

CITY OF LYNDEN

POLICE DEPARTMENT

Steve Taylor, Police Chief

(360) 354-2828



Public Safety Committee Meeting – August 10th, 2023, Minutes

Police Department - 203 19th Street

4:00 PM August 10th, 2023

Call to Order: 4:00 pm

Roll Call:

Committee Members Present: Chair Mark Wohlrab, Brent Lenssen, Jerry Kuiken
Others Present: City Administrator John Williams, Fire Chief Mark Billmire, Fire Support Services Manager Kinsey DeHaan, Police Chief Steve Taylor, Police Support Services Manager Sharon Clark, Firefighters; Whitley, Chartier, Martenson and Brubaker, Multiple members of the community,
Others Absent: Assistant Fire Chief Kristie Watson

Approval of Minutes

1. Public Safety Committee Meeting -July 2023 minutes approved

Items from the Audience Scheduled

None Scheduled

Unscheduled (20 Minutes)

DeeDee Gollum(sp) Bluestem Dr.- re: Fireworks

-Would like to see allotted days allowed decrease.

-Concerned about fire risks due to proximity in which neighbors are able to light them off.

-Would like to see Lynden adopt an ordinance that regulates a distance from homes from those lighting off fireworks in the neighborhood.

-Would like the City to make more of an effort in communicating with the community when it comes to what is and what is not allowed regarding fireworks.

Lenssen-could you describe the common area?

Common area is a large grassy area in front of the residences.

Mary Lou Childs Benson Rd- re: Fireworks

-Would like Lynden to adopt the 3-day fireworks ordinance in alignment with the rest of the county.

-Main concern is the noise and the decibel level the large booming fireworks are putting out.

-What exactly are safe and sane fireworks? Per committee member Wohlrab: Will be the only fireworks sold within city limits and the county, typically are marked as safe and sane. Some include, cylindrical fountains, cone fountains, roman candles, wheels, mines, shells, and

cakes, re loadable mortars, dipstick sparklers, novelties.

-Is it illegal to set off fireworks in parks? It is illegal to set off fireworks within city, county, or state parks per Washington state Law.

Leana Ostromen (sp) bluestem Dr: Re: Fireworks

- Safety concern about firework debris landing in yard and on roof tops.
- Upset over complete disregard people have for the set hours and days fireworks are permitted.
- Would like fines implemented for those who are not abiding by the current ordinance.

Chief Taylor: Provided the fireworks fit the definition under safe and sane, if someone is lighting them off outside of set parameters, call the PD and officers will respond. PD can deal with that. We have typically run into citizens making complaints after the fact when there is little that can be done at that point. Last year there were 23 complaints, this year we had 19 complaints. Majority of complaints were noise related.

A citizen pointed out that it can be difficult to at times pinpoint which house the fireworks are being set off from, per Chief Taylor still call and give a general area and we can send patrol through to see if they can locate.

Alta Toller (sp) Woodfield place: Re: Fireworks

- Gathered 21 signatures on a petition to reduce number of loud fireworks days. Would like to see it reduced from the current 5 days to 2 days.
 - Concerned about the excessive noise, feels that by reducing the number of days, it could reduce the amount of noise.
 - Concerned about safety/people being injured.
 - Inquired if the city has thought about hosting their own Fireworks show, feels it could possibly reduce the number of people lighting off their own.
- How costly is it? Per Committee chair Wohlrab Bellingham's show was in the 10's of thousands of dollars. In 2000 Lynden did have fireworks show, and citizens complained about the noise.

Sherry Woolzie (sp) Ninebark- Re: Fireworks

- Would be in favor of a complete ban due to excessiveness and disregard for allotted days/hours, as well as issue with litter.
- Would be in favor of reducing use to one day if a complete ban would not work.

Jerilyn Luna -Cascade way: Re: Fireworks-

- Is in favor of keeping ordinance the same. Responded to previous speakers that a lot of the complaints/concerns they have pertain to things that are already illegal. Was curious to know how additional regulations to something that is already regulated would solve any of the issues previously mentioned.
- There are a lot of legal fireworks, including mortars that are loud, leading to no effective way to regulate the illegal ones. Shortening the days will not address the noise issue. Lighting off

illegal fireworks is a misdemeanor crime, which means to cite someone, Law Enforcement would have to witness the violation firsthand and identify the individual that set the firework off. There is not enough manpower within police departments to do this. Lynden typically has 3 officers working the 4th of July, in a town with over 16,000 people. Considering the population and the number of fireworks being set off, how is it feasible to police and enforce everyone? How will changing the days allowed affect the people who are already disregarding the allotted days?

- A citizen asked why don't we do what Bellingham did, with a total ban?

Committee chair Wohlrab: Bellingham does have a ban, however every year they still have thousands of illegal fireworks still being let off. Kinsey DeHaan- previous What-Comm Dispatcher, I worked dispatch prior to Bellingham's ban and after ban, call volume with complaints about fireworks did not decrease. Officers are unable to enforce anything without a victim, no victim, no crime, and a lot of citizens have been unwilling to be a victim. There is also just not enough officers available to enforce anything effectively.

Committee member Lenssen advised that Lynden previously lessened the days from 8 to 5, and the trouble is it would be difficult to prove that lessening the days will lessen the noise.

Cesar Luna- Cascade Wy: Re: Fireworks

-In favor of keeping the ordinance the same.

-Seems main issue the other commenters have pertains to sound/noise.

-Believes the majority of Lynden enjoys the fireworks due to seeing large gatherings of people up and down streets celebrating with their families and lighting off fireworks.

-Days have already been lessened from 8 to 5, and people are still utilizing the 8 days, so doesn't see how lessen it more would make much of a difference.

