

# CITY OF LYNDEN



## CITY COUNCIL MINUTES OF REGULAR MEETING

June 21, 2021

### 1. CALL TO ORDER

Mayor Korthuis called to order the June 21, 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 - None

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: Finance Director Anthony Burrows, Fire Chief Mark Billmire, Parks Director Vern Meenderinck, Police Chief Steve Taylor, Public Works Director Steve Banham, City Clerk Pam Brown, and City Administrator Mike Martin.

#### OATH OF OFFICE- None

#### APPROVAL OF MINUTES

*Councilor Strengholt moved and Councilor Kuiken seconded to approve the June 21, 2021, regular council minutes as presented. Motion approved on a 7-0 vote.*

#### ITEMS FROM THE AUDIENCE

##### Scheduled- None

**Unscheduled** – Mayor Korthuis read the Proclamation declaring June 30, 2021, as Cal Bratt Day into the council record. Mayor Korthuis also expressed his gratitude to Lynden Tribune Editor Cal Bratt for his 40-years of reporting and commitment to the readers of our community.

### 2. CONSENT AGENDA

#### Payroll Liability to May 1 through May 15, 2021

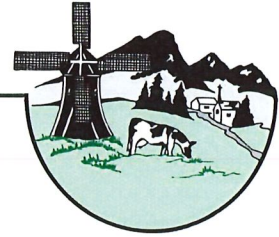
##### EFT & Other Liabilities

Monthly EFT .....	\$341,221.28
Check Liability .....	\$11,714.38
Total Non-L&I Liabilities .....	\$352,935.66
Quarterly Liabilities .....	\$11,199.44

---

<b>Total EFT &amp; Other Liabilities</b>	<b>\$364,135.10</b>
--	---------------------

# CITY OF LYNDEN



CITY COUNCIL  
MINUTES OF REGULAR MEETING

**Payroll Liability to May 16 through May 31, 2021**

**EFT & Other Liabilities**

Monthly EFT .....	\$384,482.82
Check Liability .....	\$11,619.42
Total Non-L&I Liabilities .....	\$496,102.24
Quarterly Liabilities .....	\$11,870.20
<b>Total EFT &amp; Other Liabilities</b>	<b>\$507,972.44</b>

**Approval of Claims – June 22, 2021**

Manual Warrants No.	<u>22194</u>	through	<u>22199</u>		\$40,367.58
EFT Payment Pre-Pays					\$0.00
				Sub Total Pre-Pays	\$40,367.58
Voucher Warrants No.	<u>21963.</u>	through	<u>21981</u>		\$1,406,401.90
EFT Payments					\$0.000
				Sub Total	\$1,406,401.90
				Total Accts. Payable	<b>\$1,446,769.48</b>

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

**3. PUBLIC HEARING**

Ordinance No. 1621- Extending the Pepin Creek Moratorium

A financial mitigation study of the Pepin Lite infrastructure build-out showed that transportation related fees could be used for the allocation of infrastructure costs. The City Council subsequently approved a Resolution of Intent which outlined the required steps forward. To allow time for implementation, the City Council also approved Ordinance 1621 extending the moratorium on existing development through June 30, 2021, within the Pepin Creek Subarea.

Staff has taken steps to execute this path, consulted with legal counsel and the City's transportation consultant, the Transpo Group. It was advised that the city take the time to not only update development code as planned but also amend the Comprehensive Plan to ensure full alignment of all City planning documents in relation to the planned Pepin Lite infrastructure.

To allow time for this Comp Plan amendment and the associated Department of Commerce comment period, staff is requesting a 3-month extension of the existing moratorium. This

# CITY OF LYNDEN

## CITY COUNCIL MINUTES OF REGULAR MEETING



extension will also allow Transpo to finalize fees as transportation impact fees rather than SEPA mitigation fees. Staff anticipates that all Pepin related actions needed prior to lifting the moratorium can be brought forward to Council by the August 16th or September 7th meeting. As a result, City staff requests that the Council extend the moratorium by three months. The current date of expiration is June 30, 2021.

Mayor Korthuis opened the Public Hearing at 7:14 p.m.  
Council did not receive any public comment.  
Mayor Korthuis closed the Public Hearing at 7:14 p.m.

