

CITY OF LYNDEN

CITY COUNCIL MINUTES OF REGULAR MEETING



September 6, 2022

1. CALL TO ORDER

Mayor Korthuis called to order the September 6, 2022 regular session of the Lynden City Council at 7:00 p.m. at the city's council chambers.

ROLL CALL

Members present: Mayor Scott Korthuis, Councilors Gary Bode, Ron De Valois, Brent Lenssen, Kyle Strengholt, and Mark Wohlrab

Members absent: Councilors Kuiken and Laninga were absent with notice.

Staff present: Fire Chief Mark Billmire, Public Works Director Steve Banham, City Administrator John Williams, City Clerk Pam Brown, and City Attorney Bob Carmichael.

OATH OF OFFICE- Mayor Korthuis administered the Oath of Office to Police Officer Luke Buitenbos. Afterwards Council and Staff welcomed Officer Buitenbos to the City.

SUMMARY REPORTS AND PRESENTATIONS

APPROVAL OF MINUTES

Councilor De Valois moved, and Councilor Wohlrab seconded to approve the August 15 2022, regular council meeting minutes as presented. Motion approved on 5-0 vote.

CITIZEN COMMENT

Councilor Strengholt was involved in a motor vehicle accident this past Saturday here in Lynden. Councilor Strengholt thanks members of the fire and police departments for their very prompt responses. Specifically, he thanked officers Beld and Pluschakov and firefighters Davis, Chartier, Peterson-Scooter, and Monroe.

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Joe Lovelady- Pine Street, Lynden

Mr. Lovelady addressed council regarding the amount of traffic speeding through his neighborhood and asked what can be done to help ensure the safety of children and others that live there?

Cynthia S Ripke Kutsagoitz, Guide Meridian, Lynden

Ms. Ripke-Kutsagoitz addressed council regarding local crime, a recent personal experience with someone that threatened her, the rights of the unborn and her appreciation for law enforcement.

Katie James, 17th Street, Lynden

Ms. James read a statement on behalf of a friend that was unable to attend. The statement was in regard to the two homes which are owned by the Nelsons and may be planned for transitional housing.

Nick Sawka, Village Drive, Lynden

Mr. Sawka addressed council regarding his opposition to the proposed halfway houses and that he plans to attend the next school board meeting and request that the school board issue a public statement regarding the transitional housing issue.

Stephanie Rogers, Westview Place, Lynden

Reminded and urged the Council to make the transitional housing issue a priority and asked that the city attorney review the proposed ordinance in a timely manner. She has concerns about new laws that are scheduled to go into effect January 2023.

Gary Vis – Front Street, Lynden

Mr. Vis addressed council regarding correspondence received about the hanging baskets downtown. He stated that he believed that the City's public works department may play a role in this issue since it involves sidewalk obstructions.

Councilor Wohlrab assured those present that each council member and each member of staff attending the council meeting realize the importance of the transitional housing issue and they are actively working toward resolution.

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2. CONSENT AGENDA

Payroll Liability to August 14 through August 27, 2022

EFT & Other Liabilities

Non-L&I Liabilities

Monthly EFT	\$505,596.48
Check Liability	\$0.00
Total Non-L&I Liabilities	\$505,596.48
Quarterly Liabilities	\$13,983.55
Total EFT & Other Liabilities	\$519,580.03

Approval of Claims – September 7, 2022

Manual Warrants No.	=	through	=		\$0.00
EFT Payment Pre-Pays					\$0.00
				Sub Total Pre-Pays	\$0.00
Voucher Warrants No.	<u>24852</u>	through	<u>24967</u>		\$440,797.99
EFT Payments					\$30,263.30
				Sub Total	\$471,061.29
				Total Accts. Payable	\$471,061.29

Resolution No. 1053 - CUP Revocation – Lynden Automotive
Award Bid for South Park Waterline and Overlay Project
Professional Services Agreement with The Watershed Company
Letter to NW Washington Fair Regarding LTAC Fee Collection

Councilor Bode asked that the Professional Services Agreement with the Watershed Company be pulled from the consent agenda because the item is incomplete and does not reflect the cost.

Councilor Bode moved and Councilor Strengholt seconded, to approve the Consent Agenda. Motion passed with a 5-0 vote.

3. PUBLIC HEARING - None

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4. UNFINISHED BUSINESS

Ordinance No. 1653-Amendment to LMC 12.24 Regulating E-Bike Usage

At the August 1, 2022, meeting the City Council adopted ordinance 1649 setting Parks Rules. There was significant discussion regarding the use of E-Bikes on trails and setting a speed limit. Staff was directed to review the State laws regarding E-Bikes and what other jurisdictions have done regulating their use. There have been additional follow-up discussions at the August Parks Committee and the Public Safety Committee. In summary, this new section of LMC 12.24 contains language that authorizes the use of Class 1 & 2 E-Bikes on City Trails, but also creates a speed limit of 10 mph for all wheeled devices that may be used on the trail. Class 3 E-Bikes are not allowed for use on the trails but may be operated in areas designated for Motor Vehicle use (roads, bike lanes, etc.).

Councilor De Valois moved, and Councilor Wohlrab seconded to approve Ordinance No. 1653 and authorize the Mayor to sign the Ordinance. Motion passed with a 5-0 vote.

5. NEW BUSINESS

Contract for Engaging Federal Lobbyist Services

Based on the 2021 flooding event and the unprecedented infrastructure bill passed at the federal level, there was interest from the small cities group to consider engaging a federal lobbying firm. A presentation was made to the group by CFM and later an on-site follow up to tour the potential projects.

Based on the information and review of projects presented by the City, CFM felt Lynden was a good candidate to apply for federal grant programs and potentially receive funding. Specifically for the Pepin Creek project(s) and Bradley Road. There may be a coalition of several small cities and the County forming a group for flooding mitigation, however, that effort will be led by the County and most likely not occurring until a later date in 2023. The Mayor has discussed the possibility of joining with a federal lobbyist at the Finance and Public Works committee meetings

Councilor Strengholt moved, and Councilor De Valois seconded authorize the Mayor to sign a contract with CFM. Motion passed with a 5-0 vote.

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6. OTHER BUSINESS

Councilor Lenssen reporting for the Community Development Committee:

- Discussion involving parking issues
- Comprehensive Plan amendments involving property west of Guide Meridian
- Zoning south of Lynden Birch Bay Road
- Protection of residences and farm property from the proposed annexation
- Working on civil penalties for code
- Transitional housing

Councilor Wohlrab reporting for the Public Safety Committee

- Discussion on transitional housing
- E-Bike signage for speed limits
- OT for police and fire departments
- Public safety personnel continue to prosecute criminals for property crimes
- Support Services position with the fire department has been filled
- Support Services position with the police department has also been filled from inhouse
- AC testing process is moving along
- Safer Grant options for equipment and personnel was discussed

The Parks Committee meeting re-scheduled for Monday, September 12th.

Ribbon cutting ceremony scheduled for September 19th for Grover Street Overlay Project at 11:00 a.m.

7. EXECUTIVE SESSION

Council adjourned into a 10-minute executive session at 7:47 p.m. to consider acquisition of a real estate purchase per RCW 42.30.110 (1)(b) with an expectation that no action would be taken. Council reconvened at 7:57 p.m.

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8. ADJOURNMENT

The September 6, 2022, regular session of the Lynden City Council adjourned at 7:57 p.m.

Pamela D. Brown
Pamela D. Brown
City Clerk

Scott Korthuis
Scott Korthuis
Mayor