

# CITY OF LYNDEN

## CITY COUNCIL MINUTES OF REGULAR MEETING



December 4, 2023

### 1. CALL TO ORDER

Mayor Korthuis called to order the December 4, 2023 regular session of the Lynden City Council at 7:00 p.m. in the city's council chambers.

### PLEDGE OF ALLEGIENCE

### ROLL CALL

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

Members absent: None.

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.

### OATH OF OFFICE – None

***Mayor Korthuis recognized retiring council members Gerald “Jerry” Kuiken and Ronald “Ron” De Valois each with a proclamation and an award of appreciation.***

### SUMMARY REPORTS AND PRESENTATIONS

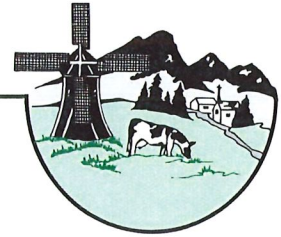
Joel Rubin, CFM Advocates presented the 2024 draft Federal Legislative Agenda which has been made part of this official council file.

### APPROVAL OF MINUTES

***Councilor Wohlrab moved, and Councilor DeValois seconded, to approve the November 20, 2023, regular council meeting minutes with a correction to the motion concerning the transfer of the Wanaco Metro Matrix message sign trailer. Councilor Lenssen abstained, and the motion was passed on a 4-0 vote. Motion approved on 7-0 vote.***

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### CITIZEN COMMENT

Cynthia Ripke-Kutsagoitz, Guide Meridian, Lynden

She spoke to the following topics:

- Pearl Harbor Day.
- Lynden Christmas parade.
- Israel and Hanaka

Mikhail Nichols, Andress Lane, Lynden

Mr. Nichols continued to read the letter he wrote to Council concerning past interactions with the Lynden police department and their refusal to help him.

Harlan Kredit, Birch Street, Lynden

Mr. Kredit thanked everyone that has been involved in the planning and purchase of the property that is now named Schoolyard Park. He looks forward to the amazing things to come.

## 2. CONSENT AGENDA

### Approval of Claims – November 21, 2023

Manual Warrants No.	=	through	=		\$0.00
EFT Payment Pre-Pays					\$0.00
				Sub Total Pre-Pays	\$0.00
Voucher Warrants No.	<u>28795</u>	through	<u>28907</u>		\$1,436,899.23
EFT Payments					\$338,045.14
				Sub Total	\$1,774,944.37
				Total Accounts Payable	\$1,774,944.37

### Approval of Claims – December 5, 2023

Manual Warrants No.	=	through	=		\$0.00
EFT Payment Pre-Pays					\$0.00
				Sub Total Pre-Pays	\$0.00
Voucher Warrants No.	<u>28909</u>	through	<u>28967</u>		\$142,783.56
EFT Payments					\$1,216,493.03
				Sub Total	\$1,359,276.59
				Total Accounts Payable	\$1,359,276.59

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### Payroll Liability to November 5 through November 18, 2023

#### **EFT & Other Liabilities**

##### **Non-L&I Liabilities**

Monthly EFT .....	\$416,944.41
Check Liability.....	\$0.00
Total Non-L&I Liabilities .....	\$416,944.41
Quarterly Liabilities .....	\$13,266.82
<b>Total EFT &amp; Other Liabilities</b>	<b>\$430,211.23</b>

### Payroll Liability to November 19 through December 2, 2023

#### **EFT & Other Liabilities**

##### **Non-L&I Liabilities**

Monthly EFT .....	\$473,955.80
Check Liability.....	\$0.00
Total Non-L&I Liabilities .....	\$573,955.80
Quarterly Liabilities .....	\$12,587.35
<b>Total EFT &amp; Other Liabilities</b>	<b>\$586,543.15</b>

Set Public Hearing Date – Unified Fee Schedule (UFS)

Set Public Hearing Date – Annexation Application 23-01, Weg Property

***Motion made by Councilor Bode, seconded by Councilor Kuiken to approve the Consent Agenda. Motion approved 7-0.***

### **3. PUBLIC HEARING**

#### Final Public Hearing – Year 2024 Budget

As published, 7:00PM on December 4, 2023 is the time and date set for the Final Public Hearing on the 2024 Preliminary Budget as presented to the City Council by Mayor Korthuis at the October 16th City Council meeting.

Mayor opened the public hearing at 7:30 pm.

There were no comments.

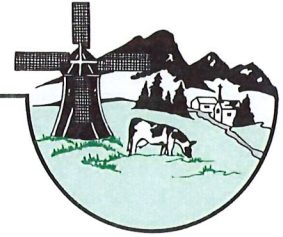
Mayor closed the public hearing at 7:30 pm.

