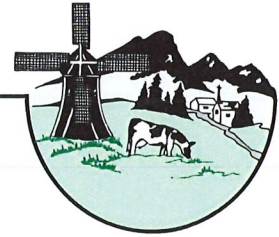


CITY OF LYNDEN

CITY COUNCIL MINUTES OF REGULAR MEETING



October 4, 2021

1. CALL TO ORDER

Mayor Korthuis called to order the October 4, 2021 regular session of the Lynden City Council at 7:00 p.m., which was held online, via Microsoft Teams.

ROLL CALL

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

Members absent: None

Staff present: Finance Director Anthony Burrows, Fire Chief Mark Billmire, HR Manager Kimberly Clemons, Parks Director Vern Meenderinck, Planning Director Heidi Gudde, Police Chief Steve Taylor, Public Works Director Steve Banham, City Administrator John Williams, City Attorney Bob Carmichael, and City Clerk Pam Brown.

OATH OF OFFICE- None

APPROVAL OF MINUTES

Councilor Bode moved and Councilor Kuiken seconded to approve the October 4, 2021, regular council minutes as presented. Motion approved on a 7-0 vote.

ITEMS FROM THE AUDIENCE

Scheduled:

Carryn Vande Griend- PSE, Update on Storm Preparedness

Erika Lautenbach- Whatcom County Health Department, COVID Community Health Impact Assessment. This presentation occurred after the scheduled public comment period in the council meeting.

Unscheduled: None

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2. CONSENT AGENDA

Payroll Liability to September 16 through September 30, 2021

EFT & Other Liabilities

Non-L&I Liabilities

Monthly EFT	\$383,280.08
Check Liability.....	\$106,091.32
Total Non-L&I Liabilities	\$489,371.40
Quarterly Liabilities	\$11,333.36
Total EFT & Other Liabilities	\$500,704.76

Approval of Claims – October 5, 2021

Manual Warrants No.	<u>22971</u>	through	=		\$61.75
EFT Payment Pre-Pays					\$181,727.76
				Sub Total Pre-Pays	\$181,789.51
Voucher Warrants No.	<u>23005</u>	through	<u>23038</u>		\$91,375.30
EFT Payments					\$0.000
				Sub Total	\$91,375.30
				Total Accts. Payable	\$1,910,164.81

Resolution No. 1034- Park Fees

In an effort to remain current on prices charged for usage at our parks and to remain competitive with other parks departments in the county a couple of changes and increases were requested to be made to our fee structure. Field fees were increased due to the increase in cost of painting lines on fields, and the demand for additional fields needed for soccer. Facility fees were raised approximately 10% to keep in line with other municipalities. The Parks Committee has reviewed the changes and additions to the fee schedule and recommends Council approval.

Resolution No. 1040- Request to Cancel Multiple Warrants

RCW 39.56.040 states that any registered or interest-bearing warrants of any municipal corporation not presented within one year of the date of their call, or other warrants not presented within one year of their issue, shall be canceled by passage of a resolution of the governing body of the municipal corporation, and upon notice of the passage of such resolution, the auditor of the municipal corporation and the treasurer of the municipal corporation shall transfer all records of such warrants so as to leave the funds as is such

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warrants had never been issued. Warrants Numbering: 21004, 21478, 21681, and 21876 have not and will not be presented for payment; and should be canceled.

Interlocal Agreement with Bertrand Watershed Improvement District and North Lynden Watershed Improvement District

The City of Lynden is committed to ongoing support for agricultural activities which occur outside City limits. The City recognizes that managed growth within the City is intended in part to preserve land for agricultural use and that many Lynden businesses and industries support or are related to surrounding agricultural land use. Development must comply with established state stormwater regulations, but sometimes more cost effective and practical solutions for managing stormwater can be found by considering regional impacts and implementing regional solutions.

This interlocal agreement between the City of Lynden, the Bertrand Watershed Improvement District, and the North Lynden Watershed Improvement District establishes a framework for identifying collaborative solutions between the City and the surrounding Water Improvement Districts that align with local agricultural interests. The Public Works Committee discussed this Interlocal Agreement at their meeting on September 8, 2021 and concurred to recommend approval by City Council.

