

CITY OF LYNDEN

CITY COUNCIL MINUTES OF REGULAR MEETING



February 1, 2021

1. CALL TO ORDER

Mayor Korthuis called to order the February 1, 2021 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, Jerry Kuiken, Brent Lenssen, Nick Laninga, Kyle Strengholt and Mark Wohlrab.

Members absent: None

Staff present: Fire Chief Mark Billmire, 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 Laninga moved and Councilor Kuiken seconded to approve the January 19, 2021 regular council minutes as presented. Motion approved on a 7-0 vote.

ITEMS FROM THE AUDIENCE

Scheduled-

David and Kathleen Dillard, 422 Woodcreek Drive, asked Council to reconsider the condition of requiring the fence for their Conditional Use Permit approval. Council approved the CUP on January 4, 2021 with the fence condition.

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 – February 2, 2021

Manual Warrants No.	<u>21125</u> , <u>21186</u> <u>21340</u>	through	<u>21187</u> <u>21343</u>		\$1,121,589.75
EFT Payment Pre-Pays					\$164,686.03
				Sub Total Pre-Pays	\$1,286,275.78
Voucher Warrants No.	<u>21344</u>	through	<u>21428</u>		\$173,816.38
EFT Payments					\$0.000
				Sub Total	\$173,816.38
				Total Accts. Payable	\$1,460,092.16

Set Public Hearing- Ordinance No. 1620 Amending LMC 13.08-Water Project Design Standards

Set the Public Hearing- Zoning Txt Amendment Re: Manufactured Home Communities

Set the Public Hearing- Pepin Area Wide Rezone, Rezone #20-03

Set the Public Hearing- Stuit Development Agreement

Councilor De Valois moved and Councilor Lenssen seconded to approve the Consent Agenda. Motion approved on a 7-0 vote.

3. PUBLIC HEARING

Ordinance No. 1615-Code Amendment accommodating a Hearing Examiner Role

In 2018 the City of Lynden began researching the use of a hearing examiner after several costly and time-consuming administrative appeals were defended. Benefits of the use of a hearing examiner include an expediency in processing appeals, the unbiased opinion of a professional, removing social/political influence from the process, reducing the City’s liability, and decreasing the obligations placed on volunteer boards.

Generally, a hearing examiner could be considered as the reviewer of appeals/applications where specific legal or technical criteria are listed. Feedback regarding this initiative has led to a code amendment drafted to include some appeals and some variance requests. Decisions made by the hearing examiner would go to the City Council if appealed. This code amendment also provides an opportunity to update sections of code to current organizational structure and other improvements.

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The individual selected for the Hearing Examiner position would be selected by the City Council. A corresponding request for qualifications has been drafted and distributed to Council members.

On December 10, 2020, the Planning Commission held a public hearing on the proposal. Consistent with staff and legal counsel's recommendation the Commission voted to recommend approval of the amendment with the additional of stand-alone Shoreline Permits to the hearing examiner's scope of work Appeal of these Shoreline decisions would continue to be heard by the State's Shoreline Hearings Board as is the current path within the City's development code.

Mayor Korthuis opened the Public Hearing at 7:13

There were no comments.

Mayor Korthuis closed the Public Hearing at 7:13

After an extended discussion council did not make a motion and asked Staff to bring the item back to council at the March 1, 2021 council meeting.

4. UNFINISHED BUSINESS- None

5. NEW BUSINESS-None

6. OTHER BUSINESS

Council Committee Updates

The Public Works Committee and Community Development Committee had a joint meeting with 5 council members in attendance which made a quorum and required that the meeting be noticed as a special council meeting. The minutes of that meeting will be brought before council in a couple of weeks for their review and possible approval.

7. EXECUTIVE SESSION

Council recessed into executive session at 7:37 p.m. to discuss two potential property acquisitions. 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 7:57 p.m.

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8. ADJOURNMENT

The February 1, 2021 regular session of the Lynden City Council adjourned at 7:57 p.m.

Pamela D. Brown

Pamela D. Brown, MMC
City Clerk

Scott Korthuis

Scott Korthuis
Mayor