

# CITY OF LYNDEN

## CITY COUNCIL MINUTES OF REGULAR MEETING



October 21, 2024

### 1. CALL TO ORDER

Mayor Korthuis called to order the October 21, 2024 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, Nick Laninga, and Kyle Strengholt.

Members absent: Councilor Wohlrab

Staff present: Finance Director Laura Scholl, 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

Ashley Butenshoen presented before council requesting a council resolution in support of a Yes vote for initiatives 2066, 2109, 2117, and 2124 which are on the November 2024 ballot.

***Councilor Beld moved, and Councilor Bode seconded, to approve Resolution 24-1111 stating council support of a Yes vote on initiatives 2066, 2109, 2117, and 2124 which appear on the 2024 ballot. Motion approved on 5-1 vote with Councilor Lenssen abstaining.***

### APPROVAL OF MINUTES

***Councilor Vis moved, and Councilor Beld seconded, to approve the October 7, 2024 regular council minutes. Motion approved on 6-0 vote.***

### CITIZEN COMMENT

Cynthia Ripke-Kutsagoitz, Lynden

- Expressed gratitude to Lynden officials that supported the Lynden Music Festival

# CITY OF LYNDEN

## CITY COUNCIL MINUTES OF REGULAR MEETING



- Invited council to attend a meeting scheduled the next day, regarding water issues
- Expressed support for farmers
- Expressed support for the local McDonalds restaurant

Joseph McDonald, Lynden

- Spoke in opposition to Project 2025 concerning Christian nationalism

Sally Mickley

- Spoke in favor of a Yes vote for initiatives 2066, 2109, 2117, and 2124

Harlan Kredit

- Updated council on the construction progress ongoing at Schoolyard Park
- Asked the council to consider discharging the Schoolyard Park special committee

## 2. CONSENT

### Dick Bedlington Family Foundation Donation Approval (Consent item # 6)

The Dick Bedlington Family Foundation has graciously offered to purchase playground equipment and to assist in the cost of site preparation for the Schoolyard Park development project for approximately \$120,000, \$70,000 would be gifted in 2024 and \$50,000 in the beginning of 2025.

This would provide the opportunity for multi-age level play space for community members with children who are visiting the park and enjoying the new pavilion. If approved by Council, the above donation will be used to make the purchase as soon as possible for immediate use.

### Approve Contract with Management Services Northwest (MSNW) for 2024 Landscaping Services at Water Treatment Plant (Consent item # 7)

The Public Works Department solicited bids for landscaping services at the Water Treatment Plant in late 2023 for 2024 service. The bid was awarded to Management Services Northwest (MSNW). The contract was never executed; however, service has been provided consistently throughout 2024. To remedy this oversight, the contract was presented to the Public Works Committee at their meeting on October 9 where they recommended forwarding to City Council for approval. The contract will only be for 2024 as other options

for landscaping maintenance are being considered beyond the end of the year for this location.

# CITY OF LYNDEN

## CITY COUNCIL MINUTES OF REGULAR MEETING



### Notice of Receipt of WTA Transit Access Funds Grant for Shared Use Path on Bradley Road (Consent item # 8)

Recently, Public Works applied for and was awarded a \$350,000 Transit Access Funds (TAF) Grant through Whatcom Transportation Authority (WTA). The TAF provides funding for qualifying infrastructure projects within one-quarter mile walking distance of any WTA bus stop and is competitively awarded and funded through local WTA funds (i.e. not a federal or state pass-through). WTA desires to contribute finances to the Bradley Road

Pedestrian and Bicycle improvements. The project includes the reconstruction of the existing 24-foot street to 28-feet with curb and gutter on the south side and five-foot shoulder on the north. The funding will participate in the ten-foot shared use path on the south side of Bradley Road between Eastwood Way and Line Road. The WTA bus stop is on the south side of Bradley Road near the intersection with Bradley Meadows Lane.

