

CITY OF LYNDEN

PUBLIC WORKS DEPARTMENT

Main Number: (360) 354-3446



Public Works Committee Meeting Agenda

City Hall - 300 Fourth Street

4:15 PM July 08, 2020

Call to Order

Action Items

1. Approve Minutes of May 6, 2020
2. Approve Minutes of June 10, 2020
3. Request for ADA Parking Stall at 302 Front Street [Meraki Salon & Shop]
Currently the closest ADA stall is on the opposite end of the block near the downtown restrooms.
4. IceWorx Vending Machine Placed Downtown
5. PROJECT - Benson Road Pedestrian Improvements - Discuss City control dollar limit.
Also, approval to forward bid award directly to July 20th City Council meeting.

Information Items

6. Initiative to Install a Hearing Examiner Process - Discuss the existing process and the proposed process (see flowcharts attached). Note: if an administrative decision gets appealed (stormwater, building height, SEPA, etc.) it then goes to the hearing examiner but does not come back to Council if the decision is appealed again. An appeal of an appeal would go to Superior Court. Council may want to re-route this process back to them. Land Use decisions that go to the hearing examiner to begin with DO get appealed to City Council.
7. COVID-19 Wastewater Testing to Start July 6th
8. Building Official Position Transferred to Planning Department
9. PROJECT - 7th Street Extension Ribbon Cutting Scheduled for July 23rd
10. PROJECT - 17th Street Extension Construction to Start July 6th
11. PROJECT - Industrial Condensate - Riverview Road to Outfall - New alignment to limit or remove the need for property acquisition.
12. PROJECT - Foxtail Street Gap Elimination - Utility Latecomer - Haak

13. PROJECT - Pepin Creek

a. Bridge

b. Department of Ecology Meeting - Grant Funding and Pepin Lite Proposal

c. Utilities

14. PROJECT - 3MG Reservoir Recoat Completed

15. WSDOT Culvert Projects Update

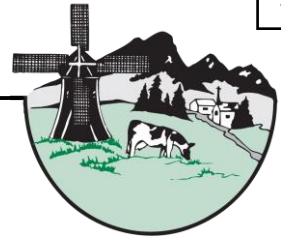
16. Signal Improvements Completed in City Limits at 17th & Front and 1st & Front

Adjournment

Next Meeting: August 5, 2020 at 4:15 PM

CITY OF LYNDEN

PUBLIC WORKS DEPARTMENT
360-354-3446



PUBLIC WORKS COMMITTEE MINUTES

4:15 PM May 6, 2020
Microsoft Teams Virtual Meeting
City Hall 2nd Floor Large Conference Room

1. ROLL CALL

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

Members Absent: None

Staff Present: City Administrator Mike Martin; Public Works Director Steve Banham;

Public Present: None

2. ACTION ITEMS

A. **Approve Minutes from March 4, 2020**

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

Action

The minutes from March 4, 2020 were approved.

B. **Request to take 17th Street Bids Directly to June 1 City Council Meeting with Public Works Committee Review via Email (Bid Opening is May 21, 11:00 a.m.)**

Banham stated request for bids will be advertised today and May 13 in the Lynden Tribune. Staff will review the submittals at the bid opening on May 21.

Action

The Public Works Committee concurred to recommend all bids received go directly to City Council to award the 17th Street Extension project.

C. **Authorization to proceed with design of the Main Street Bridge for Intercept Ditch/Pepin Creek (Pepin Lite) Project.**

Bode asked for consideration to be given for the project to be phased to reduce the traffic impact on this main route. The Committee discussed the options involving using City property. It was noted the pedestrian improvements on Benson Road are probably going to be a sidewalk rather than the shoulder widening mentioned in the R&E Report. It was also noted that the Main Street Bridge project will be funded by the Department of Commerce.

Action

The Public Works Committee concurred to authorize that staff proceed with the design of the Main Street Bridge for the "Pepin Lite" project. Additionally, the

Committee recommended that staff discuss with the design team the impact of road closure and ways to minimize this impact.

