

CITY OF LYNDEN

CITY COUNCIL MINUTES OF REGULAR MEETING



May 6, 2024

1. CALL TO ORDER

Mayor Korthuis called to order the May 6, 2024 regular session of the Lynden City Council at 7:00 p.m. in the city's council chambers.

PLEDGE OF ALLEGIENCE

OATH OF OFFICE – None.

ROLL CALL

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

Members absent: None.

Staff present: Interim Finance Director Christy Fowler, 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.

SUMMARY REPORTS AND PRESENTATIONS

APPROVAL OF MINUTES

Councilor Wohlrab moved, and Councilor Strengholt seconded, to approve the April 15, 2024 regular council minutes. Motion approved on 7-0 vote.

CITIZEN COMMENT

Cynthia Ripke-Kutsagoitz, Guide Meridian, Lynden

Miscellaneous thoughts and opinions on the Holocaust, Mother's Day, and Veteran's Day.

EXECUTIVE SESSION

Council adjourned into executive session at 7:12 pm to discuss an issue related to possible litigation as allowed by RCW 42.30.110(1)(i), with no expectation of a decision. Council reconvened at 7:22 pm.



2. CONSENT AGENDA

Payroll Liability to April 7 through April 20, 2024

EFT & Other Liabilities

Non-L&I Liabilities

Monthly EFT	\$604,308.39
Check Liability	\$0.00
Total Non-L&I Liabilities	\$604,308.39
Quarterly Liabilities	\$28,370.13
Total EFT & Other Liabilities	\$632,678.52

Approval of Claims – May 7, 2024

Manual Warrants No.	29951	through	<u>29953</u>		\$402,968.29
EFT Payment Pre-Pays					\$10,031.62
				Sub Total Pre-Pays	\$412,999.91
Voucher Warrants No.	<u>29966</u>	through	<u>30083</u>		\$603,732.63
EFT Payments					<u>\$361,924.91</u>
				Sub Total	\$965,657.54
	Total Accts. Payable				\$1,378,657.45

Award Bid for Lynden High School Parking Lot

Staff solicited bids for the Lynden High School Parking Lot. This project includes new paved parking, pavement repair, extruded curb, crack sealing, fog seal (seal coat), striping, minor electrical work and other work shown in the contract documents.

Five (5) bids were received on April 18, 2024, as shown on the Bid Tabulation prepared by Reichardt & Ebe. At the Public Works Committee meeting on April 3, 2024, the Committee concurred that the bid results could be forwarded directly to City Council after being informed of the results. The recommendation is to award the contract to Western Refinery Services, the lowest responsive and responsible bidder, in the amount of \$314,352.29, which includes Washington State Sales Tax. The Engineer's Estimate was \$305,542.81.

ORD-24-1686 Line of Credit Peoples Bank- Council Beld pulled from Consent Agenda

Ordinance No. 23-1670 was approved by council on July 17, 2023. It allowed for a renewal of our Line of Credit revolving account with Banner Bank. The City received an offer from People's Bank to take over the funding of this line of credit at a rate of 5.75%, which is .03% less. The City's Bond Counsel and Finance Director have reviewed this proposal for a vendor change.

CITY OF LYNDEN

CITY COUNCIL MINUTES OF REGULAR MEETING



Award Bid for 1st Street Overlay

Staff recently solicited bids for 1st Street Overlay. This project includes the structural overlay of 1st Street, starting south of Grover and extending south of Riverview Rd to the approximate City Limits. It also includes pedestrian ramp reconstruction.

Three (3) bids were received on April 25, 2024, as shown on the Bid Tabulation prepared by Reichhardt & Ebe. At the Public Works Committee meeting on April 3, 2024, the Committee concurred that the bid results could be forwarded directly to City Council after being informed of the results. The recommendation is to award the contract to Lakeside Industries, Inc., the lowest responsive and responsible bidder, in the amount of \$436,824.00.

This project will be funded in part by the WA State Transportation Improvement Board (TIB) and the balance of the funding will be from the City's Transportation Benefit District (TBD) fund. The Engineer's Estimate was \$539,240.00.

Professional Services Agreement with Reichhardt & Ebe Engineering Inc.

Reichhardt & Ebe Engineering, Inc. (R&E) shall provide preliminary design through final design including permitting and related documents for the reconstruction of Bradley Road from Vinup Road to Line Road. The proposed design will connect to existing intersections at either end of the project and will consist of roadway, stormwater, water main, and pedestrian design. R&E will proceed with work immediately upon Notice to Proceed except for no work under Item 4.0, Right-Of-Way (ROW) and Easement Acquisition, prior to written notice from the City which is pending approval of ROW funds.

This project design is funded with state funds administered through WSDOT Local Programs. Anticipated design schedule: Notice to Proceed – May 2024 Advertisement for Construction Bids – Spring/Summer 2025. Contract cost including design, subconsultants, and reimbursables is \$294,637.30.

MOU for Schoolyard Park Project

At the April 15, 2024, City Council Meeting, the City accepted a donation and completion of two structures at the Schoolyard Park from Whatcom Community Foundation. The Memorandum of Understanding (MOU) provides a statement of roles and responsibilities of the parties associated with the project.