Amendment to Procedures of the Role of Hearing Examiner

In March of this year the City Council adopted ordinance 1615 which created a hearing examiner role for the City of Lynden. The City also adopted procedures of the office. The hearing examiner has held two public hearings to date. Hearings have gone smoothly. However, the Hearing Examiner has requested that the City amend procedures regarding the distribution of decisions. This is intended to curtail any direct contact an applicant or member of the public might have with the hearing examiner so as to maintain his impartial status in each matter. The Planning Department will be responsible for distribution of information.

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

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3. PUBLIC HEARING

Ordinance No. 1636- Franchise Agreement with Cascade Natural Gas Franchise
The current Cascade Natural Gas (CNG) franchise agreement expires in January 2022. CNG has requested to renew the agreement for ten years, per Section 3 of the agreement. Ordinance 1413, signed on January 3, 2012, allows for one ten-year renewal. The new expiration date would be January 2032. The request for a franchise renewal was discussed at the Public Works Committee meeting on September 8, 2021, and the Committee concurred to recommend approval by City Council.

Mayor Korthuis opened the Public Hearing at 7:15 p.m.
There were no public comments received.
Mayor Korthuis closed the Public Hearing at 7:15 p.m.

Councilor Bode moved and Councilor De Valois seconded to authorize the Mayor's signature on the Cascade Natural Gas Franchise renewal. Motion approved on a 7-0 vote.

4. UNFINISHED BUSINESS- None

5. NEW BUSINESS

Foxtail Street Assessment Reimbursement Area Dead Notices

Staff is seeking authorization to record Notices of Assessment on four parcels adjacent to the newly constructed Foxtail Street extension. The three new lots created by the Larry Haak Short Plat and the western portion of an existing parcel (Lot 2, Hatch Short Plat) were identified as benefitting properties and included in the Assessment Reimbursement Area for sidewalk improvements and water and sewer utility improvements made by contract.

These actual costs would be reimbursed to the respective Street, Water, and Sewer Funds at time of building permit application. By law this assessment expires within 15 years for sidewalk improvements and 20 years for utility improvements.

The final total calculated assessment amount is \$84,706.70, comprised of \$33,113.34 for sidewalk improvements, \$22,756.45 for water improvements, and \$28,836.91 for sewer improvements. The preliminary assessment amount included in the original notice to the property owners was \$93,386.30.

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The existing property owners were notified in writing of the proposed preliminary assessments and elected not to request a Public Hearing. The Public Works Committee at their May 5, 2021, meeting concurred to recommend approval of the latecomer assessments if no Public Hearing was requested.

Councilor Bode moved and Councilor Strengholt seconded to authorize the Mayor's signature on these Notices to be recorded on the properties to establish the assessments due at the time of development. Motion approved on a 6-0 vote.

The vote reflects that Councilor Wohlrab exited the meeting.

Status of the 2021 Budget – Mayor Korthuis

Per statute RCW 35.33.135, in preparation for the 2022 Preliminary Budget Review on October 18, 2021 the Mayor provided in the council packet the updated status regarding the current 2021 Budget.

For information only. No action taken.

6. OTHER BUSINESS

Council recessed into a closed-door meeting to discuss labor negotiations at 7:55 p.m.

The council meeting re-convened at 8:05 p.m.

Councilor Kuiken moved and Councilor Lenssen seconded to authorize the Mayor to sign the Collective Bargaining Agreement discussed in the closed-door session between the City of Lynden and the IAFF Local 106. Motion approved on a 5-0 vote.

The vote reflects that Councilors Bode and Wohlrab were not in attendance for the vote.

7. EXECUTIVE SESSION

Council did not hold an executive session.

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8. ADJOURNMENT

The October 4, 2021, regular session of the Lynden City Council adjourned at 8:10 p.m.

Pamela D. Brown

Pam Brown, MMC
City Clerk

Gary L Bode - mayor-pro-tem

Scott Korhuis
Mayor