D. Request for RV Storage at Lynden Municipal Airport (Fred Silberman – 1362 West Park Street)

Banham stated that the City received a request for RV Storage at the Lynden Municipal Airport. The committee discussed the potential ramifications should storage be allowed and setting an undesired precedence.

The Public Works Committee concurred to recommend not allowing the storage of recreational vehicles on Airport property due to lack of space.

E. Six-Year Transportation Improvement Plan (2021-2026) to May 18th City Council to Set a June 1, Public Hearing Date

Banham presented the updated Six Year Transportation Plan (2021 – 2026) and the Committee discussed the changes.

Action

The Public Works Committee concurred to recommend forwarding the plan to the May 18th City Council meeting to set a June 1st Public Hearing date.

F. Authorization to proceed with sidewalk on the east side of Benson Road (from end of existing sidewalk to West Park Street). Additive bid item to repair sidewalk south.

The Committee discussed the replacement of the sidewalk on the east side of Benson Road. Banham stated this is an added item and will be constructed as using funding left over from the Line Road Pedestrian Improvements. Replacement of existing sidewalk will likely be priced as an additive bid item.

Action

The Public Works Committee concurred to recommend proceeding with the replacement of the sidewalk on the east side of Benson Road as budget allows.

3. INFORMATION ITEMS

A. Industrial Condensate – Riverview to Outfall

Banham stated that the construction has been delayed until 2021.

B. Judson Street Low Impact Development (LID)

Banham stated that the design contract was awarded to Reichhardt & Ebe Engineering & Herrera Environmental Consultants. The Judson Street LID Project covers Judson Street from 7th to 10th Streets and 8th, 9th and 10th Streets from Front to Judson. The project will be funded by a \$120K Department of Ecology grant and a match from Water and Sewer Funds improvements (\$24,000 Water / \$24,000 Sewer). Banham stated that staff intends to apply for construction grant funding in September to cover a first phase. If successful in receiving a grant, construction would likely occur in 2022.

C. Decant Facility

Banham stated that the construction is delayed until 2021. The Decant project is 75% funded by a Department of Ecology Grant.

D. Managed Aquifer Recovery

Banham stated that the staff is seeking funding from the Department of Ecology and has submitted a Streamflow Restoration Grant Application

E. Pepin Intercept Ditch

Banham stated a construction change order of \$50,000 was approved by Washington State Department of Transportation. This will finish out the balance of FHWA Funds supplemented with Street Arterial Funding (Fund 302) .

F. West Front Street

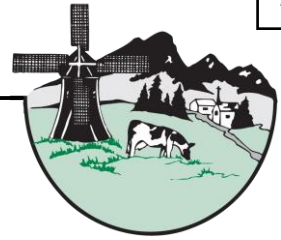
Banham stated that staff intends to seek federal economic stimulus funding combined with utility funding for match. Due to Covid-19, further opportunity to pursue Whatcom County EDI grant funding is unlikely.

The meeting was adjourned at 4:53 p.m.

DRAFT

CITY OF LYNDEN

PUBLIC WORKS DEPARTMENT
360-354-3446



PUBLIC WORKS COMMITTEE MINUTES

4:15 PM June 10, 2020
Microsoft Teams Virtual Meeting
City Hall 1st Floor Large Conference Room

1. ROLL CALL

Members Present: Mayor Scott Korthuis; Councilors Ron De Valois, Jerry Kuiken and Nick Laninga

Members Absent: Gary Bode, with notice

Staff Present: City Administrator Mike Martin, Public Works Director Steve Banham, Programs Manger Mark Sandal, Plants Superintendent Mike Kim

Public Present: None

2. ACTION ITEMS

A. **Covid-19 Monitoring Plan**

Banham stated that there is currently no way for communities to monitor the presence of COVID-19 other than indirectly through information received on positive cases seen by medical personnel. He presented a proposal, provided by Exact Scientific Services, of a draft COVID-19 Monitoring Plan which included three different options for testing. One of those options is testing sewage samples for the presence of COVID-19. There is research being done in this area at a variety of locations, and City staff contacted Tacoma Public Works staff who are currently allowing samples to be taken for testing at its wastewater treatment facilities. Staff also received information on other testing being conducted nationwide and viewed EPA website information on wastewater testing. After reviewing this information and after discussions with local Department of Health and Ecology personnel, Banham thinks that supplying daily composite effluent samples to Exact Scientific Services would help assist researchers to establish a possible link between COVID cases and wastewater test results that could possibly serve as an early warning of health threats. He feels testing should begin as soon as possible to establish a baseline before planned COVID phases. All this work will be funded using federal CARES funding intended for cities to use in response to COVID.

