

CITY OF LYNDEN

CITY COUNCIL MINUTES OF REGULAR MEETING



March 20, 2023

1. CALL TO ORDER

Mayor Korthuis called to order the March 20, 2023 regular session of the Lynden City Council at 7:00 p.m. which was held in the city's council chambers.

PLEDGE OF ALLEGIENCE

ROLL CALL

Members present: Councilors Gary Bode, Ron De Valois, Gerald Kuiken, Nick Laninga, Kyle Strengholt, and Mark Wohlrab.

Members absent: Councilor Lenssen, absent with notice.

Staff present: Fire Chief Mark Billmire, Parks Director Brent DeRuyter, Public Works Director Steve Banham, City Clerk Pam Brown, City Administrator John Williams, and City Attorney Luke Phifer.

OATH OF OFFICE – None

SUMMARY REPORTS AND PRESENTATIONS - None

APPROVAL OF MINUTES

Councilor Strengholt moved, and Councilor De Valois seconded to approve the March 6, 2023, regular meeting minutes. Motion approved on 6-0 vote.

CITIZEN COMMENT

Cynthia Ripke-Kutsagoitz, Guide Meridian, Lynden

Provided general comments on a variety of topics.



2. CONSENT AGENDA

Payroll Liability to February 26 through March 11, 2023

EFT & Other Liabilities

Non-L&I Liabilities

Monthly EFT	\$399,229.64
Check Liability	\$0.00
Total Non-L&I Liabilities	\$399,229.64
Quarterly Liabilities	\$10,470.97
Total EFT & Other Liabilities	\$409,700.61

Approval of Claims – March 21, 2023

Manual Warrants No.	=	through	=		\$0.00
EFT Payment Pre-Pays					\$0.00
				Sub Total Pre-Pays	\$0.00
Voucher Warrants No.	<u>26797</u>	through	<u>26863</u>		\$1,912,045.66
EFT Payments					<u>\$770,059.07</u>
				Sub Total	\$2,682,104.73
				Total Accts. Payable	\$2,682,104.73

Ordinance No. 23-1667, Amending Lynden Municipal Code 10.08.100, Parking and Loading

At the March 8th Public Works Committee meeting staff received a request to allow on-street parking on Evergreen Street and Agronomy Way. Charlie's Auto Body has a backlog of vehicles awaiting repair, and these vehicles are taking up space on their lot. This parking revision will allow employees to park on the street and keep the customer's vehicles behind the fence and on the property of the repair shop.

At the meeting, the Public Works Committee reviewed this request and concurred to recommend that staff amend Section 10.08.100 of the Lynden Municipal Code to allow on-street parking on Evergreen Street and to submit the proposed amendment to City Council for approval.

Award Bid for Judson Street LID – 8th Street

Staff recently solicited bids for the Judson Street LID-8th Street Project. The project provides for the construction of approximately 360 feet of roadway along 8th Street, from Front Street south to Judson Street, and approximately 650 feet of adjacent alley, between 10th Street then

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easterly to 7th Street. Work includes the construction of pervious concrete sidewalks, roadway sections, and alleys, curb, gutter, and other pedestrian improvements. Low impact development stormwater improvements will be constructed along the project. Sanitary sewer and water main improvements are also included as part of the work.

Six bids were received March 2, 2023. Reichardt and Ebe Engineering prepared the attached Bid Tabulation and a letter recommending award to the low bidder. The Public Works Committee at their March 8th meeting concurred to recommend award to DeKoster Excavating, Inc., the lowest responsive and responsible bidder, in the amount of \$905,104.54, including Washington State Sales Tax. The engineer's estimate was \$985,075.42. This project will be principally funded with a grant and low interest (1.2%) loan from the Washington State Department of Ecology. Additional funding will be provided by the Sewer, Water, and Transportation Benefit District (TBD) Funds.

2024 Budget Calendar

As required by RCW, there are several budget preparation deadlines as the City moves forward in preparing its year 2024 Budget. The 2024 Budget Calendar dates are presented 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 March 20th meeting and approved for review by the full Council.

2022 Transportation Benefit District (TBD) Annual Report

The Transportation Benefit District (TBD) 2022 annual report is being provided to comply with RCW 36.73.160(2) which states that the "district shall issue an annual report, indicating the status of transportation improvement costs, transportation improvement expenditures, revenues, and construction schedules, to the public and to newspapers of record in the district."

