

# CITY OF LYNDEN

## CITY COUNCIL MINUTES OF REGULAR MEETING



July 15, 2024

### 1. CALL TO ORDER

Mayor Korthuis called to order the July 15, 2024 regular session of the Lynden City Council at 7:00 p.m. in the city's council chambers.

### PLEDGE OF ALLEGIENCE

**OATH OF OFFICE – None.**

### ROLL CALL

Members present: Councilors Gary Bode, Lee Beld, Gary Vis, Brent Lenssen, Nick Laninga, Kyle Strengtholt and Mark Wohlrab.

Members absent: None.

Staff present: Community Development Director Heidi Gudde, Finance Director Laura Scholl, Parks Director Brent DeRuyter, Police Chief Steve Taylor, Public Works Director Jon Hutchings, City Clerk Pam Brown, City Administrator John Williams and City Attorney Luke Phifer.

### SUMMARY REPORTS AND PRESENTATIONS – None.

### APPROVAL OF MINUTES

***Councilor Vis moved, and Councilor Strengtholt seconded, to approve the July 1, 2024 regular council minutes. Motion approved on 7-0 vote.***

### CITIZEN COMMENT

Kahlin Mish, Lynden, spoke in opposition of discontinuing fluoridation of the city's water supply.

Cutzi Jobes, Lynden, spoke in favor of discontinuing the fluoridation of the city's water supply.

### 2. CONSENT AGENDA

#### Award Contract for Utility Rate Study

The City recently solicited proposals for a Utility Rate Study to occur in 2024 and 2025. The study will include a comprehensive study of the City's sanitary sewer rate structure. Similar studies of water and stormwater utility rates may follow. The purpose of the initial targeted

# CITY OF LYNDEN

## CITY COUNCIL MINUTES OF REGULAR MEETING



sewer rate study is to analyze current and expected cost burdens against the existing rate structure, to evaluate rate equity within the system, and to provide rate recommendations designed to fully fund utility expenditures for 20 years. The study will also provide insight for the long-term viability and financial strength of the utility as funding to expand the capacity of the Wastewater Treatment Plant has an estimated construction cost of \$24 Million.

Two proposals were received, with majority of staff recommending to contract with FCS Group. Their proposed scope and budget are included in the council packet. The Public Works Committee reviewed the proposal at their meeting on July 1, 2024, and recommended entering into a contract with FCS Group, who demonstrated more experience with cities of Lynden's size within the timeline required by staff.

### Professional Services Agreement for Judson / 10<sup>th</sup> Street Design

Reichhardt & Ebe Engineering has prepared a scope and budget, for City review, to design the third and final phase of the Judson Street Stormwater Low Impact Development project. This final phase is scheduled to be constructed in 2025. The Ecology-funded project will include the replacement of degraded roadway on 10th Street from Front Street to Judson Street, and on Judson Street from 10th Street to 7th Street. Additionally, sidewalks that are currently compacted gravel and concrete will be replaced with pervious concrete to allow for infiltration.

Within the 10th and Judson Street right-of-way, the project will install new curbs and gutters to convey runoff to treatment devices and infiltration trenches and will install retaining walls along the south side of Judson Street. The project is the third and final phase of construction that will ultimately reconstruct approximately five square blocks in downtown Lynden between Front Street and Judson Street from 7th to 10th Streets.

### Third Amendment to Forge Fitness Lease –**Item pulled from consent agenda for separate review.**

### Request for Donation Acceptance – Korthuis

The bridge and boardwalk on the new section of the trail was built entirely with volunteers and donations. Scott Korthuis was the lead on the project and needed certain materials and supplies for the construction, those supplies were purchased by him personally. At the recent Parks Committee meeting he requested the City to accept those expenses as a donation to the City. The donation totals \$2,696.33.

# CITY OF LYNDEN

## CITY COUNCIL MINUTES OF REGULAR MEETING



### Mt. Baker Rotary Club Donation Approval

The Parks Department is excited to have the interest and support of community organizations like the Mt. Baker Rotary Club. This organization has graciously offered to purchase a collapsable outfield fence for youth tournaments and high school games and tournaments to help with a future Bender Fields Upgrades project for approximately \$8,500. This would provide the opportunity for local clubs and schools to host tournaments that require smaller field dimensions to be more successful. If approved by Council, the above donation will be used to make the purchase as soon as possible for immediate use.

### Lynden Municipal Airport Advisory Board Appointment

Corwin McCaig resigned from the Airport Advisory Board in May 2024. Greg Bell has submitted a letter of interest in serving on the board for the remainder of the term through December 31, 2025. According to Lynden Municipal Code Chapter 2.54.010, vacancies on the board shall be appointed by the Mayor with the approval of City Council, and appointees shall serve the unexpired term to which they are appointed.

The Airport Board members operate in an advisory capacity to the Lynden City Council to make recommendations concerning the adoption of rules, regulations or policies for the management, operation and use of the airport, and the highways, roads, streets and territories adjacent to the airport. The Airport Advisory Board met on June 28, 2024, and supports the appointment of Bell. The Mayor and Public Works Committee reviewed Bell's request for appointment at their July 1, 2024, meeting and concurred to forward Bell's appointment to City Council for approval.