The Committee also discussed other possible uses of additional testing at wastewater pump stations, and possibly at sites near the schools. This would require identifying good testing protocols but would allow more granular information on potential higher risk populations within the community. The Committee discussed having staff continue to explore these options to bring back a more comprehensive professional services agreement that would include some of these additional options to City Council.

Action

The Public Works Committee concurred to recommend that City Council approve a simplified agreement with Exact Scientific Services for COVID-19 testing of WWTP effluent and to continue to explore additional testing under a broader agreement not to exceed \$150,000 and to be funded with federal CARES funding.

The meeting was adjourned at 5:03 p.m.

DRAFT



From: [Gary Vis](#)
To: jasonj@iceworx.net; [Scott Korthuis](#); [Steve Banham](#); [Mark Sandal](#); [Heidi Gudde](#); [Gary Bode](#); [Ted Brouwer](#)
Subject: Iceworx Vending Machine downtown
Date: Wednesday, July 1, 2020 8:05:46 AM

Greetings to each of you!

Recently, Jason Jansen gave me a tour, if you will, of his newly-formed company Iceworxs ice vending machine located on the Guide Meridian near Lynden Lube. During that conversation we spoke about many things related to ice, including the changing model of ice sales. I was intrigued because I remember stocking the massive ice vending machine in the-then parking lot of Milt's Market and Rich's Texaco, now Lynden Lube and Chevron, and how popular, even for a town of 4,500, it was. It was also very, very labor intensive.

During that conversation, Jason and I discussed the feasibility of having one of his units located in the downtown area, both for Lynden customer convenience and as a passive, complimentary draw to downtown. The location at the Lewis Building, or liquor store/ 7th Street parking lot was discussed, and seemed to be the most logical location, as it is a place that a) already draws people looking for products that often require ice, and b) is in an area of the community where we are focused on creating reasons for people, especially locals, to intentionally go to.

As the sidewalk encroachment issue regarding signs, flower pots, dining tables, etc. waits to be addressed, the placement of a Iceworx vending machine presents a unique opportunity to create and get information regarding complimentary uses that do not fit current business models, but not unlike the soda vending machines that were located downtown in the past, which also you will likely see making a renaissance.

As businesses seek to reduce labor, and currently numerous consumers seek to avoid or minimize contact with others or entering businesses due to certain mandated requirements, Jason's vending units do fill numerous needs for local consumers, while still reaching the goal of having people purposely get into the downtown area.

As this use has not been in the Lynden area for some time, especially downtown, the City of Lynden will need to be involved, especially in the use of public space, just as it is, or soon will be, with sidewalk dining. After speaking with Scott, Gary Bode, and Steve regarding the concept, and Heidi and Ted already being familiar with the machine, the time for the conversation on how the City makes this happens is now at hand. Steve and Mr. Bode have made time on the PW agenda to discuss the avenues to proceed, however I am unsure how, when and where the Public Works Committee meetings are occurring, so I do not know how to best involve Jason in the conversation.

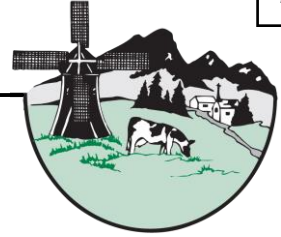
I have included Jason in on this email as he is obviously best suited to offer you accurate information regarding placement, size of the unit, requirements for operation, etc. With the 7th Street parking lot and adjacent sidewalks still to be finalized, and the Lewis Building itself undergoing extensive renovations, now it the time to have the discussion on how to make this happen. I believe that correctly placed, one of Jason's Iceworx machines will be an important traffic-generating component to creating a functioning downtown, just as is outdoor table seating and giant, beautiful flower trees.

Thank you all for your time, and if Steve or Mayor Scott could reply with how best to have Jason participate in this conversation, I would be most appreciative.

