

CITY OF LYNDEN

CITY COUNCIL MINUTES OF REGULAR MEETING



June 15, 2020

1. CALL TO ORDER

Mayor Korthuis called to order the June 15, 2020 regular session of the Lynden City Council at 7:00 p.m. held through an online web-based meeting platform (Microsoft Teams).

ROLL CALL

Members present: Mayor Scott Korthuis and Councilors Gary Bode, Ron De Valois, Jerry Kuiken, Kyle Strengholt, and Mark Wohlrab.

Councilor Brent Lenssen logged into the meeting at 7:09.

Members absent: None

Staff present: Fire Chief Mark Billmire, Parks Director Vern Meenderinck, Planning Director Heidi Gudde, 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 Laninga seconded to approve the revised April 20, 2020 council minutes and the regular June 1, 2020 council minutes. Motion approved on a 6-0 vote with Councilor Lenssen not yet in attendance.

ITEMS FROM THE AUDIENCE

Scheduled:

Kent Oostra, Exact Scientific – COVID-19 Monitoring Plan

Mr. Oostra discussed an Exact Scientific Services proposal to provide the City with a COVID Monitoring Plan. An option discussed is testing sewage samples from the wastewater treatment plant influent for the presence of COVID. The City currently takes composite samples as part of its National Pollution Discharge Elimination System (NPDES)

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Permit with the State Department of Ecology and this sample could easily be provided to Exact Scientific

Unscheduled- None

2. CONSENT AGENDA

Approval of Payroll Disbursed – June 1-June 15, 2020

Paychex EFT	\$277,957.23
City of Lynden EFT.....	\$64,188.27
Warrant Liability	\$59,374.54
Subtotal	\$401,520.04
Paychex EFT Liability	\$8,102.10
Total EFT & Other Liabilities	\$409,622.14

Approval of Claims – June 17, 2020

Manual Warrants No.	<u>75485</u>	through	<u>75486</u>		\$8,015.86
EFT Payment Pre-Pays					\$161,292.88
				Sub Total Pre-Pays	\$169,308.74
Voucher Warrants No.	<u>75487</u>	Through	<u>75612</u>		\$1,089,777.90
EFT Payments					<u>\$25,655.70</u>
				Sub Total	\$1,115,433.60
				Total Accts. Payable	\$1,184,742.34

2021 Budget Calendar

As required by RCW, there are several budget preparation deadlines as the City moves forward in preparing its year 2021 Budget. These dates are for final review and approval of the full Council. Upon approval this calendar will be distributed as presentation dates to the satellite agencies, as well as to City departments.

This calendar was reviewed earlier by the Finance Committee at their May 18th meeting and presented to the full Council for review at the May 18th Council meeting.



Axon Digital Evidence Agreement

This contract involves video evidence recording and cloud-based storage of same. This was one of the measures recommended in the LEMAP assessment. The first-year cost is \$14,950 (which is in the 2020 budget). Costs over the next 4 years (2021-2024) would be \$7,459.96 each year.

Award Bid for East Grover Street Overlay – Railroad to Bradley Road

Staff recently solicited bids for the East Grover Overlay – Railroad to Bradley Road project. Five bids were received on June 10, 2020. Reichhardt and Ebe Engineering prepared the attached Bid Tabulation.

The Public Works Committee was advised of the bids and concurred to recommend award to Colacurcio Brothers Construction, the lowest responsive and responsible bidder, in the amount of \$531,744.52, including Washington State Sales Tax. This project will be funded in part with TIB funds (over \$350,000 of the construction and most of the construction management). The balance of the funding will be from Impact Fees and Water and Sewer Utility Fees. The Committee concurred that the bid results could be forwarded directly to City Council after informing them of the results.

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

3. PUBLIC HEARING

Resolution No. 1023- Six Year Transportation Improvement Program (STIP) 2021-2026

On , 2020, City Council set a public hearing date of June 1, 2020 to hear comments on the City's Six Year Transportation Improvement Plan (2021-2026).

In order to apply for project funding, every city and county must prepare a planned local-projects listing and forward it to the Washington State Department of Transportation by July 31, 2020 for inclusion in the State Transportation Improvement Program (STIP) list.

The Public Works Committee reviewed the STIP projects at recent meetings and concurred to forward the attached plan to City Council.

Mayor Korthuis opened the Public Hearing at 7:35 p.m.

There were no comments.

Mayor Korthuis closed the Public Hearing at 7:35 p.m.



Councilor Bode moved and Councilor De Valois seconded to Resolution No. 1023, adopting the Six Year Transportation Improvement Program for the City of Lynden and authorize the Mayor's signature on the resolution. Motion approved on a 7-0 vote.

4. UNFINISHED BUSINESS- None

5. NEW BUSINESS

Wastewater In-Flow COVID-19 Monitoring Plan

As communities implement a phased opening from COVID-19 restrictions, there is currently no documented way to monitor the impacts in real time. EPA notes on their website that,

“Preliminary research indicates that monitoring wastewater for the presence of SARS-CoV-2 (coronavirus) may be useful as a sensitive early indicator of low levels of infections in the community. Having an early warning system to alert public health officials about infection in a community would be helpful. Likewise, monitoring SARS-CoV-2 in wastewater may also provide an indication of decreasing levels of infection within a community [www.epa.gov “*Detecting and Monitoring SARS-CoV-2 in Wastewater*”].

