

CITY OF LYNDEN

CITY COUNCIL MINUTES OF REGULAR MEETING



May 19, 2025

1. CALL TO ORDER

Mayor Scott Korthuis called to order the May 19, 2025 regular session of the Lynden City Council at 7:00 p.m. in the city council chambers.

PLEDGE OF ALLEGIENCE

ROLL CALL

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

Councilor Laninga, absent with notice.

Staff present: Community Development Director Heidi Gudde, Finance Director Laura Scholl, Assistant Fire Chief Kristie Watson, Interim Police Chief Jeremy Bos, Public Works Director Jon Hutchings, City Clerk Pam Brown, City Administrator John Williams, and City Attorney Bob Carmichael and Luke Phifer.

OATH OF OFFICE - None.

SUMMARY REPORTS AND PRESENTATIONS – None.

APPROVAL OF MINUTES

Councilor Vis moved and Councilor Wohlrab seconded, to approve the May 5, 2025 regular council minutes. Motion approved on 6-0 vote.

CITIZEN COMMENT – None.

2. CONSENT

Reichhardt & Ebe Engineering – 6th Street, Front To Grover Street Preliminary Design

Reichhardt & Ebe Engineering shall provide professional services for the preliminary design of improvements to 6th Street from Front to Grover, including the intersection of Front St. and Grover St. The design work will generally consist of roadway, stormwater, and utility design. The contract cost shall not exceed \$49,898.04. The Public Works Committee reviewed the agreement at their meeting on May 7, 2025, and recommended forwarding to City Council for approval.

Reichhardt & Ebe Engineering – 1st and Main Street Overlay Construction Management

Reichhardt & Ebe Engineering shall provide construction management and construction inspection for the 1st and Main Street Overlay project. The scope of work will include



conducting project meetings, corresponding with all parties involved, schedule tracking, submittal tracking, on-site inspection, materials testing, quantities tracking, pay estimate preparation, aiding in change order preparation, and the necessary representation to ensure that the work is constructed in accordance with the contract plans and specifications. The contract cost shall not exceed \$109,740.47. The Public Works Committee reviewed the agreement at their meeting on May 7, 2025, and recommended forwarding to City Council for approval.

Reichhardt & Ebe Engineering – Bradley Road Improvements Construction Management

Reichhardt & Ebe Engineering shall provide construction management and construction inspection for the Bradley Road Improvements project. The scope of work will include conducting project meetings, corresponding with all parties involved, schedule tracking, submittal tracking, on-site inspection, materials testing, quantities tracking, pay estimate preparation, aiding in change order preparation, and the representation necessary to ensure that the work is constructed in accordance with the contract plans and specifications. The contract cost shall not exceed \$307,182.03. The Public Works Committee reviewed the agreement at their meeting on May 7, 2025, and recommended forwarding to City Council for approval.

Pacific Surveying & Engineering – Birch Bay Lynden and Berthusen Road Intersections Improvements Feasibility

Pacific Surveying & Engineering will investigate several options for improving the intersection at Birch Bay Lynden and Berthusen Road. They will include a technical report summarizing the findings and recommendations related to the permit process and right-of-way requirements. They will also provide conceptual channelization plans for each alternative, and detail the work required with a rough order of magnitude construction cost estimate. The contract cost shall not exceed \$53,050. The Public Works Committee reviewed the agreement at their meeting on May 7, 2025, and recommended forwarding to City Council for approval.

Councilor Vis moved and Councilor Lenssen seconded, to approve the Consent Agenda. Motion approved on 6-0 vote.

3. PUBLIC HEARING

Guide Meridian Sewer Latecomers Agreement – Continued

The City constructed approximately 900 linear feet of 8-inch sewer main along Front Street west of Guide Meridian, extending north along Guide Meridian to the AM/PM gas station, then crossing to the east side of the Guide. RCW 35.91.060 and LMC 13.28.130, authorize the City to establish an assessment reimbursement area, finance the costs associated with a utility system improvement, and become the sole beneficiary of reimbursements.



The total reimbursable costs associated with the Sewer Improvements financed by the City are \$1,094,898.08. The preliminary assessment boundaries determined by the Public Works Director included all properties which would, in the City's determination, require construction or improvement of sewer facilities upon development or redevelopment. Preliminary assessment amounts were allocated to each property based on the ratio of the Parcel's square footage to the total square footage of the Assessment Reimbursement Area.

Property owners were notified of the Preliminary Determination of Assessment by letter mailed February 18, 2025. Property owners have the right to make a written request for a public hearing before the Lynden City Council within 20 days of notification. The City received a written request on March 3, 2025, from Duane Scholten, and on March 10, 2025, from Serj Gosal, to hold a public hearing. The first Public Hearing was held on April 7, 2025, and continued on April 21st, May 5th, and May 19, 2025.

Council may approve the latecomer assessments as written, reject, modify, or send back for further review to the PW Director.

City Attorney Bob Carmichael instructed Council and Staff as to how the continuation of the Public Hearing would be conducted.

Public Works Director Jon Hutchings, represented by Attorney Luke Phifer, provided answers to questions previously submitted by Council. Council members were then encouraged to ask further questions.

Property owners were given an opportunity to provide comment/rebuttal to Staff's presentation:

Duane Scholten, Guide Meridian, provided comment.

Parm Bhullar, Guide Meridian, provided comment.

Public Works Director Hutchings was then given an opportunity to provide rebuttal to property owner comments – there was no rebuttal provided by Public Works Director Hutchings.

Property owner Scholten provided additional comments and Council was given opportunity to question the property owners.

After some discussion the following motion was made:

CITY OF LYNDEN

CITY COUNCIL MINUTES OF REGULAR MEETING



Councilor Vis moved and Councilor Bode seconded that this matter be remanded back to the Public Works Director with direction to run additional cost scenarios, one of which will reflect at least 30% of allocated costs to the city, and to also answer the question about whether the property owner can use his own service line to his buildings on his property. Motion approved on 6-0 vote.

4. UNFINISHED BUSINESS – None.

5. NEW BUSINESS

Lynden School District Request to Collect School Impact Fees

Lynden Public Schools has submitted a request to have the City collect School Impact Fees on all new residential construction. The district will present its 6-year Capital Facility Plan that outlines how the fees would be utilized. Superintendent VanderYacht presented an overview of the need and the 6-year plan at both Public Safety and Community Development committee meetings.

Councilor Vis moved and Councilor Beld seconded, to direct Staff to bring back an ordinance for the collection of School Impact Fees and incorporate this information into the Comprehensive Plan update. Motion approved on 6-0 vote.

6. REPORTS

Payroll certificates for April 6 through May 3, 2025 included in council packet.
Claims report for April 15, 2025 through May 14, 2025 included in council packet.

7. EXECUTIVE SESSION

Council did not hold an executive session.

8. ADJOURNMENT

May 19, 2025 regular session of the Lynden city council adjourned at 9:15 p.m.

Scott Korthuis, Mayor

Pamela Brown, City Clerk