All my best,

Gary Vis
Lynden Chamber of Commerce

CITY OF LYNDEN



PUBLIC WORKS DEPARTMENT

Steve Banham, Public Works Director
(360) 354 - 3446

Public Works Department Memorandum

To: Public Works Committee

From: Steve Banham, Public Works Director

Date: April 2, 2020

Re: Proposed Amendments to the LMC re Appeal and Variance Procedures

City Planning and Public Works Staff have been investigating the benefits of using a Hearing Examiner for certain appeals and variance decisions. This comes because of several appeals in recent years that placed high time demands on the Planning Commission. The Community Development Committee (CDC) has already looked at this list. Because the list also includes administrative decisions made by the Public Works Department (Director and Building Official), we are bringing it to you for your review and comments before ultimately taking it to the full City Council. Attached are the specific public works decisions that will be considered.

Staff recommendations are based on the concept that appeals which are technical in nature and/or include specific legal parameters, such as an appeal to the calculation of a transportation impact fee, are processes best directed to a hearing examiner. Decisions which should be made within the context of the Lynden community and history of the City, such as the appeal of a short plat decision, are best reviewed in-house by the City Council or Planning Commission.

Subject	Title & Section	Current Appeal Process	Proposed
Street Use Permit	Chapter 5.36.050	The vending permit application will be evaluated and approved by the Public Works Director in conjunction with the City Clerk's approval of the accompanying business license. An applicant or permittee may appeal a street use permit decision, including a cancellation, in writing, to the City Council. The applicant or permittee must file his/her request for an appeal within fifteen working days after the decision. The council shall hear the appeal within twenty working days after the receipt of the appeal.	Council
Sidewalk Repair and Replacement - Required of a Private Party	Chapter 12.08.010	Public Works Director requires repair or replacement of a private party who caused the damage. Private party may appeal. If the Public Works Director denies the party's written request, the party may appeal the decision of the <u>Public Works Director</u> to the <u>City Council</u> within twenty-one days of the date of the Public Works Director's denial of the party's request by filing a written notice of appeal with the city clerk.	Council <i>(recommended by PW Director)</i>

Subject	Title & Section	Current Appeal Process	Proposed
Relocation Appeal	Chapter 12.36	Any aggrieved person may file a written appeal with the City of Lynden in any case in which the person believes that the City has failed to properly consider the person's eligibility for relocation assistance. Such assistance may include, but is not limited to, the person's eligibility for, or the amount of, a payment required under Chapter 12 of the Washington State Department of Transportation Right of Way Manual, or a relocation payment required under WAC 468-100-010. A person must file a written appeal with the <u>Public Works Director</u> within sixty calendar days of receipt of the City's written determination of eligibility or entitlement. If the appellant believes the Public Works Director has not correctly evaluated the appeal, the appellant may appeal the decision of the Public Works Director to the <u>City Council</u> by filing a written appeal with the Public Works Director within ten days of the date of mailing of the City Public Work Director's decision.	Revise process to provide for appeal to Hearing Examiner after the decision by the PW Director <i>(recommended by PW Director)</i>
Sewer System - Admin Enforcement Remedies	Chapter 13.12.285	A user shall be afforded the opportunity to an administrative hearing to contest the city's determination to suspend services, impose penalties, recover costs, or establish compliance schedules, through cease and desist orders (hereinafter called collectively "enforcement actions"). A user shall also have the right to a hearing prior to termination of a user's wastewater collection and treatment services. This administrative hearing shall be held before the <u>(PW) director</u> . It shall be heard within thirty days of receipt by the director of the notice of request for hearing. The user requesting the hearing shall receive at least ten days' notice of the date of the hearing. A user desiring to appeal the decision of the <u>(PW) director</u> at an administrative hearing shall, within ten days of receipt of such decision, file a notice of appeal of such decision with the <u>office of the City Administrator</u> . The appeal shall be heard as a closed record appeal in accordance with Chapters 17.09 and 17.11 of the Lynden Municipal Code.	Revise process to provide for appeal to Hearing Examiner <i>(recommended by PW Director)</i>
Stormwater Management Utility Service Charge	Chapter 13.24.090	Administrative Appeal to Council. If not satisfied with a determination of the Public Works Director made under Section 13.24.080 or 13.24.090, the property owner may appeal to the City Council within ten days of the <u>Director's decision</u> by filing a written statement of appeal with the director. The appeal to <u>City Council</u> shall be an open record appeal and shall be conducted according to the procedures for public hearings in Section 17.09.060 of this code. Any adjustments authorized by the appeal process shall only be effective against billings subsequent to the date the appeal is filed and shall not be retroactively applied.	Hearing Examiner <i>(recommended by PW Director)</i>