Exact Scientific Services provided the City with a COVID Monitoring Plan that included three different monitoring options. One of those options is testing sewage samples from the wastewater treatment plant influent for the presence of COVID. The City currently takes composite samples as part of its National Pollution Discharge Elimination System (NPDES) Permit with the State Department of Ecology and this sample could easily be provided to Exact Scientific Services consistent with Option 1 in the plan they submitted.

The City is also interested in researching other possible future testing protocols for locations to include sewer pump stations, and sites near the schools to provide an additional tool for decisionmakers on possible COVID impacts.

The Public Works Committee reviewed the draft COVID-19 monitoring plan at a special meeting on June 10, 2020 and concurred to recommend approval to enter into an initial agreement for wastewater testing to City Council.

Councilor Bode moved and Councilor De Valois seconded to authorize the Mayor to enter into a simplified professional service agreement for wastewater treatment plant influent testing for COVID with Extract Scientific Services not to exceed \$20,000 to be

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funded with federal CARES funding, and to explore additional testing services that could be bought back to Council under an expanded service agreement with Exact Scientific Services not to exceed \$150,000, also funded by CARES. Motion approved on a 7-0 vote.

Set Public Hearing for Ordinance No. 1603- Amending LMC 19.26

In 2007 the City of Lynden adopted development standards that allowed for the creation of a zoning overlay specific to the needs of a hospital or large medical campus. This zoning overlay can be described as a floating zoning category, with its own specific permitted uses and development standards, that can, with approval, be pinned to a specific property. To date this section of code has not been utilized.

Wishing to facilitate medical services within the community; and recognizing the existing medical services overlay does not address the potential of smaller eligible sites throughout the City; and anticipating no detrimental impacts which could not be mitigated by site design; the City has initiated a code amendment which would reduce the minimum size for a development using the Medical Services Overlay from 8 acres to 5 acres. The amendment also provides the opportunity to clarify the language found in 19.26.090 related to Transportation Management.

The amendment related to parcel size and the impact fee clarification went before the Planning Commission at a public hearing on March 12. The Planning Commission voted unanimously to recommend approval of the amendment. Since the March hearing the amendment has been on hold due to the COVID-19 restrictions on government actions. This delay has added pressure to a pending Peace Health project timeline and called attention to the required approval process. As such, with the Mayor's support, staff has drafted an additional amendment to this code section. As the binding site plan process is not a good fit for smaller scale projects, this proposed amendment modifies the process for projects which are not subdividing property or proposing phased infrastructure improvements. A redlined copy of the subject code has been included in the agenda package. The additional proposed amendment is highlight for your consideration ahead of the July 6 hearing.

Councilor Lenssen moved and Councilor Laninga seconded to set a public hearing date of July 6, 2020 to consider Ordinance No. 1603 amending Lynden Municipal Code 19.26 regarding Medical Services Overlay. Motion approved on a 7-0 vote.



6. OTHER BUSINESS

Council Committee Updates

Councilor Bode reporting for the Public Works Committee which involved the discussion of:

- COVID-19 Monitoring Plan

Councilor Wohlrab reporting for the Public Safety Committee which involved discussion of:

- Local 106 Union representative presentation
- Lynden Watch
- Fire Department monthly report
- Qualifications for newly created Fire Department Captain position
- Outdoor alcohol consumption options
- PD monthly report
- Increase in theft in May was related to the fraudulent ESD claims

Councilor Strengholt reporting for the Finance Committee which involved discussion of:

- Approval of Payroll and Claims
- OT for Police and Fire Departments
- 2021 Budget calendar
- Satellite agency budget schedule and possibility of joint meeting with various council committees
- Sales tax status – 62% comes from outside of the city
- Revenue from property tax lagging due to pushing back deadlines
- Budget initiatives are being pushed from this year to 2021

Councilor De Valois reporting for the Parks Committee which involved discussion of:

- Joint meeting with Recreation District
- Pickle ball court availability
- Tractor Club lease agreement approved
- Benson Barn and structural issues
- Recreation District funds for Glenning Park and Dickinson property
- Berthusen restroom is being reviewed by the County.
- Berthusen park traffic count
- Pump track will be a dirt track with possible paving in the future
- Cash infusion from Recreation District bond

Mayor Korthuis announced that the municipal court is now open and will be meeting every two weeks.



7. EXECUTIVE SESSION

Council recessed into executive session at 7:58 to discuss potential litigation. It was anticipated that the executive session would last approximately 10 minutes and that a decision would not be made.

8. ADJOURNMENT

The June 15, 2020 regular session of the Lynden City Council adjourned at 8:08 p.m.

Pamela D. Brown, MMC
City Clerk

Scott Korthuis
Mayor

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