



**Public Works Committee Meeting Minutes**  
City Hall - 300 4<sup>th</sup> Street  
4:00 PM August 04, 2021

**Call to Order**

**Roll Call**

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

Staff Present: Public Works Director Steve Banham, Programs Manager Mark Sandal, Building Official Ted Brouwer, Sr. Admin. Assistant Miriam Kentner

Public Present: Gary Vis, Brian Davidson, Wes Herman

**Action Items**

**1. Approve Minutes from July 07, 2021**

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

**Action:**

***The minutes from July 07, 2021 were approved***

**2. Lynden Recreation Center - Forge Fitness Siding Proposal**

Brian Davidson, lease holder of the Lynden Recreation Center, operating as Forge Fitness, discussed his proposal for replacing siding. The lease agreement was amended earlier this year authorizing the Davidsons to be reimbursed one time up to \$250,000 for building improvements, upon approval of City Council. That amendment was intended to allow for siding replacement. Davidson received a bid from Bay Road Building & Consulting LLC for \$255,411.00 plus sales tax out of the eight bids he solicited. The other contractors were too busy to do the work or were not interested in the job.

Brouwer referred to an inspection that was completed by the City in 2012 which indicated that the building structure was in good shape overall; however, he suggested that to maintain building integrity and to prevent structure damage, replacing the siding is essential.

The Committee also discussed the removal of the berm located around most of the building and Banham stated the Public Works Crew could do that work to stay within budget.

**Action:**

***The Public Works Committee concurred and requested that staff bring the siding proposal to a future City Council meeting with their recommendation for approval.***

3. **Request for Franchise Agreement - Sound Internet Services dba PogoZone**

Banham stated Staff has received a request for a franchise agreement from PogoZone, a provider of business and residential internet and phone service to Whatcom, Skagit, and Island counties. Banham stated the franchise agreement is currently under review with the City attorney and PogoZone.

**Action:**

***The Public Works Committee concurred and requested that staff bring the revised Franchise Agreement to a future Public Works Committee meeting for further discussion.***

4. **Sidewalk Obstruction – Revise Section 12.28 of the Lynden Municipal Code**

Banham presented a proposed Ordinance which amends Lynden Municipal Code Section 12.28 Sidewalk Obstructions to clarify the requirements for permitting and providing more guidance for outdoor dining facilities.

The amendment was previously discussed at the May 5, 2021 Public Works Committee meeting when Jesse Nelson, Owner of Overflow Taps, asked to expand their outdoor seating area.

Staff is proposing to amend the code to clarify which obstructions require permits and which are exempt from permit requirements. The permitting office was changed to Public Works. Provisions have been included for outdoor dining facilities to address the previous discussion with Overflow Taps. This includes preserving a five-foot continuous strip of sidewalk for pedestrian movement. The Committee discussed the following: securing obstructions in inclement weather, the height of obstructions, sandwich boards, public art, response to city notices to remove obstruction, and other minor changes. Banham stated the main goal is to create a document that adds clarity and provides reasonable authority to the City to protect public interests while still allowing use of extra sidewalk by the adjacent businesses. These wider sidewalks are primarily in the Historic Business District where there has been pressure in recent years to clarify how sidewalks can be used.

**Action:**

***The Public Works Committee concurred to recommend forwarding the Ordinance amending LMC 12.28 Sidewalk Obstructions to City Council for approval once staff has made the revisions discussed.***

5. **Community Center Parking Lot Access Agreement - Wes Herman / Upper End LLC**

Banham introduced Wes Herman, owner of 110 5<sup>th</sup> Street and representing Upper End, LLC. Herman is requesting a parking license agreement with the City for shared use of the five spaces abutting his property and partially on the Lynden Community Center parking lot. The Committee initially discussed the draft "License Agreement for Shared Parking" at the July 7, 2021 Public Works Committee Meeting. Herman has since provided a survey and property description which clearly shows that these five parking spaces are partially on his property and partially on City Community Center property.

The Committee agreed that a license clarifying the shared use of these five spaces made sense and discussed the possibility of allowing these spaces to be exclusively reserved from the hours from 4pm to 8am when the Community Center is closed.