### Resolution 24-1102 – Authorizing Local Government Investment Pool

RCW 43.250.010 provides authority to eligible government entities to participate with the state in providing maximum opportunities for the investment of surplus public funds consistent with the safety and protection of such funds, while providing maximum prudent investment of such funds. The City of Lynden has participated in the LGIP, and the practice is laid out in Municipal Code Chapter 3.16. This Resolution rescinds Resolution 905 authorized in July 2014 to update the authorized individuals on the form and provide access to the LGIP to current employees based on job title rather than individual employee name.

### Resolution 24-1100 – Decrease the Revolving Fund

Currently the Lynden Police Department has a cash fund for making change for citizen transactions. Due to change in practices, the Lynden Police Department no longer requires

# CITY OF LYNDEN

## CITY COUNCIL MINUTES OF REGULAR MEETING



one of the cash drawers. Resolution 24- 1100 would reduce the cash limit of the Revolving Fund from \$3,350 to \$3,150.

### Ordinance 24-1690 – Amend LMC Related to Petty Cash

Currently, there are three petty cash funds named within the City of Lynden's Municipal Code. One each for: Finance, Public Works and the Police Department, at \$350 each. These funds are no longer being used. As Cash is a high-risk item subject to misappropriation or loss, it is prudent to minimize both the number and value of available cash items. Ordinance 24-1690 will amend the municipal code to repeal the portions of the Petty Cash Funds for Finance, Public Works and the Police Department, and adjust the full balance of the Petty Cash fund from \$1,550 to \$500.

***Motion made by Councilor Strengholt seconded by Councilor Vis to approve the Consent Agenda. Motion approved 7-0.***

### Third Amendment to Forge Fitness Lease

The City entered into a five-year lease of the former City pool and recreation (formerly YMCA) building at 100 Drayton Street with Brian and Jeannie Davidson, owners of Forge Fitness, starting January 1, 2021. This lease was amended on June 8, 2021, to increase the cap for Reimbursement for Renovation (Section 6.2) to \$250,000 to allow for the replacement of the exterior siding and a portion of the roof.

City Staff and the City Attorney identified additional clarifications to the lease agreement that were required to address the responsibilities of the parties for maintenance, repairs, and capital improvements. This resulted in amendment #2, which amended sections 5 through 7 to provide clarification on the budget and approval process that the City will use for major repairs and capital improvements. The third amendment to the lease, being presented for approval, addresses issues that were identified in a structural analysis performed in spring, 2024. The analysis identified widespread moisture damage and excess loading of the structural joists. Major repairs must be completed during the summer of 2024 to allow the building to remain in use through next winter. Work proposed includes structural repairs to the roof and the installation of a new heating, ventilation, and air conditioning system.

At their meeting on June 3, 2024, City Council approved making these repairs part of the City's 2024 capital improvement plan. The City and Forge wish to amend the lease to differentiate the 2024 roof and HVAC project from other repairs and/or capital improvements.



***Motion made by Councilor Lenssen seconded by Councilor Vis to approve the Third Amendment to the Forge Fitness Lease addressing repairs and capital improvements to the facility and authorize the Mayor's signature on the contract. Motion approved 7-0.***

**3. PUBLIC HEARING – None.**

**4. UNFINISHED BUSINESS – None.**

**5. NEW BUSINESS- None.**

**6. REPORTS**

**Approval of Payroll and Claims:**

Payroll dated June 2 to 29, 2024  
Claims dated June 18 to July 15, 2024

Councilor Bode reporting for the Public Works Committee highlighted the following items addressed in the public works meeting minutes:

- Discussion – Downtown parking
- Utility (Sewer) Rate study
- 4<sup>th</sup> Street parking lot
- New street sweeper
- Request for EV charging station
- Affordable housing
- Trail ribbon cutting on July 18, 2024
- Letter of violation to Homestead owner concerning tall, dry grasses and the increased risk of wildfires

**Councilor Strengholt reporting for the Finance Committee:**

- Payroll and Claims
- Significant overtime hours for fire and police department staff
- Decrease in sales tax revenue over the last two months
- Resolutions addressed on the council agenda

# CITY OF LYNDEN

## CITY COUNCIL MINUTES OF REGULAR MEETING



Councilor Vis reporting for the Parks Committee:

- Benson and Schoolyard Park updates concerning masterplans
- Success of last week's Splash Day
- Discussion of the possibility of contracting for mowing services
- Facilities and trail maintenance costs
- Need for more staff, possibly 1 or 2 part-time employees
- Budget (2025) discussions

***Councilors Beld and Laninga individually addressed the mayor concerning their opposition to the mayor's decision to veto the ordinance that called for discontinuing fluoride in the city's water supply.***

### 7. EXECUTIVE SESSION

Council did not hold an executive session.

### 8. ADJOURNMENT

July 15, 2024 regular session of the Lynden city council adjourned at 7:56 p.m.

---

Pamela D. Brown, City Clerk

---

Scott Korthuis, Mayor