

CITY OF LYNDEN

CITY COUNCIL MINUTES OF REGULAR MEETING



March 17, 2025

1. CALL TO ORDER

Mayor Korthuis called to order the March 17, 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, Brent Lenssen, and Kyle Strengtholt.
Members absent: Councilors Laninga, Vis, and Wohlrab absent with notice.

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

OATH OF OFFICE – None.

SUMMARY REPORTS AND PRESENTATIONS - None

APPROVAL OF MINUTES

Councilor Bode moved and Councilor Lee seconded, to approve the March 3, 2025 regular council minutes. Motion approved on 4-0 vote.

CITIZEN COMMENT

Cynthia Ripke-Kutsagoitz, Lynden, commented on:

- Saint Patrick
- Women's History Month
- Vietnam War Memorial
- Public safety

2. CONSENT

Set Public Hearing - Guide Meridian Sewer Latecomer Agreement

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, authorized the City to establish an assessment reimbursement area, finance the costs associated with 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

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boundaries determined by the Public Works Director 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 recommendation from the City Attorney is to set a Public Hearing for 7:00 p.m. on April 7, 2025.

InvoiceCloud Online Payment Provider Contract

The City accepts credit cards, debit card and electronic payments for Utility, Permitting and other payments. Currently, the City is utilizing Xpress BillPay to host online utility bills, facilitate paperless billing and as the processor for online payments. The City has borne the costs for electronic payment methods, with over \$77,000 in expenses being incurred in 2024. It is expected that the frequency and dollar amount of electronic payments will continue to increase as more customers appreciate the convenience of these payment options as well as with the onboarding of the SmartGov permitting application expected in 2025. City Council directed staff to look at methods of these costs being passed to the customers who use these payment methods through a convenience fee /service fee model.

Implementing this change necessitates a change in providers. InvoiceCloud is an online payment processor who can facilitate payment, host online utility bills, and support more user-friendly electronic payment options, including pay by text, increased email communications, and new payment options such as Apple Pay or PayPal.

The Contract would partner the City with InvoiceCloud and start the implementation and migration process, which would take approximately 4-6 months. Once live, the City would use a hybrid pricing model, passing along Debit & Credit card transactions, while absorbing the fees to use an EFT / ACH payment.

2026 Budget Calendar

In preparing the City's annual budget, there are several deadlines prescribed by RCW. In efforts to clearly communicate and respect these deadlines, the Finance Department prepares the budget calendar annually. This calendar will be made available to all

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Departments and Satellite agencies and used to guide the budget preparation process for 2026. This calendar was reviewed in Finance Committee earlier today.

Lynden Lodging Tax Advisory Committee Appointments

According to RCW 67.28.1817, any city which has a population greater than 5,000 and imposes a lodging tax must establish a Lodging Tax Advisory Committee (LTAC). The LTAC must include a minimum of five members: an elected official, two representatives of businesses that collect the Lodging Tax and two representatives of organizations that apply to utilize the Lodging Tax for tourism-related activities. The LTAC reviews and recommends which organizations should receive Lodging Tax funds and how much, for the consideration of the Mayor and Council in developing the annual budget. The Governing body must review the membership of the LTAC annually.

The following individuals are considered for appointment to LTAC through December 31, 2025:

- Council Member Brent Lenssen – Chairperson
- Teri Treat – Lynden Inn – Collector the Lodging Tax
- Maria Folsom – Cobblestone Hotel – Collector of the tax
- Selena Burgess – Northwest Washington Fair – Recipient of the Lodging Tax
- Dylan Deane-Boyle – Bellingham Whatcom County Tourism – Recipient of Tax Funds

Chamber of Commerce - 2025 Event Calendar

Gary Vis, Executive Director of the Chamber of Commerce, presented the planned Chamber of Commerce events for 2025 at the Public Works Committee meeting on February 26, 2025. The committee reviewed the events and recommended approval by City Council.

Councilor Bode moved and Councilor Strengholt seconded, to approve Consent Agenda items 2, 4, 5, 6, and 7. Motion approved on 4-0 vote.

Item (#3) pulled from consent agenda for further discussion.

