

Public Works Committee Meeting -- City Hall 2nd Floor Large Conference Room

April 4, 2019

Thursday

9:00 AM - 10:30 AM

Technical Review Committee -- City Hall 2nd Floor Large Conference Room

10:00 AM - 11:00 AM

Check-In John/Mike -- Mike's Office

2:00 PM - 3:00 PM

**All Staff-Finance/Planning -- Annex Council Chamber
Finance and Planning Hosting**

April 4, 2019 Continued

Thursday

April 8, 2019

Monday

9:00 AM - 10:00 AM **Check-In Vern/Mike -- Mike's Office**

April 9, 2019

Tuesday

8:30 AM - 9:30 AM **LT Meeting -- City Hall 1st Floor Large Conference Room**

April 10, 2019

Wednesday

9:00 AM - 10:00 AM **Check-In Mark/Mike -- Mike's Office**

2:00 PM - 3:30 PM **Wellness Committee Meetings -- City Hall 1st Floor Large Conference Room**
Please forward as needed.
Thanks.

Pam

7:00 PM - 9:00 PM **Rec. District Meeting -- Annex South East Conference Room**

April 11, 2019

Thursday

9:00 AM - 10:00 AM **Check-In V/Mike -- Mike's Office**

4:00 PM - 5:00 PM **Public Safety Committee Meeting -- Police Training Room**

7:30 PM - 9:30 PM **Planning Commission Meeting -- Annex Council Chamber**

April 12, 2019

Friday

17

10:00 AM - 11:00 AM

Check-In Steve/Mike -- Mike's Office

11:00 AM - 12:00 PM

Check-In Heidi/Mike -- Mike's Office

April 15, 2019

Monday

3:00 PM - 4:00 PM

Finance Committee Meeting -- City Hall 1st Floor Large Conference Room
Visit WWW.LYNDENWA.ORG to view the agenda

4:00 PM - 5:00 PM

Parks Committee -- City Hall 1st Floor Large Conference Room

7:00 PM - 9:00 PM

Copy: Council Meeting -- Annex Council Chamber; Annex East Training Room; Annex North East Conference Room; Annex South East Conference Room