



PUBLIC WORKS COMMITTEE MINUTES

4:00 PM November 9, 2022
City Hall 2nd Floor Large Conference Room

CALL TO ORDER

Members Present: Mayor Scott Korthuis, Councilors Gary Bode, and Ron De Valois

Members Absent: Jerry Kuiken with notice

Staff Present: City Administrator John Williams, Programs Manager Mark Sandal;
and Sr. Admin. Assistant Jessica King

Public Present: Gary Vis, David Vos, Calvin DenHartog

ACTION ITEMS

1. **Approve Minutes from October 5, 2022**

De Valois motioned to approve the minutes and Bode seconded the motion.

Action

The minutes from October 5, 2022, were approved.

2. **Airport Board Term Renewals**

The Airport Board terms for Don Korthuis, Corwin McCaig, and Bryant Paulsen expire on December 31, 2022. All board members have agreed to a three-year renewal, through December 31, 2025.

Action

The Public Works Committee concurred to recommend that City Council renew the terms for board members Don Korthuis, Corwin McCaig, and Bryant Paulsen through December 31, 2025.

3. **Stormwater Source Control Inspection Options**

This was tabled at the October 5 Public Works Committee Meeting. At today's meeting, the Committee discussed inspection methods and which option is preferable.

Banham reviewed with the Committee the enclosure discussing options for the Source Control Program and options for conducting those inspections in compliance with the Washington State Department of Ecology's National Pollution Discharge Elimination System (NPDES) Phase II guidelines. The City is required to develop and implement this program by January 2023. Lynden has over 1,600 businesses within the City's jurisdiction. 209 of these were identified as potential pollutant generating businesses per the NPDES permit. The City is required to annually inspect 20% of these businesses, which equates to conducting 58 site inspections in 2023.

Banham presented the three options currently available to the City to meet the new permit requirements:

Option 1: Partnering with Whatcom County Health with an Interlocal Agreement to perform 20 of the required inspections. A consultant and City Staff will complete the remainder.

Option 2: Complete the inspections using only a consultant and City staff, with an increased consultant cost of approximately \$22,000.

Option 3: Hire additional staff to conduct all required inspections.

The Committee discussed these options. Banham noted that Option 1 would meet the requirements with the least expense to the City. The draft agreement specifies that the City is the only one that can take enforcement actions and any communication with Ecology comes from the City.

Banham noted that staff will again provide the Committee with the Scope of Work addressed in the Interlocal Agreement in case there are additional changes the Committee would like to see.

Bode expressed concerns on how County inspections (not Source Control) have been handled in the past.

Korthuis discussed his past experience with the County inspections at a different operation. He noted that the business would invite the County in to inspect and then the County would help with repairs, rather than giving a poor inspection report. Korthuis explained that there is a huge benefit to inviting the County instead of getting a mandatory inspection because it incentivizes people if they volunteer to be inspected.

Bode requested to see a list of the County's checklist for the inspection items. Banham replied that he will provide this at the next Committee meeting and added that the information will also be added to the City of Lynden website.

DeValois said he would like the process to be as non-adversarial as possible.

Banham suggested that a County spokesperson be invited to the next Public Works meeting to address questions and go over their role in the program.

Vis suggested a flyer be sent out to local business owners notifying them that inspections will be required and include details of the program.

Action

The Public Works Committee concurred and requested a) that staff provide the requested information, b) that staff check with City of Ferndale for an opinion as to how their experience has been working with Whatcom County, and c) that staff invite a Whatcom County Inspection spokesperson to the next Public Works Committee meeting.

4. Welch Ecological Services Agreement 2023

Banham presented the 2023 agreement proposed by Welch Ecological Services, noting that this is the City's consultant for the NPDES Phase II Stormwater permit.

Banham reviewed pricing, noting that it saves the City money compared to hiring someone with these skills. The Welch Ecological Services pricing is the equivalent to a part time position City employee. Banham noted that the pricing may change based on the results of the Committee's discussion on the Whatcom County Stormwater Source Control Inspection program.

Action

The Public Works Committee concurred to recommend forwarding the agreement with Welch Ecological Services to City Council for approval, but will hold until the decision is made on Source Control inspections (item 3 above).