The report provides information on 2022 planned and actual revenues and expenditures. It also discusses major actions affecting the Lynden TBD including the planned expenditures for 2023. The Public Works Committee reviewed the 2022 TBD annual report at their meeting on March 8, 2023, and concurred to recommend forwarding the report to City Council for review. The Finance Committee reviewed prior to tonight's City Council meeting.

Motion made by Councilor De Valois seconded by Councilor Bode to approve the consent agenda as presented. Motion approved 6-0.

3. PUBLIC HEARING - None

4. UNFINISHED BUSINESS - None



5. NEW BUSINESS

Lynden Municipal Airport Advisory Board Term Appointment- Tom Martin

On February 21, 2023, Bob Weeks resigned from the Lynden Airport Advisory Board. Tom Martin has asked to join the Board and agreed to fill the remaining term of Mr. Weeks position, which expires December 31, 2025. According to Lynden Municipal Code Chapter 2.54.010, the board members shall be appointed by the Mayor with the approval of City Council, each to serve a three-year term.

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 Mayor and the Public Works Committee reviewed the proposed appointment of Martin at their March 8, 2023 meeting and concurred to forward the request to City Council for approval.

Motion made by Councilor Bode seconded by Councilor De Valois to confirm the Mayor's appointment of Tom Martin to the Lynden Municipal Airport Advisory Board for the term, ending December 31, 2025. Motion approved 6-0.

Mayor Korthuis read aloud a letter of appreciation for Mr. Bob Week's service to the community while serving on the Airport Board. A copy of that letter is made a part of the official council file.

Stormwater Management Action Plan

The City is required to develop a Stormwater Management Action Plan (SMAP) as a requirement of the City's Stormwater Permit with Ecology. The City was divided into different stormwater basins following established policy, and the basins were ranked based on needed improvements. The Central District Basin has been identified as an area with the most needed improvements. Within that basin the City identifies the work that has been done in the recent past and identified both short- and long-term future projects that would be accomplished to improve water quality. Within this basin are the three Judson Area Stormwater Low Impact Design projects that have had good success at receiving grants for construction. The City is required to have a public hearing to allow the public to provide comments on the Stormwater Management Action Plan. The Public Works Committee reviewed the draft Stormwater Management Action Plan at their meeting on March 8, 2023, and concurred to recommend that City Council set a Public Hearing Date of April 3, 2023.



Motion made by Councilor Bode seconded by Councilor De Valois to set a Public Hearing for April 3, 2023, to hear public comments on the City's Stormwater Management Action Plan. Motion approved 6-0.

6. OTHER BUSINESS

Councilor Wohlrab reporting for Public Safety Committee involving discussion of:

- Medic Unit #75 housed at the City of Lynden Fire Station
- Submittal of SAFER grant application
- Increase in number of police department calls
- Possibility of police department sergeant retiring at the end of April 2023

Councilor Bode reporting for the Public Works Committee involving discussion of:

- A lighted crosswalk signal at Bernice Vossbeck Elementary school
- Possibility of housing/taxi way development on Benson Road across from existing airport
- Traffic control coordination
- Moving the downtown hanging baskets closer to the buildings and in more of a straight line

Councilor Kuiken reporting for the Finance Committee involving discussion of:

- Review of claims and payroll
- Review of overtime for police and fire
- Sales tax revenue is strong and expected to remain strong due to the number of large ongoing projects in the city
- City audit
- City funds are strong

Councilor De Valois reporting for Parks Committee involving discussion of:

- Assistant Fire Chief met with Parks Committee to discuss a possible "healthy village" concept to assist with educating children in matters of safety
- Benson Barn improvements
- Change for the title of occupancy
- Schoolyard Park volunteers
- Spray Park
- Trail to Depot and 8th Street

7. EXECUTIVE SESSION

Council recessed into executive session at 7:41 p.m. to discuss with legal counsel. representing the city, a matter related to potential litigation, under RCW 42.30.110(1)(i).

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Council expected to return from executive session at 7:51 p.m. without a decision. Mayor come out at 7:51 and announced that the executive session would run another five minutes.

Council reconvened at 7:56 p.m.

8. ADJOURNMENT

The March 20, 2023, regular session of the Lynden City Council adjourned at 7:56 p.m.

Pamela D. Brown, City Clerk

Scott Korthuis, Mayor

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