***Councilor Bode moved and Councilor Lenssen seconded to approve Ordinance No. 1626 extending the existing moratorium of development on those properties previously identified with the Pepin Creek Sub-Area through September 30, 2021 and authorize the Mayor's signature on the Ordinance. Motion approved on a 7-0 vote.***

#### 4. UNFINISHED BUSINESS- None

#### 5. NEW BUSINESS

##### City Park License Agreement

The Lynden Christian Schools are expanding their elementary school and adding portables for the middle school resulting in a loss of playground space for their students. They have contacted the City requesting the possibility of a shared use agreement for approximately 100 feet of the eastern part of City Park to be used as additional playground space for their students. The eastern portion of the wooded section of City park is seldom used by citizens or visitors to the park.

The school has agreed to build a chain link fence at their expense, clean up the agreed to area, install gates so the public can use that area when school is not in session and maintain the area for the duration of the agreement. Parks Committee reviewed the request at their meeting last month and again at their meeting on June 21, and requested the agreement be brought to City Council for final approval.

***Councilor De Valois moved and Councilor Laninga seconded to approve the City Park License Agreement between the City of Lynden and Lynden Christian School and authorize the Mayor's signature. Motion approved on a 7-0 vote.***

##### Resolution No. 1038- Volunteer Firefighter Pay

In March 2021, the Lynden Fire Department Volunteer Firefighter/EMTs petitioned Chief Billmire and the City of Lynden to reclassify the volunteer force to permanent part-time

# CITY OF LYNDEN

## CITY COUNCIL MINUTES OF REGULAR MEETING



employees. This prompted a comprehensive review by Chief Billmire and HR Manager, Kim Clemons, into the compensation structure for Volunteer Firefighters/EMTs.

After the review and audit of the current pay schedule, it was confirmed that payment of a volunteer based on hours worked is a clear violation of Fair Labor Standards Act (FLSA). In order to align with federal law, follow industry standards and maintain a volunteer workforce, we are recommending a stipend compensation structure which includes a nominal fee for their service to the citizens of Lynden be implemented per Resolution No. 1038.

***Councilor Wohlrab moved and Councilor Strengholt seconded to approve Resolution No. 1038, effective July 1, 2021. Motion approved on a 7-0 vote.***

## 6. OTHER BUSINESS

### Council Committee Updates

Councilor Wohlrab reporting for the Public Safety Committee stated discussion of the following:

- OT discussion
- Fire call load slightly up
- AC candidates
- Fire station remodel going well
- Resolution No. 1038
- Police officers getting body cameras at no cost to city because of State Representative Alicia Rule's efforts
- PD challenges due to HB 1054 and 1310
- Fingerprinting re-opens at PD
- Speeding and parking complaints

Councilor Bode reporting for the Public Works Committee stated discussion of the following:

- Interlocal Agreement with Bertrand & North Lynden Water District re: drainage reports
- Street striping re-configuration on Vinup Road
- Crosswalk requests
- Speed bump requests
- Pump station #17, west of the Guide Meridian on hold

Councilor Lenssen reporting for the Community Development Committee stated discussion of the following:

- Pepin Creek Subarea
- Minimum densities
- Protection of the rights of property owners
- Extension of Pepin Creek moratorium

# CITY OF LYNDEN

## CITY COUNCIL MINUTES OF REGULAR MEETING



Councilor Strengholt reporting for the Finance Committee stated discussion of the following:

- Finance department is wrapping up the Caselle software implementation
- Finance director Burrows is pleased with the efficiencies taking place
- Payroll process is automated and down to seconds rather than hours
- Monthly reports can be created to fit the needs of what council wants to see
- New hires in finance
- OT reviewed
- Sales tax continues to be strong.
- Utility bill collection – roughly a dozen or so Lynden accounts are delinquent

Councilor De Valois reporting for the Parks Committee stated discussion of the following:

- City Park license agreement passed at tonight's council meeting
- Choose a firm for the Benson Barn renovation, SHKS Architects in Seattle
- Dickinson house rental, discussed the rental price and other details
- Picnic tables and trees are ready for installation at Glenning Park
- Benson Park project updates
- Trail location at Dickinson property
- Purchase Agreement with VanderGriend Lumber
- Possibility of impromptu spray park a couple of times this summer

### 7. EXECUTIVE SESSION

Council did not hold an executive session.

### 8. ADJOURNMENT

The June 21, 2021, regular session of the Lynden City Council adjourned at 7:42 p.m.

Pam Brown, MMC  
City Clerk

Scott Korthuis  
Mayor