5. Whatcom Conservation District Interlocal Agreement

Banham presented the 2023 Interlocal Agreement with the Whatcom Conservation District, noting that the agreement includes provisions for stormwater and water education and requirements of the City's NPDES permit. The 2023 agreement also includes funding for work on the Northwest Washington Fairgrounds stormwater efforts, which will be billed to the project.

Banham mentioned that the Whatcom County Council recently adopted a new system with rates and charges for the Whatcom Conservation District. (\$5 per parcel in Whatcom County). The Committee discussed how that program would be administered and what benefits that might have for the City. Korthuis stated he would look further into these rates and charges.

Action

The Public Works Committee concurred to recommend forwarding the Interlocal Agreement to City Council for approval.

6. New Poles for Downtown Flower Baskets

Banham presented an exhibit provided by the Downtown Business Association outgoing president showing his thoughts on possible new locations for flower baskets downtown. Staff is looking for additional direction on the Committee's preference for basket placement. A decision needs to be made prior to 2023 basket orders.

Vis suggested that baskets be placed within the 32" diameter closer to the building on either side of a bench in front of the store buildings. The Committee agreed that hanging baskets should be located closer to the buildings instead of some of the current awning placements.

Action

The Public Works Committee recommended that staff work with the Downtown Business Association and the Chamber of Commerce before placing orders, specifically identifying options for locations of flower basket poles that would be more pedestrian friendly.

7. Request for Flashing Crosswalk Light at Depot Road and Homestead Boulevard

Banham stated the City received a request for a flashing crosswalk light at Depot Road and Homestead Boulevard. Bode said that he passes by this location frequently and has rarely seen pedestrians using this crossing. Banham suggested a "crosswalk ahead" sign instead of a flashing crosswalk light.

Action

The Public Works Committee concurred to recommend that staff do research before installing additional signage, but to not install a flashing crosswalk sign at this time.

8. Request for Parking Restriction on the North Side of Grover Street at Garden Drive "Loading Zone" sign requested for Adult Care facility (Glorious Home Care).

Banham explained that the apartment across the street is taking up the on-street parking on Grover Street, adjacent to Glorious Home Care. They use this space for loading and unloading deliveries and also for visitor parking.

Action

The Public Works Committee concurred that a "Loading Zone" sign is not recommended at this time but requested that staff continue to monitor the parking situation.

9. Nooksack Valley Disposal Request for Rate Increase

Calvin DenHartog, representing Nooksack Valley Disposal (NVD) stated that NVD is requesting a 9% increase on garbage rates and \$1 per month for recycling rates (a total of \$2.56 per month for the average residential user), effective January 1, 2023. He presented supporting information for the requested rate increase and explained that, due to increasing transport costs, landfill costs, wages, benefits, and fuel, NVD has found it necessary to increase rates again in January 2023.

Bode asked if a bar code system has been considered. DenHartog said it was reviewed but found to be more expensive and subject to vandalism. DenHartog also said NVD is considering a single toter for all recyclables; however, this may cost more for sorting.

Action

The Public Works Committee concurred and recommended forwarding the Nooksack Valley Disposal rate increase request to City Council for approval.

INFORMATION ITEMS

10. ADA Transition Plan

Banham said staff is working on an ADA Transition Plan that is required to be adopted in early 2023 for the City to be eligible for Federal funding. Staff is using other plans as examples and will be presented to Committee and then to City Council for a Public Hearing.

11. Emergency Response Plan Updates

Banham noted that the following Emergency Response plans have been or are in the process of being updated:

- Winter weather plan has been updated.

- Wastewater and Water Treatment Plants Emergency Response Plans have been updated and approved by Washington State Department of Health.
- Flood response plan is being updated and will incorporate the new Main Street bridge.

12. Janitorial Service Out for Bid

Banham and Sandal explained that the janitorial service locations include City Hall Annex, Police Department, Downtown Restrooms, and City Shop (new for 2023).

Vis asked if we were still paying extra to do events, because the Downtown Restrooms were not being serviced during or right after events. The Public Works Committee expressed concern at this.

Action

The Public Works Committee requested that staff verify that MSNW is contracted to clean the downtown restrooms during and after events, and to add this to a future contract if needed.

13. Projects Update

East Front Street Stabilization – Emergency Repair – Small Works Roster project, DeKoster Excavating had a low bid of \$43,111. A Notice of Award has been sent and work is scheduled to begin this month.

