

CITY OF LYNDEN

CITY COUNCIL MINUTES OF REGULAR MEETING



January 17, 2023

1. CALL TO ORDER

Mayor Korthuis called to order the January 17, 2023 regular session of the Lynden City Council at 7:00 p.m. at the city's council chambers.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Members absent: Councilors Laninga and Wohlrab absent with notice.

Staff present: Finance Director Anthony Burrows, Fire Chief Mark Billmire, Parks Director Brent DeRuyter, Planning Director Heidi Gudde, City Clerk Pam Brown, City Administrator John Williams, and City Attorney Bob Carmichael.

OATH OF OFFICE – None

SUMMARY REPORTS AND PRESENTATIONS - None

APPROVAL OF MINUTES

Councilor De Valois moved, and Councilor Kuiken seconded to approve the January 3, 2023, regular meeting minutes. Motion approved on 5-0 vote.

CITIZEN COMMENT

Cynthia Ripke-Kutsagoitz, Guide Meridian, Lynden

- Cynthia expressed her opinions on Martin Luther King Jr. and his view on abortion.
- Spoke to her opposition to the location of the transitional houses in Lynden.

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2. CONSENT AGENDA

Payroll Liability to January 1 through January 14, 2023

EFT & Other Liabilities

Non-L&I Liabilities

Monthly EFT	\$405,362.34
Check Liability	\$0.00
Total Non-L&I Liabilities	\$405,362.34
Quarterly Liabilities	\$13,036.84
Total EFT & Other Liabilities	\$412,253.72

Approval of Claims – December 31, 2022 (Period 13)

Manual Warrants No.	=	through	=		\$0.00
EFT Payment Pre-Pays					\$0.00
				Sub Total Pre-Pays	\$0.00
Voucher Warrants No.	<u>26425</u>	through	<u>26539</u>		\$2,243,078.27
EFT Payments					\$0.00
				Sub Total	\$2,243,078.27
				Total Accts. Payable	\$2,243,078.27

Res-23-1060, Request to Cancel Checks

Ord-23-1663, Setting the Final Property Tax

Letter of Commitment for Maintenance Building

The City of Lynden is interested in entering into an agreement with Trane for preconstruction services to proceed with the project engineering design necessary to provide the City with a firm fixed price for the scope of work for the following services:

- Architecture: Building appearance and layout.
- Civil: Designing the parking area, landscaping, runoff management, utilities plan.
- Structural: To include seismic and other code requirements.
- Mechanical: Heating calculations, plumbing connections, HVAC equipment selections.
- Electrical: Connecting building to electric lines, placing power outlets, Lighting, computer networking, other electrical requirements.

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- Exploring and applying for possible state grants.
- The drawing set will be to a 30%-40% level (preliminary design).
- The design will include load calculations to ensure the equipment can maintain warehouse temperatures in all ambient weather conditions.

The Public Works Committee reviewed this letter of commitment at their meeting on January 11 and recommended forwarding to City Council for approval.

Mayor noted a Scribner's error in the ES document for the Letter of Commitment for Maintenance Building. He stated that the amount of 464, 000 (as stated in the letter) is the correct amount.

Motion made by Councilor Bode seconded by Councilor De Valois to approve the consent agenda as presented. Motion approved 5-0 .

3. PUBLIC HEARING- None

4. UNFINISHED BUSINESS - None

5. NEW BUSINESS

Final Plat Approval- Kamm Creek PRD

The Kamm Creek Planned Residential Development (PRD) is a 20-acre subdivision located in the southeast corner of the city along the west side Northwood Road. Property division on this project is constrained by critical areas and floodplain. As a result, a PRD was used to cluster 40 single-family lots into two areas. Private streets, storm water management, and conservation areas in this PRD will be the perpetual responsibility of the Homeowners Association – which is described in the easement documents and the property's CCRs (Covenants Conditions and Restrictions).

City Council granted preliminary plat approval for the Kamm Creek PRD in November of 2020. Subsequently, the Council reviewed and approved the PRD's development agreement and CCRs on April 4, 2022 (Finding and the Agreement are included in council packet).

The Council is being asked to consider final plat approval for the Kamm Creek PRD under the following conditions:

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1. Completion of all punch list items.
2. Submittal and acceptance of required maintenance and performance bonds.
3. Payment of final inspection fees for plat construction.
4. Submittal of final as-built drawings.
5. Final development fees paid in full.
6. Installation of all streetlights and street trees.
7. Recording of necessary utility and access easements.
8. Completion of development agreement obligations including provisions to extend pedestrian trail easements to the west per Sec. 3.5 and all required off-site improvements.
9. Recording of final development agreement and private stormwater maintenance agreement as approved by City Council on April 4, 2022.
10. Submittal and recording of final plat mylars.

Councilor Lenssen moved, and Councilor Strengholt seconded to grant final plat approval of Kamm Creek Planned Residential Development subject to the conditions 1-10 listed above and to authorize the Mayor's signature on the final plat documents. Motion approved 5-0.

6. OTHER BUSINESS

Councilor Strengholt reported these items for the Finance Committee:

- Approval of payroll and claims.
- Review of OT for all departments, with the police department setting a record for December 2022 and the 2022 year overall.
- Sales tax remains strong.
- Review of property tax ordinance. The full assessed value of property in Lynden went from 2.8 billion to 3.4 billion.
- There is no monthly report for this period because it is the (13th period).

Councilor De Valois reported these items for the Parks Committee:

- SHKS presented a conceptual schematic to the committee.
- Bridge pre-drilling and windmill renovation is taking place in the Benson Barn.
- Schoolyard Park fence and backstop removal is ongoing.
- Discussion of trails.
- Additional Parks maintenance employee has been offered a position.
- Update to Lynden Youth Sports agreement.
- Recommendations for Park and Trail Advisory Committee.

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7. EXECUTIVE SESSION

Council adjourned into executive session at 7:15 to discuss with legal counsel representing the city matters relating to agency enforcement actions, under RCW 42.30.110(1)(i). Council expects to be in executive session until 7:30 p.m. with potential action to follow.

Council reconvened at 7:20 p.m. and made a motion.

Councilor De Valois moved and Councilor Bode seconded to authorize the Mayor to sign and execute the Release Agreement as discussed in executive session. Motion approved 5-0.

8. ADJOURNMENT

The January 17, 2023, regular session of the Lynden City Council adjourned at 7:20 p.m.

Pamela D. Brown
Pamela D. Brown, City Clerk

Gary L Bode Mayor pro tem
Scott Korthuis, Mayor