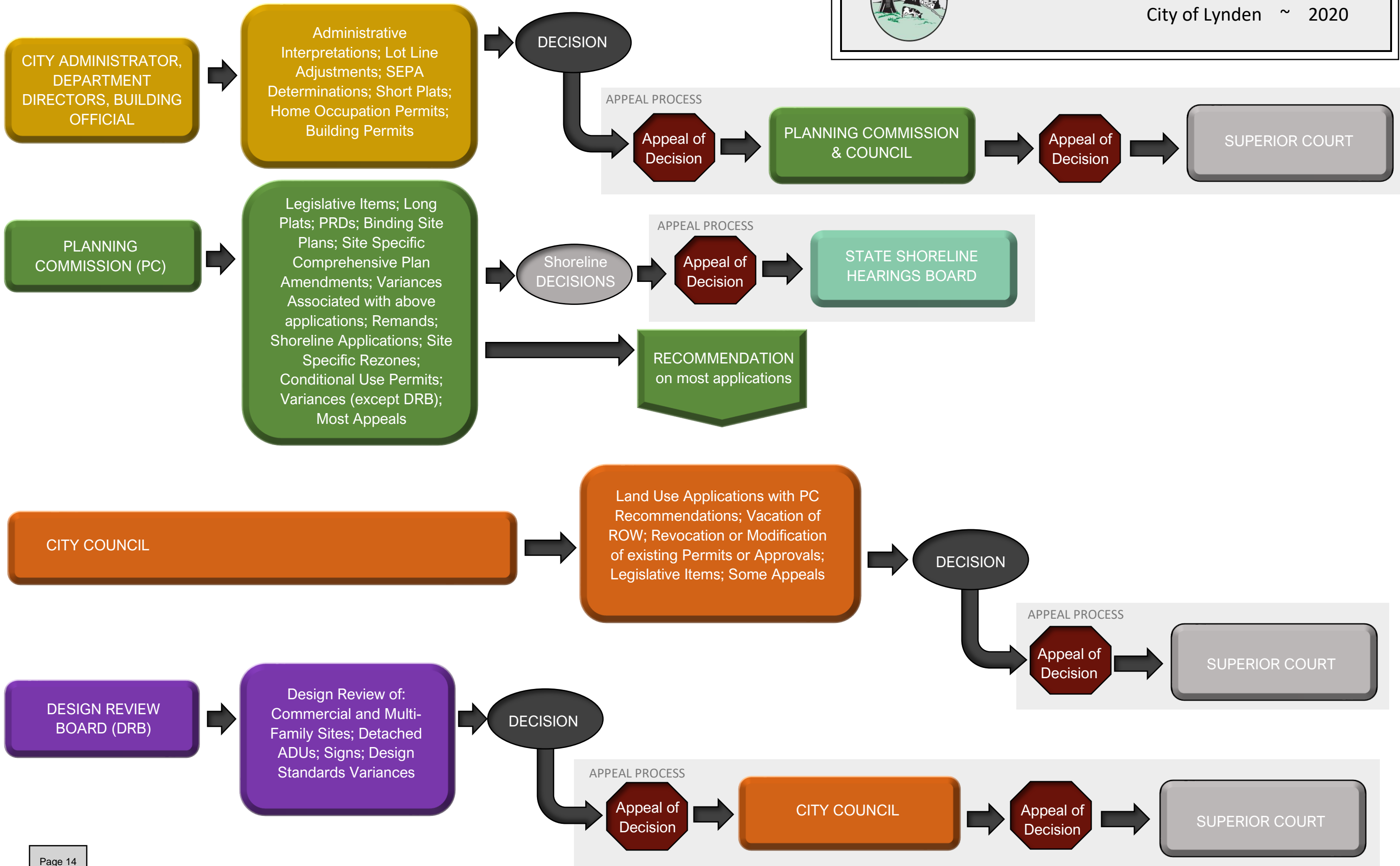
Subject	Title & Section	Current Appeal Process	Proposed
Latecomers Agreements	Chapter 13.28.150	Developer may file an appeal to the <u>City Council</u> challenging the written interpretations and/or decisions of the <u>Public Works Director</u> made pursuant to this chapter. The appeal must be filed within ten days of the date of mailing the interpretation or decision of the Public Works Director.	Hearing Examiner <i>(recommended by PW Director)</i>
Moving Buildings	Chapter 15.05.010	In any case in which the <u>Public Works Director</u> denies permission for such a move (moving a building under 15.01 conditions), the applicant may appeal the decision to the <u>City Council</u> under the provisions of Chapter 17.11 of the Lynden Municipal Code.	Council (no change) <i>(recommended by PW Director)</i>
Building Code Official Decisions	Chapter 15.14	After exhausting all administrative remedies, a person shall have the right to appeal a decision of the <u>code official</u> to the <u>board of appeals</u> . An application for appeal shall be based on a claim that the true intent of the codes adopted in this chapter or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better alternate material or method of construction is proposed. The application shall be filed (on a form obtained from the city building code official) within twenty days after the notice of the decision was mailed and shall be accompanied by an application fee in an amount of seventy-five dollars, until such time as it is changed by the City Council by resolution.	Hearing Examiner <i>(recommended by PW Director)</i> Per Building Official, the IRC - International Residential Code and IEBC - International Existing Building Code should be added. Also, he has requested that we provide an option for a 3rd party (another building official, for example) review the case before it would go to the Hearing Examiner.
Floodplain Management - Variance procedure	Chapter 16.12.110	The <u>Board of Adjustments</u> as established by the city shall hear and decide appeals and requests for variances from the requirements of this chapter (Chapter 16). The board of adjustment shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the <u>Public Works Director</u> in the enforcement or administration of this chapter. Those aggrieved by the decision of the board of adjustment, or any taxpayer, may appeal such decision to the <u>county superior court</u> as provided by law.	Dissolve BOA. Use Hearing Examiner. <i>(recommended by PW Director)</i>

