

CITY OF LYNDEN

CITY COUNCIL MINUTES OF REGULAR MEETING



February 19, 2019

1. CALL TO ORDER

Mayor Korthuis called to order the February 19, 2019 regular session of the Lynden City Council at 7:00 p.m. at the Lynden City Hall Annex.

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, Parks Director Vern Meenderinck, Planning Director Heidi Gudde, Police Chief John Billester, 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 De Valois moved and Councilor Wohlrab seconded that the minutes of February 4, 2019 be approved with the correction to the vote count noted on page 4 by Councilor De Valois. Motion approved on a 7-0 vote.

Councilor Bode took a few minutes to discuss PeaceHealth's plans to build a new medical clinic in Lynden. Council Bode provided an overview of his year-long participation in the discussions and planning for a medical facility in north Whatcom County. The site of the medical facility has not yet been determined.

ITEMS FROM THE AUDIENCE

Scheduled: None

Nonscheduled:

Harlan Kredit, 707 Birch Street, Lynden

Mr. Kredit provided Council with a document concerning the Glenning Street property that is currently owned by the Lynden School District. Mr. Kredit is a member of a committee that would like to see the property purchased by the City of Lynden and continued to be used for recreation-based activities for future use by the citizens of Lynden. The Glenning Schoolyard Proposal document submitted by Mr. Kredit provided Council with some history about the property, the committee's financial plan and a proposed path forward that includes fundraising efforts and promotion of the upcoming Parks & Recreation District Bond. The plan is that the City would be repaid the purchase price of the property over a 1-2-year period.

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The following people also spoke in support of the Glenning Schoolyard Proposal:

- Ron Polinder, 205 Rosemary Way, Lynden
- Paul Harris, 811 Glenning Street, Lynden
- Jeff Littlejohn, 9284 Double Ditch Road, Lynden
- Rena Rudy, 413 Fishtrap Way, Lynden
- Brad Rader, 8629 Benson Road, Lynden
- Sean Withrow, 211 W Maberry, Lynden

The Glenning Schoolyard Proposal document provided to Council has been included in the official council file.

2. CONSENT AGENDA

Approval of Payroll Disbursed – February 1-15, 2019

Paychex EFT	\$298,270.53
City of Lynden EFT	\$66,023.09
Warrant Liability	\$56,745.48
	\$421,039.10

Approval of Claims – February 26, 2019

Manual Warrants No. <u>72420</u> through <u>72422</u>	\$4,232.56
EFT Payment Pre-Pays	\$622,932.83
Sub Total Pre-Pays	\$627,165.39
 Voucher Warrants No. <u>72423</u> through <u>72579</u>	 \$532,674.46
EFT Payments	26,216.15
Sub Total	\$558,890.61
Total Accts. Payable	\$1,186,056.00

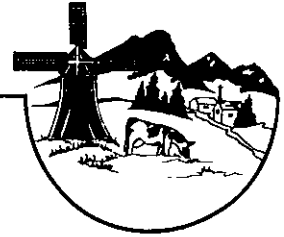
Emergency Declaration- Incident #19-0410- Severe Winter Storm Weather

Upon the proclamation of a state of emergency by the Governor, the mayor is empowered to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such disaster; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the city council.

Lexipol Policy Agreement

As part of the 2019 Police Budget, the Police Department proposed transitioning to the Lexipol Policy System for Police Department Policy. The Lexipol System agreement includes an up-to-date, legally defensible Policy Manual, Daily Training Bulletins, Policy Updates, Web-based Delivery Platform and Mobile App, Reports, and a Support Package.

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Set Public Hearing Date (March 4, 2019) – Ordinance No. 1574, Pepin Creek Zoning Amendment

The planning of the Pepin Creek Sub-area represents a significant multi-step project. One aspect of the project is to create zoning categories and overlays which take into account the City's growth priorities, housing density goals, infrastructure requirements, and community character.

The proposed zoning text amendments will come forward to the City Council in three separate ordinances.

- Ordinance 1575 addresses the Pepin Creek Sub-area specifically,
- Ordinance 1576 proposes revisions to the Residential Mixed Density (RMD) zoning category which is anticipated to be used within the Pepin Creek Sub-area, and
- Ordinance 1574 proposes amendments within the three land development chapters which accommodate the proposed code and promote consistency throughout zoning categories.

The current proposals come forward after careful review that has included public survey results, input from local real estate agents and builders, detailed work sessions with the Planning Commission and Community Development Committee. On January 24, 2019 the Planning Commission held a public hearing and recommended approval of the amendments described in Ordinance 1574, 1575, and 1576.