**Action:**

***The Public Works Committee concurred and recommended that staff to work with Wes Herman and the City Attorney to finalize the License Agreement for Shared Parking. The Committee stated that Herman would be allowed to provide and install signs for those five spaces that would reserve them for his exclusive use from 4pm to 8am. The Committee concurred with bringing the license directly to City Council for approval after that review is complete.***

**Information Items**

**6. Darigold Expansion - Increased Wastewater Demand**

Banham explained that staff is working with a consultant to identify specific needs for improvements at the Wastewater Treatment Plant. Additional industries are currently looking at property in City limits which will increase wastewater treatment demands. Staff is looking at moving forward with some of the capital improvement projects identified in the General Sewer Plan. These projects will occur earlier than identified in the plan as a result of the expected increase on demand. Design and permitting to occur in 2021 and 2022 with construction planned for 2023.

**7. West Lynden Stormwater**

Staff is working with the following stormwater related projects in West Lynden:

1) Alliance Freeze Dried (purchasing the former PeaceHealth property in the West Lynden Business Park),

2) Dick Vandenberg and Lark Group (Canadian development company) on the remaining West Lynden Business Park property,

3) Staff is finalizing a Scope of Work for the \$40,000 analysis of downstream channel survey work using a Port of Bellingham grant (\$15,000),

4) Staff is finalizing the interlocal agreement with the Watershed Improvement and Drainage Districts to the north, west, and south of the city.

**8. Traffic Impact Fees in the Pepin Creek Subarea**

Banham explained that Public Works and Planning staff are working with Transpo Group to incorporate a Traffic Impact Fee overlay that will apply to the Pepin Creek Sub-Area. This data will be used in the development of updated Traffic Impact Fees that will be presented to City Council later this month.

**9. PROJECTS**

**Pepin Sub-Area Design**

Agreement executed with Reichhardt and Ebe Engineering to provide more accurate street location and cross-section information for the Pepin Parkway. This is in response to discussions with private property owners and future development interests.

**Managed Aquifer Recharge**

Banham stated that staff met with the Lummi Salmon Habitat Staff to provide updates on the Managed Aquifer Recharge project. Korthuis explained that Whatcom County Executive Satpal Sidhu is interested in meeting to discuss how Whatcom County can be of assistance.

#### Industrial Condensate Outfall

The Committee discussed Industrial Condensate Sanitary Sewer manhole installation project and associated road closures this week. Banham stated the Manhole and CIPP work is scheduled to be completed in August and the Shoreline Permit for the outfall is under review by Whatcom County.

#### West Front Street

Staff is planning to advertise for the West Front Street project in late September. This would be the narrower 34-foot cross section approved and funded with EDI grant and loan funds with the ability to widen the street to the full standard should Federal funding become available.

#### CIPP (Judson)

Finalizing Scope and Budget for Design for this project which will line the old and deteriorated main wastewater trunk line that runs down 6<sup>th</sup> Street south of Judson Alley and past Riverview toward the Wastewater Treatment Plant.

#### Decant Facility

The pre-engineered metal building is scheduled to arrive on August 13<sup>th</sup>. The City recently approved an amendment to extend the water main using water funds. This will extend the water main along the western property edge linking the main on Badger Road with the water main extension on the south side of the new apartments being built on the east side of Depot Road.

#### Lynden Municipal Airport

Banham explained that the 1970s vintage aviation fuel pump located at the Lynden Municipal Airport failed and currently no fuel is available. A new replacement fuel pump has been ordered but is taking much longer to arrive than expected. The estimated cost of the replacement pump is \$5,000.

### **New Business:**

#### Septic Smart Campaign Postcard

Banham explained that the City of Lynden is partnering with the Whatcom County Health Department to launch a Septic Smart Campaign which will provide financial incentives for septic system owners to maintain their septic systems or to decommission their systems and connect to the City's sanitary sewer system. A press release will go out on August 18, 2021 along with post card mailers.

#### New Speed Trailer

Bode stated he discussed with Chief Taylor the need for a new speed trailer that could also collect traffic speed data and may be effective in responding to customer complaints about neighborhood speeding and actually help reduce speeds.

**Adjournment:** The meeting was adjourned at 5:30 pm

**Next Meeting:** September 8, 2021