#### Proposed Nooksack Valley Disposal Rate Increase

Nooksack Valley Disposal (NVD) is requesting a rate increase for their solid waste services due to their increasing disposal fees. NVD currently has a 20-year franchise agreement with

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the City of Lynden (through 2036) for curbside garbage pickup and recycling program services. The Public Works Committee reviewed the proposed increase at their November 1st meeting and concurred to recommend approval to City Council.

The public has been invited to comment on the proposed rate increases. If approved these new rates would become part of the existing Franchise Agreement and take effect 45 days after the Public Hearing (January 18, 2024).

Mayor opened the public hearing at 7:35 pm.  
There were no comments.  
Mayor closed the public hearing at 7:35 pm.

***Motion made by Councilor Bode, seconded by Councilor Kuiken to approve, and authorize the Mayor's signature on the Franchise Agreement Rate Adjustment Addendum. Motion approved 7-0.***

### RES-23-1085, Adopting 2024 Revisions to 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. The Standards are updated annually, the last update was effective on January 1, 2023. These standards are required for City compliance with the state Growth Management Act. They include street, water, sewer, and storm drainage standards to be used for all new and replacement construction within the City.

In response to changes in technology and feedback from customers, additions, deletions and/or clarifications have been incorporated into the 2024 Project Manual. The manual also addresses access issues, permitting processes and procedures, and includes various forms necessary in the development process. Staff presents RES-23-1085 which lists all of the revisions for Council review.

The Public Works Committee reviewed the proposed changes made by staff at their November 1, 2023, meeting and recommended that they be forwarded to City Council for consideration.

Mayor opened the public hearing at 7:38 pm.  
There were no comments.  
Mayor closed the public hearing at 7:38 pm.

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***Motion made by Councilor Bode, seconded by Councilor De Valois to approve, and authorize the Mayor's signature on RES-23-1085, adopting the 2024 Engineering Design and Development Standards Project Manual. Motion approved 7-0.***

### **4. UNFINISHED BUSINESS**

#### ORD-23-1681, Adoption of the Year 2024 Budget

The Preliminary 2024 Budget was presented to the City Council by Mayor Korthuis at the October 16, 2023 City Council meeting. The first public hearing for the 2024 Budget was held on November 6, 2023. The final RCW required budget hearing was held earlier this evening December 4, 2023. Ordinance No. ORD-23-1681 represents the results of the budget process. Passage of this ordinance will finalize and adopt the 2024 budget; and is in compliance with RCW deadlines. The Finance Committee has been presented with this information throughout the budget process, as has Council.

***Motion made by Councilor Strengholt, seconded by Councilor Laninga to approve ORD-23-1681 and authorize the Mayor's signature adopting the 2024 Budget. Motion approved 7-0.***

### **5. NEW BUSINESS**

#### 2024 Federal Legislative Agenda

The draft 2024 Federal Legislative Agenda was included in the December 4, 2023, council packet.

***Motion made by Councilor De Valois, seconded by Councilor Laninga, to adopt the 2024 Federal Legislative Agenda. Motion approved 7-0.***

### **6. REPORTS**

Councilor Strengholt, Finance Committee, reported discussion of the following:

- Payroll and Claims reviewed and approved.
- Review of overtime and sales tax. Overtime hours were lower than usual, and sales tax remained strong.
- The monthly report for October 2023 was reviewed.
- Review of the General Fund amounts.

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Gary Vis, Chamber of Commerce reported the following:

- Thanked councilors De Valois and Kuiken for their service.
- The weather was perfect for the Lighted Christmas Parade.
- The reports of parents and others exhibiting a lack of respect for the barricade volunteers, mostly around the care and safety of the children that were attending the parade. Because of this, there will not be walkers and candy will not be distributed in the parade next year.
- Gary Vis also thanked his wife for cooking the chili that served approximately 512 bowls of chili to the volunteers before the parade.

### 7. EXECUTIVE SESSION

Council recessed into executive session at 7:45 to discuss with legal counsel representing the city matters relating to potential litigation, under RCW 42.30.110(1)(i). Council expects to be in executive session until 8:00 p.m. with no expectation of a decision.

Council reconvened at 8:00 p.m.

***Mayor Korthuis announced that the December 18, 2023 regularly scheduled council meeting was cancelled, and that council would meet again on January 2, 2024.***

### 8. ADJOURNMENT

December 4, 2023, regular session of the Lynden city council adjourned at 8:00 p.m.

*Pamela D. Brown*

Pamela D. Brown, City Clerk

*Scott Korthuis*

Scott Korthuis, Mayor