

LYNDEN CITY COUNCIL

MINUTES OF THE REGULAR SESSION

FEBRUARY 1, 2010

I CALL TO ORDER

Mayor Scott Korthuis called to order the February 1, 2010 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; Councilors Gary Bode, Dave Burns, Ron De Valois, Tobey Gelder, Jerry Kuiken, Nick Laninga, and Brent Lenssen.

Members absent: None.

Staff present: Fire Chief Gary Baar, Administrative Assistant Rachel Byers, Planning Director Amy Harksell, Public Works Director Duane Huskey, and City Administrator Bill Verwolf. Also present was City Attorney Bob Carmichael.

APPROVAL OF MINUTES

Councilor Kuiken moved and Councilor Gelder seconded that the minutes of the January 19, 2010 Regular Council Session be approved. The motion carried.

APPROVAL OF PAYROLL

Direct Deposits, Draws and Warrants No. 14235 through 14286 \$ 432,233.91

ITEMS FROM THE AUDIENCE

Scheduled - None

Unscheduled - None

II UNFINISHED BUSINESS

Cancel Public Hearing for Re-Allocation of Latecomer's Fees – West Main Street Investment, LLC. – Lot Line Adjustment and Committee Report on Alderwood Drive Design

During the January 19, 2010 City Council meeting, the Council set a public hearing date of February 16, 2010 to hear comments on a proposal from West Main Street LLC to reallocate latecomer's fees for the property they want to develop in the West Lynden area. This request was one of several associated with their Lot Line Adjustment.

This issue was further discussed at the January 20, 2010 Public Works Committee meeting, and upon discussion the Committee concurred that, as the latecomer's fees that are being referred to have already been established and recorded against the property, and permission from the latecomer's grantee would be required to reallocate the fees, the City Council would be asked to cancel the public hearing for this proposal.

The Alderwood Drive design question was referred by Council to the Public Works committee for further review. The developers have chosen to establish a new lot line on the parcel in an area not adjoining Alderwood Drive which means that no further action will be taken regarding this issue.

Councilor Bode moved and Councilor De Valois seconded that the public hearing scheduled for February 16, 2010 to receive public comments on the proposal to reallocate

latecomer's fees associated with the West Main Street LLC Lot Line Adjustment be cancelled. The motion carried.

III NEW BUSINESS

Introduction of a 2010 Budget Amendment

As required by State regulations, an amendment to the 2010 budget was introduced to Council. The amendment will reflect Council's authorized transactions and will create Fund 379 – City Hall Construction.

This item was for information only.

Approval of Public Participation Plan for Shoreline Management Plan Update

The City is updating its Shoreline Master Program in accordance with the Washington State Shoreline Management Act governed by Revised Code of Washington (RCW) 90.58 and Washington Administrative Code (WAC) 173-26. The RCW and the WAC require that local governments inform the state about the planning process and invite and encourage participation by all who have any interest or responsibility related to shorelines. The Public Participation Plan is a key component of this planning effort and is a required element of the Shoreline Master Program.

The plan being presented to Council has been prepared by the City's consultant for the project, Whatcom Environmental Services, and has been reviewed and recommended by the Department of Ecology, the Community Development Committee, and the Planning Commission. The Plan's adoption will provide staff and the consultant with a guidebook for reaching out to the public as part of the shoreline planning process.

Councilor Kuiken moved and Councilor Lenssen seconded that the Public Participation Plan for the update of the Shoreline Master Program be approved as recommended by the Planning Commission and the Community Development Committee. The motion carried.

OTHER

Councilor Burns confirmed that the Public Safety Committee will meet on February 4, 2010 at 4:00 PM at the Fire Hall.

IV EXECUTIVE SESSION

Council went into Executive Session at 7:06 P.M. to discuss litigation. It was anticipated that the Executive Session would last approximately 10 to 15 minutes and that action would likely be taken following the session. Council came out of Executive Session at 7:20 P.M.

Councilor Burns moved and Councilor Bode seconded that the City Attorney be directed to file the necessary documents to intervene in the Petitions for Review of Whatcom County Ordinance 2009-071 filed with the Western Washington Growth Management Hearings Board. The motion carried.

V ADJOURNMENT

The February 1, 2010 regular session of the Lynden City Council adjourned at 7:23 P.M.

Rachel Byers, Administrative Assistant

Scott Korthuis, Mayor