



## **PUBLIC WORKS COMMITTEE MINUTES**

4:00 PM January 11, 2023  
City Hall 2<sup>nd</sup> Floor Large Conference Room

### **CALL TO ORDER**

Members Present: Mayor Scott Korthuis, Councilors Gary Bode, Ron De Valois, and Jerry Kuiken

Staff Present: City Administrator John Williams; Public Works Director Steve Banham; Programs Manager Mark Sandal; and Sr. Admin. Assistant Jessica King

Public Present: Dr. Jonathan Henry, Lisa Kroontje, Norm Sangha, Marty Gering, Lynnette Ondeck, Gary Vis

### **ACTION ITEMS**

#### **1. Approve Minutes from December 7, 2022**

Kuiken motioned to approve the minutes and De Valois seconded the motion.

#### **Action**

***The minutes from December 7, 2022, were approved.***

#### **2. Duffner Mobile Home Park - West Front Street Improvements**

Sandal explained the creation of the Duffner Mobile Home Park and the original Right of Way (ROW) Property Exchange Agreement (AF #2070202655) between the Vellema Family and the City ("Vellema Agreement"): which requires the park owner(s) to construct Front Street improvements if they exceed 32 units.

Kroontje explained that the Duffner Drive Mobile Home Park is a non-conforming use through the City code and therefore expansion is restricted. The Sangha family applied for a Conditional Use Permit to add 14 more units. After review, the City Council granted approval to add up to 13 additional units upon satisfaction of 19 specific conditions. One of those conditions (#16) refers to the Front Street ROW improvements in the Vellema agreement. The current owner, Mr. Sangha, wants to install additional mobile home units, so he and his attorney are reviewing the intent of that agreement. Sangha feels that the Front Street improvements aren't economically feasible considering the affordable housing he is providing for lower incomes. He would like to amend the agreement to allow him to increase the number of mobile units without immediately having to construct the road improvements.

Currently there are 32 approved units in the park with a 33<sup>rd</sup> unit on the ground, but without a building permit, based on the Vellema Agreement resolution. The other 18

conditions are not triggered until the 34<sup>th</sup> unit. Once those conditions are met Sangha can construct up to a maximum of 47 units per the approved Conditional Use Permit.

Kroontje summarized that the Sangha family is requesting the Committee amend the Vellema Agreement to reset the “agreement trigger” for construction of Sangha’s West Front Street improvements from 32 units to at least 38 units and/or participation in City reconstruction.

Banham said that the City anticipates that the best time to do the required Front Street improvements would be at the same time that the City does the emergency culvert replacement project over Duffner Creek just to the west of the proposed frontage improvement. That would allow the design to be integrated and offer some economy of scale in which Sangha would need to participate. That work is currently expected to occur in 2024.

**Action**

***The Public Works Committee concurred to entertain a draft Amendment revising the Vellema Agreement at the next Public Works Committee meeting. If acceptable to the Committee, it would be forwarded to City Council for approval. The Sangha family will still need to meet all the other conditions in the approved Conditional Use Permit.***

**3. Public Works Plants Maintenance Building Letter of Commitment and Schedule**

Banham presented a Letter of Commitment with Trane for design-build services for the maintenance building to be located east of the Water Treatment Plant. He said that the City would be committing to preconstruction services for preliminary design of approximately 35% plans. The Commitment will include pursuing possible grants and the selection of a design-build company to complete the full design and construction. Trane would act as the City’s construction manager for the project.

If the City does not move forward after the preliminary design, a payment of \$464,129 would still be required. If the City does elect to move forward, the \$464,129 will be included in the construction costs. Staff can specify which companies they would like to submit bids. Construction should be done in the middle of 2024 to clear the space needed for Wastewater Treatment Plant upgrades.

**Action**

***The Public Works Committee concurred to recommend forwarding the Public Works Plants Maintenance Building Letter of Commitment and Schedule to Council for approval.***

**INFORMATION ITEMS**

**4. ADA Transition Plan for Right-of-way Table of Contents and Schedule**

Banham said that the ADA plan needs to be completed by March of 2023 as the plan may be a requirement to apply to state and federal funding programs. He discussed the ADA Act Requirements that will be part of the ADA Plan and noted that staff is performing this in-house rather than using a consultant.