REVIEWING ENTITY

CITY OF LYNDEN APPLICATION & PROCESS - EXISTING




Initiative to install a Hearing Examiner Process
City of Lynden ~ 2020

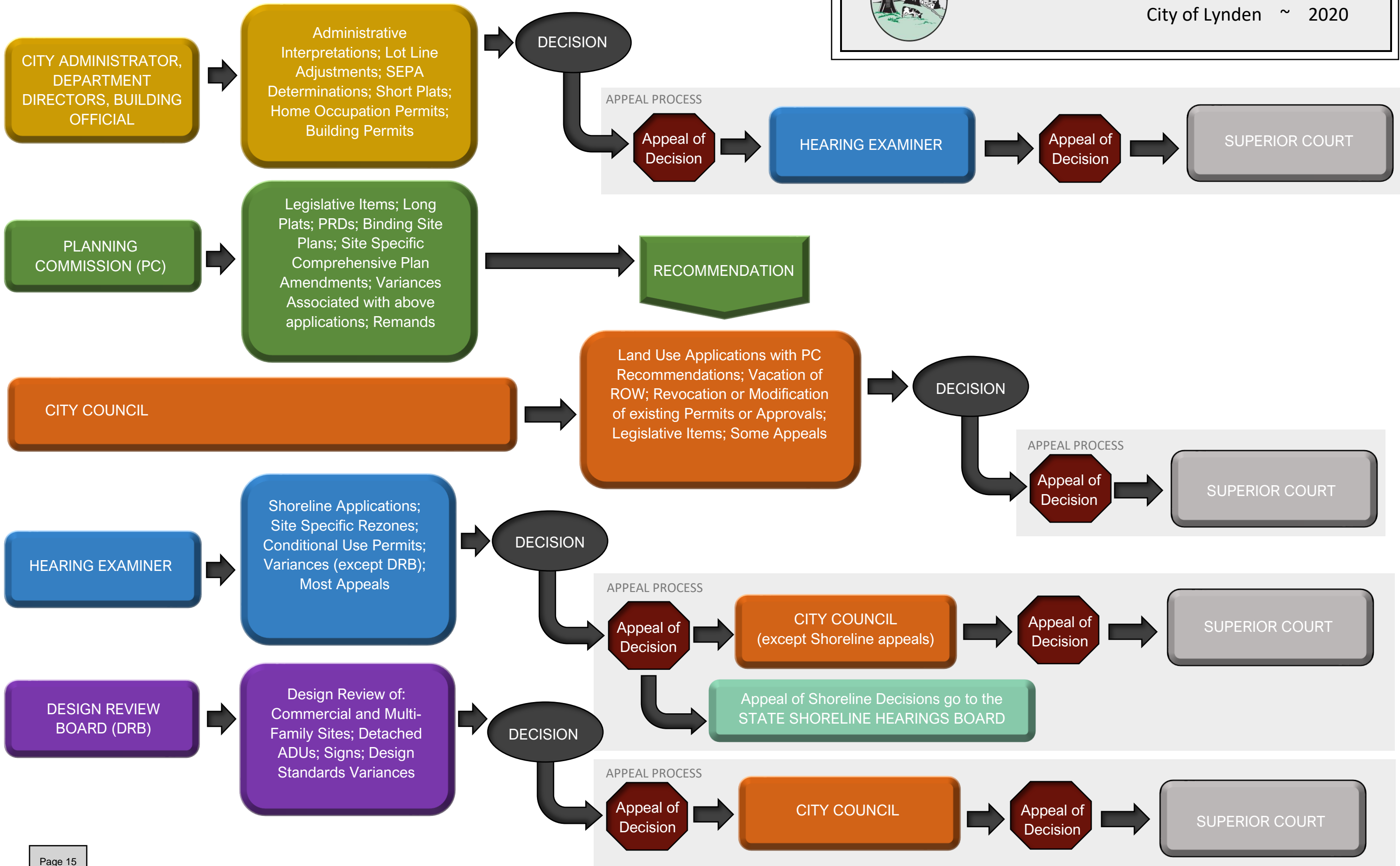


REVIEWING ENTITY

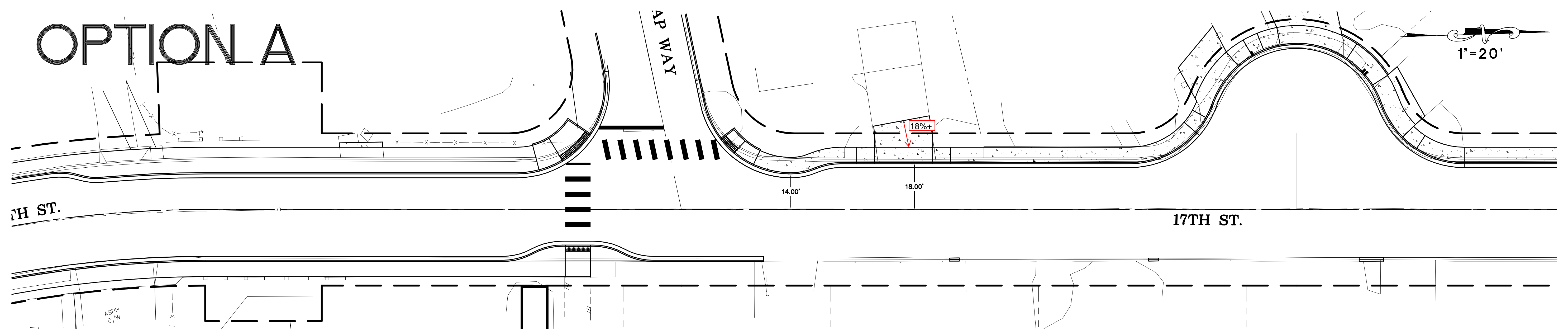
CITY OF LYNDEN APPLICATION & PROCESS - PROPOSED