-Would like to see more of the community having neighborly discussions rather than attempting to make/change rules.

-It is a huge holiday in America, people are celebrating with the families, and that is what this is all about.

-As a dog owner, has 2 dogs that were affected by the noise, recognized it was his issue to mitigate on his own and took proper measures. Would like others to do the same regarding their own pets.

-It is 8 days out of an entire year where noise is an issue, why can we not just be ok with that for those 8 days and know that the rest of the days of the year we don't have to worry about it.

-Chief Billmire advised in the five years he has been Chief there has been no firework related injuries or fires. Chief Taylor indicated that with that information you would have a tough time saying things are being let off negligently.

Roy Woolzie (sp)Ninebark st:

-Largest concern is the loud Boomers fireworks, what can we do as a community to stop the boomers. How can we regulate that?

Committee Chair Wohlrab: The challenge I see is that the Boomers are already illegal, per Chief Taylor if a police officer comes upon illegal fireworks they are confiscated. Some boomers are mortars and roman candles, which, by definition, are safe and sane. Per Chief when responding to investigate noise complaints officers did not contact anyone with illegal fireworks, so none were confiscated this year. Oftentimes the noise complaints come in when people are continuing to light fireworks off outside the allotted hours. Officers respond, make contact, tell the citizen it is after the allotted time and to wrap it up, in which the citizen complies. It is difficult to cite someone for lighting fireworks off in a reckless manner. Legislature defines reckless as being done with complete disregard. Shooting fireworks off and having a breeze carry sparks or debris over to neighboring areas, is not considered reckless under that definition.

City Administrator: John Williams: Any ordinance changes to sale of fireworks, discharge, etc. takes one year to come into effect. Any changes that may be made would not come into effect until July 2025 if action was taken today.

A citizen inquired if LPD could increase staff on the 4th of July? Chief Taylor: at times upstaffing does occur during the later hours, but 3 is the staffing level throughout the day.

Committee Chair Wohlrab: We really appreciate you coming out and discussing your concerns with us. Our ultimate concern is the safety of our community, so we appreciate the conversations.

Multiple Citizens left with their thanks at this point of the meeting 16:51

Fire Department Items

1. Public Safety Committee Meeting 08/10/2023-See Attached Report

Citizen expressed thanks for LFD service when she called and needed assistance.

2. 2024 Budget items: Still waiting for SAFER grant re: 2 additional positions, don't believe they have even started awarding those grants yet. Could be as late as May 2025 until we hear anything. Other capital expenses we are requesting in 2024:
3. Safety Village Update: Still awaiting most updated contract from Safekids Worldwide to restart the SafeKids NW coalition. Once we get that going again, we can start looking into funding options. In a holding pattern until we get that updated contract.

Police Department Items

1. Public Safety PD Stats – See Attached Report

2. Some increase in thefts with the fair coming to town. Have photos that were taken out to fair managers/employers. Subjects were identified. Some vendors may have 2 fewer employees today.
3. Currently fully staffed. Really good success in getting quality lateral hires.
4. BWC are ready to go, should be going out after the fair, the four officers deploying will go through some remedial training, and cameras should be hitting the street the week after the fair.
5. 2024 budget: Boiler in the building is in disrepair, recommendation is to replace it. Public Works emailed preliminary estimates, and they are in the 80-90 thousand range, and that doesn't include other things that are needed, so probably closer to 100k range. Another ask will be for an additional vehicle for the 2nd detective position we are hoping to fill. Leasing vs buying, has been researched, buying is still the better option. Making good progress on updating the fleet, a lot of money was spent trying to keep the older fleet up. It makes more sense to update vehicles rather than continue to repair them because the repair costs can exceed the value of the vehicle.
6. Investigating a part-time position to assist with Evidence room and, BWC public disclosure requests. Would have enough work to keep someone busy 20-30 hours a week. Not quite enough for a full-time position. Committee member Lenssen would not like to see us get behind on this type of thing. Would rather address it and avoid trouble in the future.

Added Items.

Jail Update: Mayor Korthuis- See attached resolution: City Administrator John Williams and City Attorney Bob Carmichael will look it over and if they are ok with it, the resolution will be brought to Council, hopefully by the meeting on the 21st. Mayor Korthuis will be encouraging the other city councils at the upcoming Mayors meeting to do the same. Many people who voted no in 2017 would now vote yes. Hopeful that this will pass. Labounty Road site has been selected due having the space to expand if needed. The other two sites did not have room for expansion. Unknown where Whatcom County Sheriff's Office (WCSO) will relocate to, as they will not be housed at the new jail. To get the down payment down to agreeable amount, I and the other mayors will set aside ½ of our money to go into a pot to pay towards it. There are plans for a 23-hour holding center in Iron Gate with a nine million dollar grand from the State to build it.

Fireworks: Based on the discussion today Mayor Korthuis would like time to consider the issue and discuss any recommendations at the next meeting. Committee Member Lenssen: It sounds like most of the concern is noise complaint related, which is difficult to enforce. Would like to see more emphasis having better communication with the public leading up to the

holiday. Open to discussing adjusting the dates but feel utilizing social media to let the public know what the expectations are, and being good neighbors may be more realistic in promoting change. Committee Chair Wohlrab: some neighbors will be receptive, and others won't. Committee Member Lenssen: We need to do what we can to balance both sides within jurisdictional rights, manpower, and practicality. Chief Taylor: without a warrant Law Enforcement cannot make a misdemeanor arrest without witnessing the crime as fireworks do not fall into the category of the misdemeanor defenses rule, and that would be very difficult to do.

Newsletter: Should we resurrect this? Would be a good way to keep community informed of goings on within Council. We will investigate this further.

Adjournment: 1715

Submitted by

Approved by