## 5. Projects Update

### Pepin Creek Main Street Bridge

The road opened December 27. Bode asked when paving would be done. Sandal said that asphalt paving would start in March 2023, when the asphalt plants open.

### West Main Street - Berthusen RAB

Staff is considering joint stormwater solutions with Alliance Freeze Dry which could result in a City-operated stormwater pump station. Banham said it's likely that a stormwater pump station will be needed in that area for most of the development due to the high groundwater level there.

### Guide Meridian Pump Station

Working on gravity sewer main to the west of the new pump station. Puget Sound Energy Service Agreement signed. Banham said that a layer of clay was found so it created a slight delay and additional dewatering costs.

### South Park Water/Street/Sidewalk Improvements

Scheduled to re-start January 16 with grade prep, and curb and gutter. Banham said that the paving will occur in March 2023 when asphalt plants reopen. The benefit is that the current road base has time to settle, which will make for better asphalt paving.

### NW Fair and Event Center Stormwater Improvements

Banham said the easements have been signed and recorded. A pre-construction meeting is planned for later in January.

### Bradley Road Complete Street Improvement

City received letter of support from Lynden School District and signed right-of-way agreements.

### Cedar Drive Utility and Street Improvements

Meeting with neighborhood to be scheduled as soon as preliminary design available. Marty Gering (215 Cedar Drive) expressed interest in knowing when a public meeting would be held and hosting it in a home in the neighborhood. Banham replied that this may occur in February.

### 8691 Benson Road

Fire Department training burn scheduled before early spring.

### 3rd and Main Intersection Repairs

TIB funds received. TIB to pay 58.5611% of eligible project costs, up to \$600,000. The Committee expressed interest in concrete or other amendments to provide for a longer life cycle for this road which is used heavily by trucks. Sandal is researching whether concrete or asphalt would be better. Sandal stated that TIB will not pay for anything other than asphalt.

The City is considering applying for TIB Pavement Preservation Grant funds for 1<sup>st</sup> Street (Hannegan Road) from Front Street to City Limits.

### Jim Kaemingk Trail Extension - Depot to 8<sup>th</sup>

National Marine Fisheries is working on their consultation response to the Corps permit and City is hoping for response soon. Project will be completed in four phases (two contractor, two volunteer). Korthuis said that the latest draft of the Purchase and Sale Agreement contract was delivered to the VanderGriend family today.

### Community Center Renovation

Staff is working with King Architecture on scope and budget (Whatcom County EDI funds). Korthuis said that the Community Center roof leaked during the recent ice storm. Banham noted that the membrane for the roof is worn out and needs to be replaced along with the HVAC. Seismic improvements will also be reviewed. He also mentioned that the City is pursuing additional state and federal funding.

### Judson-8th Street Stormwater LID

Ecology reviewing/approving final plans. February 1 advertisement date.

## **6. Fluoride Discussion**

Bode expressed concern from members from the Community about continued fluoridation of City water. He provided documents from a variety of sources based on those concerns.

Henry (Unity Care NW in Bellingham) and Ondeck discussed the benefits of fluoride in the City water to Lynden's residents and their dental health. Henry has observed in his practice that Lynden residents have healthier teeth than any other patients Unity Care treats, especially in children. Ondeck worked as school nurse with SMILE dental mobile clinics and noticed a huge difference in the significantly better dental health of children who had fluoridated water versus those who didn't.

The Committee discussed the types of fluoride and the specific type(s) that Lynden is using. The Committee questioned the source of the fluoride used in Lynden's water.

### **Action**

***The Public Works Committee concurred to recommend having staff provide specific information on the source and type of fluoride used in Lynden's water and certification that it meets drinking water standards.***

## **7. Water Quality in Double Ditch (Portage Bay Shellfish)**

Banham said the high fecal count in the Double Ditch water is coming from north of the Canada-US border. He provided a handout with the fecal counts and said that Whatcom County and Canadian agencies are looking into this.

**NEW BUSINESS:** None

**ADJOURNMENT:** The meeting was adjourned at 5:53 p.m.

**NEXT MEETING:** February 8, 2023