It should be noted that while these ordinances create the zoning categories they do not assign them to properties within the sub-area. These assignments will be subsequently adopted through the sub-area plan later this year. A draft of this plan was released on September 12, 2018 and is available on the City's website.

Set Public Hearing Date (March 4, 2019) – Ordinance No. 1575, Pepin Creek Subarea

Set Public Hearing Date (March 4, 2019) – Ordinance No. 1576, Residential Mixed Density (RMD)

Set Public Hearing Date (March 4, 2019) – Ordinance No. 1577, Pepin Creek Moratorium Extension

In December of 2018 the City Council voted to amend the Comprehensive Plan and establish the Pepin Creek Sub-area. Next month the City Council will consider the adoption of zoning categories created for the sub-area.

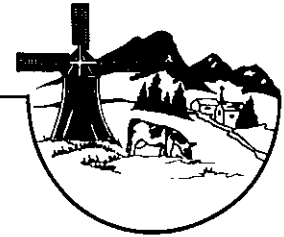
Later this spring the Sub-area plan, originally released on September 12, 2018, will go to a public hearing before the Planning Commission and City Council. The plan designates zoning categories within the sub-area, addresses known flood hazards and constraints, and presents financial analysis on development in the area.

Additional study is required:

The subarea plan does not determine the full benefit area of flood protection that the Pepin Creek channel project provides. Nor does it determine the proportionate share of the project that properties within the subarea must contribute. These elements are linked specifically to channel design and both must be determined prior to permitting development in the subarea. Critical to this point, the engineering design team has been exploring alternative channel designs which may decrease the cost of construction and risk.

These efforts of determining final channel design and proportionate share are expected to require the duration of the next 6 months.

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As these final elements are defined and executed, City staff recommends that the moratorium on construction and development within the Pepin Creek area be continued an additional 6 months from the current date of expiration of March 9, 2019.

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

3. PUBLIC HEARING- None

4. UNFINISHED BUSINESS

On February 4, 2019 City Council held a public hearing on the Latecomer's application for N Prairie 7 Sanitary Sewer Extension. After hearing comments Council authorized the preparation of the final Latecomer's Agreement.

Councilor Bode moved and Councilor De Valois seconded to approve the Latecomers Agreement for N Prairie 7 and authorize the Mayor's signature on the agreement. Motion approved on 7-0 vote.

5. NEW BUSINESS- None

6. OTHER BUSINESS

Council Committee Updates

Councilor Kuiken reporting for the Finance Committee, involving the discussion of:

- A resolution concerning the ability of elected officials to participate in the city's health insurance plan.
- January 2019 overtime costs for the police and fire departments.
- Sales tax revenue in January was the highest January of record.
- Year-end financials will be emailed to Council the next day. Each of the four funds ended in good financial standing.
- The Cassell financial software implementation meeting is tomorrow.

Councilor Lenssen reporting for the Public Safety Committee, involving the discussion of:

- Fire and Police department year-end reports will be available to the whole council.
- Ambulance update.
- Fire department equipment (battery operated rather than hydraulic operated).
- Discussion about council retreat items.
- Lexipol contract.
- Hiring process is ongoing – list to be certified February 26th.
- Lynden Watch program- information will be pushed out through the internet.

Councilor De Valois reporting for the Parks Committee, involving the discussion of:

- Glenning Street property.
- Fisher Trail fence.
- Parks Master Plan online survey.
- Greenfield Park fence and neighboring fencing.
- Park and Recreation Bond.

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Councilor Bode reporting for the Public Works Committee, involving the discussion of:

- Dismantling of the old water treatment plant.
- Parking issues.
- Value Engineering work.
- Pre-emptive work along Double Ditch Road.
- 7th Street re-build / re-engineering work.
- Water tank site- removal of concrete foundations.
- Garage Sale in March- old WTP equipment.

Chief Billmire recognized the Parks and Public Works crew for their work during the recent winter storms.

7. EXECUTIVE SESSION

Council recessed into executive session at 8:05 p.m. a potential acquisition of real estate. It was anticipated that the executive session would last approximately 20 minutes and that a decision would be made.

Mayor Korthuis came out from executive session and announced that Council required five more minutes of discussion time. The Council meeting reconvened at 8:30 p.m.

Councilor De Valois moved and Councilor Strengholt seconded the Mayor be instructed to explore the details of the purchase of the Glenning Street property. Motion approved on 7-0 vote.

8. ADJOURNMENT

The February 19, 2019 regular session of the Lynden City Council adjourned at 8:33 p.m.


Pamela D. Brown, City Clerk


Scott Korthuis, Mayor