CITY OF LYNDEN

CITY COUNCIL MINUTES OF REGULAR MEETING



Set Public Hearing – Consider a Resolution on Intent to Annex the City’s SW Urban Growth Area (Annex Application 24.01)

At the June 3rd meeting the City Council will be asked to take public comment and make a decision concerning Annexation Application 24-01 representing approximately 279 acres on the southwest edge of the city. This area represents the full extent of the City’s current Urban Growth Area (UGA) in this area.

Per the Future Land Use designations assigned in the City Comprehensive Plan the area falls within 3 different land uses: industrial, low density residential, and public use. The review of annexations is meant to consider the following: 1. Whether the City shall accept, reject, or geographically modify the proposed annexation area; and 2. Whether the City shall require simultaneous adoption of a proposed zoning regulation consistent with the City Comprehensive Plan and applicable sub-area plan; and 3. If such a proposal has been prepared and filed in the area to be annexed as provided for in RCW 35A.14.330 and RCW 35A.14.340; and 4. Whether it shall require the assumption of indebtedness by the area to be annexed.

Upon annexation the Council will also be asked to decide on zoning designations within the assigned land use categories. It should also be noted that Whatcom County is currently reviewing the application in regard to potential infrastructure indebtedness. The Planning Commission held a hearing to consider this item on April 29th.

The subsequent Commission resolution and recommendation are included in the council packet. If recommended for annexation, the application will be sent to the Boundary Review Board for comment prior to a final ordinance of the City Council which would formally annex the property. The proposed amendment is legislative in nature and public comment will be accepted. The proposed public hearing date is June 3, 2024.

Motion made by Councilor Bode, seconded by Councilor Vis to approve the Consent Agenda. Motion approved 7-0.

3. UNFINISHED BUSINESS – None.

4. NEW BUSINESS

Jansen Art Center Special Event Application – Street Closure, July 27, 2024

The Jansen Art Center has requested to close a portion of Front Street for a “Front Street Arts Festival.” The closure would require approval by council.

Motion made by Councilor Bode, seconded by Councilor Wohlrab to deny the Jansen Art Center Special Event application as submitted. Motion approved 7-0.



Downtown Wayfinding Sign Proposal

At a recent Community Development Committee (CDC) meeting members of the Downtown Business Association (DBA) joined the group to discuss a proposal they had for installing one directory sign geared toward helping pedestrians orient themselves to business - especially those that may be utilized by out of town tourists.

The proposed location is just outside of the Chamber of Commerce office near the Phoebe Judson statue. Here, the flowering tree structure is going to be moved west across the street so that it does not block the view of the statue. The DBA president, Ron Hanson, also explained to the CDC that the vinyl sign can be updated in whole or in part when business change. The DBA intends to be responsible for the update of the sign content.

The City's sign code permits the placement of directory signs or kiosks within the Historic Business District. A street encroachment permit would be needed to verify the location and installation method with the Public Works Department. The CDC recommended the installation of the sign if the DBA made efforts to include any businesses that wanted to be listed. The DBA has subsequently included this item on their upcoming meeting agenda to solicit interest and discuss the cost and timeframe for installation.

Councilor Lenssen pulled this item from the agenda, sending the item back to Community Development Committee for further review and discussion.

5. PUBLIC HEARING

On the Question of Whether the City Should Consider Discontinuing Fluoridization of the City's Municipal Water Supply

	Name	City	Discontinue Fluoride
1	Candy Hoksbergen	Lynden	Yes
2	Betty Vandyken	Lynden	Yes
3	Gloris Bode	Lynden	Yes
4	Harlan Kredit	Lynden	No
5	Jack Veltkamp	Lynden	No
6	Mary Lou Childs	Lynden	Yes
7	Marc Urban	Lynden	Yes
8	Jill Shelly	Lynden	Yes
9	Lynette Ondeck	Bellingham	No
10	David Baker	Bellingham	No
11	Susan Kranzpiller	Blaine	No
12	Mark Breinholt	Lynden	No
13	Misty Flowers	Lynden	Yes
14	Lance VanderGiessen	Lynden	No
15	Michael Barrett	Lynden	No

CITY OF LYNDEN



CITY COUNCIL MINUTES OF REGULAR MEETING

16	Stacy Torrance	Seattle	No
17	Megan Wiseman	Lynden	Yes
18	Khushdip Brar	Lynden	Yes
19	Debra Hanenburg	Lynden	Yes
20	Jonathan Henry	Lynden	No
21	Kate Nelson	Lynden	Yes
22	Sarah Feenstra	Lynden	Yes
23	Daniel Robison	Lynden	No
24	Amrit Kaur	Lynden	Yes
25	Elisha Wyatt	Lynden	Yes
26	Sally Mickley	Lynden	Yes

6. REPORTS

Councilor Bode reviewed the Public Works Committee meeting minutes.

Councilor Lenssen reviewed the Community Development meeting minutes.

Council members agreed that they would like representatives from Puget Sound Energy and Cascade Natural Gas to come before council to discuss energy impacts for the city of Lynden.

Mayor Korthuis agreed to bring the Bridge Project presentation before council at a future meeting.

City Administrator Williams attempted to clarify the council's recommended options for those submitting a Special Events Permit.

Councilor Beld would like to discuss the possibility of posting the council meeting audio recording to the city's website.

7. EXECUTIVE SESSION

The executive session was held earlier in the meeting.

8. ADJOURNMENT

May 6, 2024 regular session of the Lynden city council adjourned at 9:08 p.m.

Pamela D. Brown, City Clerk

Scott Korthuis, Mayor