The Public Works Committee was notified of this grant receipt at their meeting on October 9, 2024, and recommended forwarding the grant agreement to City Council for approval

### Approve Amendment 6 with BHC Consultants LLC- Project No 2021-16 (Consent item # 9)

Since 2021, the City has contracted with BHC for professional engineering services related to expansion of the City's wastewater treatment plant. This amendment is to develop construction plans and specifications for demolition activities during the summer of 2025 at the wastewater treatment plant. This project is directly related to the Stage 2 – MLE Retrofit project and serves to prepare the site for that work. Demolition activities will include removal of the bio tower and decommissioning the underground tank to prepare room for the expansion project that will occur in 2026. This amendment will be funded by sewer capital Fund 442.

The Public Works Committee reviewed this contract amendment at their meeting on October 9 and recommended forwarding it to City Council for approval.

***Councilor Vis moved, and Councilor Bode seconded, to approve items numbered 6, 7, 8, and 9 of the Consent Agenda. Motion approved on 6-0 vote.***

### Resolution 24-1105 - Approval of People's Bank Loan to Finance Quint Fire Truck – ***Item #3 pulled from Consent Agenda to review separate from the consent agenda.***

On December 19, 2022, City Council approve the purchase of the Pierce 107' Quint Fire Truck from Hughes Fire Equipment, totaling \$1,533,975.53. The first two installment payments (\$539,710 & \$319,784, respectively) have been made using cash reserves, and

# CITY OF LYNDEN

## CITY COUNCIL MINUTES OF REGULAR MEETING



the third and final payment is anticipated to be due in November 2024. The payment must be made prior to taking possession of the Quint in December.

The final payment is estimated at \$737,885. The City has sourced funding from People's bank in the form of a 5-year term loan. The interest rate on the loan is the Federal Home Loan Bank (FHLB) rates plus 1.5%, with a floor of 4.5%. The exact rate of the loan will be determined at the time of signing. The loan will be due in five combined principal and interest payments. The Finance Committee reviewed this item at the October 21, 2024 meeting.

### Resolution 24-1107-Increase Ambulance Utility Fee – **Item # 4 pulled from Consent Agenda to review separate from the consent agenda.**

On September 16, 2024, the Mayor presented to Council the possibility of increasing the Ambulance Utility fee as a way to increase revenues and re-coup some of the costs of having an Ambulance and Emergency Medical Services Utility within the City. The current Ambulance Utility Fee was established in 2014 following a Cost of Service Study by the FCS Group of Redmond. At the time, the annual amount that could be charged per billing unit was \$143.93 or \$11.99 per month.

The Council adopted a monthly rate of \$6.00 per billing unit. Lynden Municipal Code 13.32.070(D) authorizes the Finance Director to periodically perform a financial analysis of the City and recommend changes to the Council. Finance Director Scholl has performed an analysis of the current costs and revenue sources of the Ambulance Utility, as well as

considered impacts of the growth in population and the current number of billing units. This analysis determined that the City could charge up to \$21 per monthly unit. The Mayor has incorporated an increase of \$6 to \$12.00 per billing unit into the 2025 Proposed Budget. It is estimated that this increase will provide an additional \$525,000 in revenues that will assist in offsetting the costs of having this utility. Should this resolution be approved, customers will be notified on their next billing cycle, and this rate would increase as of January 1, 2025. This was reviewed in Finance Committee on October 21, 2024.

***Councilor Vis moved, and Councilor Strengholt seconded to items numbered 3 and 4 of the consent agenda.***

### Parks Department Shop Addition Agreement—Pioneer Construction Services— **ITEM #5 PULLED FROM CONSENT – NO ACTION TAKEN**

The Parks Department has been soliciting contractors for almost two years for a small works project to create additional shop space and to connect the office staff with the crew on a daily basis. Pioneer Construction Services has responded with a proposal. Administration staff and the Parks Department staff reviewed the updated proposal and recommended forwarding it to full council for approval.