Agenda Item #3 - Whatcom Community Foundation MOU (Bender Fields)

The Parks Committee and Administration received the plans from community donors, led by Mr. Daniel Vander Kooi, for two structures to be built at the Bender Fields Complex to house concessions, additional restrooms, storage, and announcing booths for eight of the baseball fields. The Parks Committee reviewed the plans and gave approval for the group to move

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forward with fundraising. Mr. Connor Herman has volunteered to oversee the project as the General Contractor.

The donor group solicited the help of the Whatcom Community Foundation for the accounting and disbursement of funds to the project. The WCF presented an MOU (Memo of Understanding) to staff for approval. The Parks Director, Parks Committee, and Finance Director reviewed the document and presented to the City Council for approval.

Councilor Beld moved and Councilor Strengholt seconded, to approve the MOU for the Whatcom Community Foundation to assist the accounting and disbursement of funds for the Bender Fields project and authorize the Mayor's signature on the agreement. Motion approved on 4-0 vote.

3. PUBLIC HEARING – None.

4. UNFINISHED BUSINESS

Fluoridation Discussion POSTPONED to April 21, 2025, Council Meeting

Award Bid for Pepin Creek/Pine Street Bridge

The City solicited bids for the relocation of Pepin Creek across Pine Street between Dahlia Street and Rye Court. The work to be performed under this contract includes excavation and grading of a new channel section for Pepin Creek and construction of a single-span prestressed, precast concrete hollow core bridge with shallow foundations, abutments, retaining walls, approach panels, and sidewalks. Work will also include installation of curb and gutter, sidewalks, storm drainage, water main, and other work.

As shown on the Bid Tabulation, six (6) responsive bids were received on February 20, 2025. The Public Works Committee reviewed the bid results at their February 26, 2025 meeting and concurred with the project engineer to award the contract to DeKoster Excavating, Inc who provided the lowest responsive bid for the Base Bid and Alternate A1 in the amount of \$4,416,993.84, which includes Washington State Sales Tax.

The Engineer's Estimate Base Bid was \$4.3 million and the Engineer's Estimate Base Bid plus Alternate A1 was \$5.7 million. Council reviewed the recommendation to award at their meeting on March 3, 2025, and deferred the decision to the March 17th council meeting.

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Councilor Bode moved and Councilor Beld seconded, to award the contract for Pepin Creek/Pine Street Bridge to DeKoster Excavating, Inc., in the amount of \$4,416,993.84 and to authorize the Mayor to sign the contract. Councilors Bode, Lenssen, and Strengholt voted opposed, Councilor Beld voted in favor. Motion failed 3-1.

Reichhardt & Ebe Engineering – Pine Street Bridge CM

Reichhardt & Ebe Engineering shall provide construction management and construction inspection for the Pepin Creek/Pine Street Bridge 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 negotiation, and ensure that the work is constructed in accordance with the contract plans and specifications. The contract cost shall not exceed \$589,955.37.

The Public Works Committee reviewed the agreement at their meeting on February 26, 2025, and recommended forwarding to City Council for approval. City Council reviewed the agreement at their meeting on March 3, 2025, and deferred the decision to the March 17, 2025 council meeting.

Item pulled. No action taken.

5. NEW BUSINESS – None.

6. REPORTS

Payroll and Claims

Payroll Cert: 2/9/2025 to 2/22/2025

Payroll Cert: 2/23/2025 to 3/8/2025

Claims Listing: 2/11/2025 to 3/11/2025

Councilor Bode reviewed draft Public Works Committee meeting minutes (February 26, 2025) which were included in the council packet.

2024 Transportation Benefit District (TBD) Annual Report

The report provides information on 2024 planned and actual revenues and expenditures. It also discusses major actions affecting Lynden TBD including the planned expenditures for 2025.

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Councilor Bode moved and Councilor Beld seconded, to approve the 2024 Transportation Benefit District Annual Report. Motion approved 4-0.

7. EXECUTIVE SESSION

Council did not hold an executive session.

8. ADJOURNMENT

March 17, 2025 regular session of the Lynden city council adjourned at 8:20 p.m.

Scott Korthuis, Mayor

Pamela Brown, City Clerk