Pepin Creek Main Street Bridge – Interwest – Main Street to remain closed until mid-December. Sandal said that rebar delays did delay the project slightly.

Pepin Creek Relocation and Street Infrastructure – Federal Grant Application – Williams and Banham are working with CFM Advocates (Federal lobbyists) and Reichhardt and Ebe Engineering to prepare an application for federal funding in 2023. The next meeting is scheduled with them before Thanksgiving. The City received notice of an award of \$5.5 million in Public Works Trust Fund money for this project which the City can use as match to the federal grant.

West Front Street Improvements – Stremmer – Started the week of September 26th. Good progress on underground utilities. Final paving to occur Spring, 2023. Sandal explained that some gravel driveways were installed so that residents had access to their residences.

West Main Street – Presentation to CERB Board November 17th. Banham and Korthuis will be travelling to Olympia to make the presentation along with representatives from Alliance Freeze Dry (Canature Kitchen).

Industrial Condensate Outfall – Strider – Valve Turning/Ribbon Cutting Date is scheduled for Monday, November 14th at 11:30 a.m.

South 6th Street CIPP - Iron Horse - Banham said that the timing was good for this Project. Iron Horse was able to clean, line, and do an additional patch through a particular deteriorated section. These are major sewer trunk lines to the wastewater plant. Sandal added that manholes were also being repaired during this project.

Guide Meridian Pump Station – Colacurcio – Gravity sewer to the west is starting. Possible delay due to damage to wet well. City staff is coordinating with adjacent property owners for future connections.

Benson Waterline Replacement (Small Works) – Completed by Exxcel Pacific.

South Park Water/Street/Sidewalk Improvements – Strider – Good progress. Will rubblize the road (use existing roadway grindings as new road base) and add more asphalt (3½") in two lifts. Sandal said there is a potential sewer main replacement change order on Park Place.

Northwest Washington Fair Stormwater Improvements – Bids due November 17th.

9th Street Stormwater LID – Finalized DOE Grant/Loan Agreement pending signatures. Planned for 2024 Construction.

Greenfield Pond Maintenance – Stremler – Sandal said that the pond had a good clean out by Stremler. Work was done quickly and with no complaints.

Bradley Road Complete Street Improvement – Presenting Right-of-Way Dedication and Construction Easement documents to School Board Thursday, November 10th.

Mouw Ditch Bertrand Water Improvement District Meeting – Staff is planning to submit CERB Planning Grant application (\$50K) to fund Hydraulics and Hydrology Report and Fish Habitat Survey. Banham explained the Planning Grant is due 11/28 or staff may push it to a later January 2023 due date.

Pine Street Bridge over Pepin – Banham said the City just got \$5.5 Million for the Pine Street Bridge and for Pepin Creek streambed from Main Street to the north end of the Bogaard development.

Cedar Drive Utility and Street Improvements – Right-of-Way Vacation and Sewer Pump Station Easement on NE corner property at Depot Rd.

Vos asked for an update on the status and expected timeframe for the Cedar Drive Improvement Project.

Banham explained that the Transportation Benefit District sales tax initiative passed, so the City should be able to proceed with construction, as identified in the 2023 budget. Sewer and stormwater utilities will be funding partners.

The City is working with a property owner on the corner of Depot Road and Cedar Drive to exchange right-of-way for a sewer pump station easement.

The proposed design directs stormwater to the Depot Road culvert, removing the piping that currently runs under houses and garages. Banham said CDF would be used to fill the old pipe to prevent any future sinkholes.

Banham also said there will be a neighborhood meeting once the design is complete. The Committee asked if sidewalks are included in the design of this project. Banham stated the design replicates the existing street layout, hence sidewalks are not included.

However, City staff will be soliciting opinions from neighbors about participating in sidewalk installation costs.

NEW BUSINESS:

14. Request to bring Northwest Washington Fairgrounds Stormwater Improvements Project Bids directly to December 5 City Council Meeting

Banham stated that the bid opening is scheduled for November 17th. Staff is requesting authorization to take bids directly to the City Council on November 21st upon review and approval by Committee.

Action

The Public Works Committee concurred to recommend that award for bid be presented directly to City Council upon Committee review of the bid tabulation.

ADJOURNMENT: The meeting was adjourned at 5:59 p.m.

NEXT MEETING: December 7, 2022

DRAFT