# CITY OF LYNDEN

## CITY COUNCIL MINUTES OF REGULAR MEETING



### 3. PUBLIC HEARING – None.

### 4. UNFINISHED BUSINESS – None.

### 5. NEW BUSINESS

#### Motion to Create a new Ordinance to Repeal Ordinance 371 to Remove Fluoride from the Municipal Water Supply and Initiate Public Notice

At the October 7, 2024, Council meeting a motion was made to direct staff to draft an ordinance to repeal LMC 13.04.440 (Fluoridation Authorized) and Ordinance No. 371 from 1959, regarding adding fluoride to the city's water supply. This shall also include direction to initiate the 90 day notice to all municipal water customers as required under state law.

At the conclusion of the 90 day notice, Ordinance 24-1696 titled "An Ordinance of the City of Lynden Repealing Ordinance No. 371, Codified at Lynden Municipal Code 13.04.440, Regarding Fluoridation of the City's Water Supply" shall be placed on the next practical City Council meeting agenda.

***Councilor Bode moved, and Councilor Strengholt seconded that City Council direct staff to create and distribute notice to all municipal water customers regarding the potential removal of Fluoride and place on the agenda Ordinance 24-1696 to repeal Ordinance 371 thus discontinuing the practice of adding fluoride to the water supply. Motion approved 6-0.***

#### Resolution 24-1111 – Interfund Loan from F405 (Sewer) to F001 (Current Expense) – This item was not on the agenda.

The City has been experiencing declining revenues and increasing costs, creating pressure in cash in the General Fund. Short-term funding is required in the Current Expense Fund (001) to allow the Council, Administration and Department Heads to evaluate the financial situation of the City, and for cost saving and additional revenue generating measures to take effect. This review and planning is expected to take place over the next quarter.

The attached Resolution 24-1111 proposes an interfund loan not to exceed the sum of \$1,000,000 is hereby available to be transferred from the City's Sewer Fund (F405) to the Current Expense Fund (F001) as a two-year interfund loan, to be transferred immediately upon approval.



This loan would be subject to a two-year payback period, with monthly payments being made starting one year from the loan date, and monthly interest and loan payments from October 2025 through October 2026.

Interfund loans are required to charge interest at a rate that is available to the City in the market. This Interfund loan is prepared using Treasury Bond rates plus a 1% premium.

The Finance Committee reviewed this resolution earlier today and approved it for review by the full Council.

***Councilor Strengholt moved, and Councilor Laninga seconded to adopt Resolution 24-1111 and authorize the Mayor's signature. Motion approved 6-0.***

### Introduction of the 2025 Preliminary Budget and the Mayor's Budget Message

Mayor Korthuis summarized and highlighted the items included in the balanced 2025 Preliminary Budget. Mayor Korthuis listed five revenue sources that he asked council to consider possible implementation of the following options:

- Transportation Benefit District Sale Tax Increase
- Utility Tax
- Ambulance Utility Fee
- Gas Tax
- Car Renewal Tab Fee

## 6. REPORTS

### **Approval Payroll for September 2024 and Claims through October 17, 2024**

Councilor Strengholt, Finance Committee reported discussion of the following:

- RES-24-1111 Interfund Loan
- Overtime review (much of the salary increase seen over the last year)
- Sales tax revenue
- Approval of payroll and claims
- Quint fire truck payment and schedule
- Utility fees
- Property tax bond collection update repayment plan (will be paid off five years early)

# CITY OF LYNDEN

## CITY COUNCIL MINUTES OF REGULAR MEETING



Councilor Vis, Parks Committee reported discussion of the following:

- Project presentation from the Healthy Futures group
- Barn renovation item pulled from the night's council agenda
- Schoolyard Park project update

Councilor Bode, Public Works Committee reported discussion of the following:

- Discussion of exemptions for railroad (Burlington Northern) crossings in Lynden
- Update on Cedar Drive work

### **7. EXECUTIVE SESSION**

Council did not hold an executive session.

### **8. ADJOURNMENT**

October 21, 2024 regular session of the Lynden city council adjourned at 8:03 p.m.

---

Pamela Brown, City Clerk

---

Scott Korthuis, Mayor