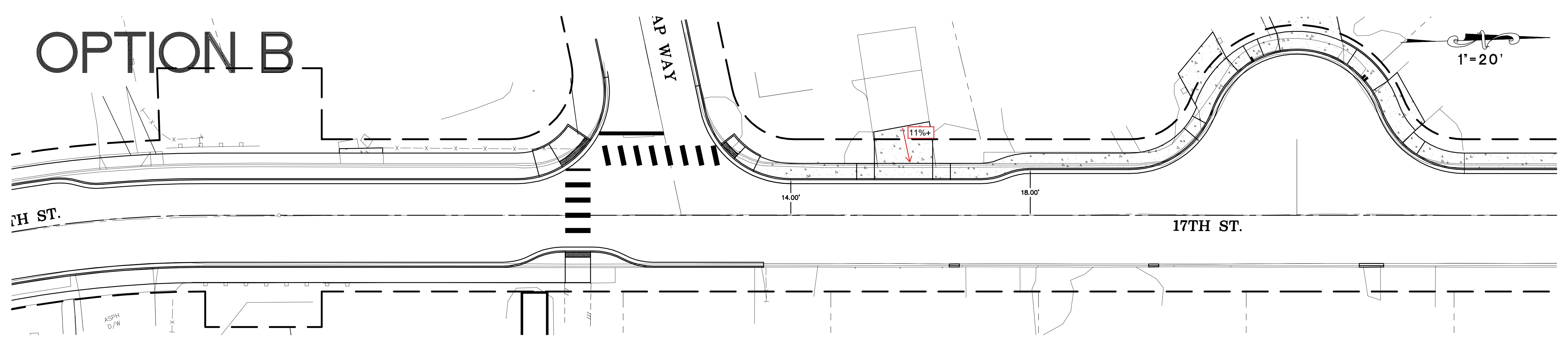
Initiative to install a Hearing Examiner Process
City of Lynden ~ 2020



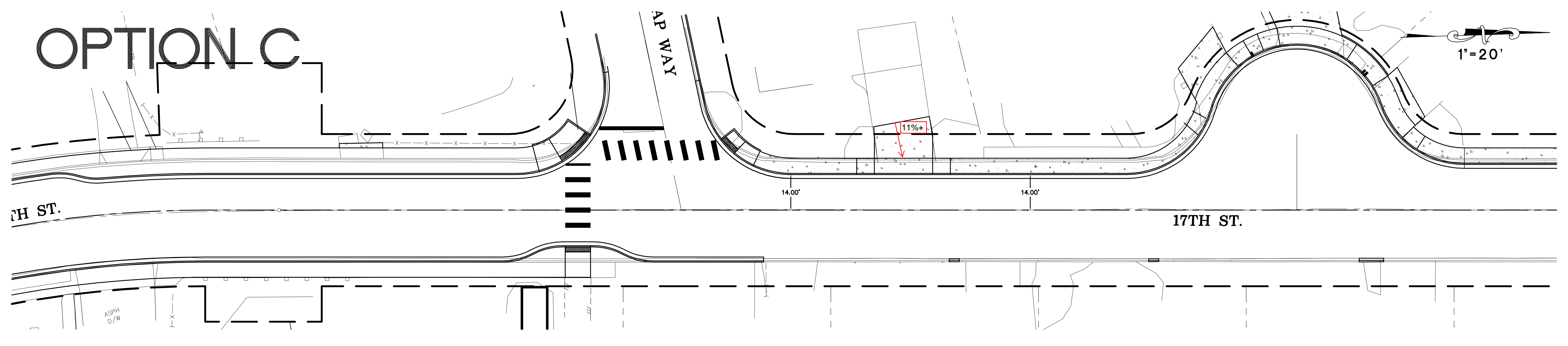
OPTION A



OPTION B



OPTION C



Speed Statistics, 12:00 AM - 12:00 PM

NB**Average (Mean)** 27.5 mph **Minimum** 5.1 mph **Maximum** 53.8 mph**Pace Range** 21.6 - 31.6 mph (68.5%)**Percentile Speeds** (mph)

<u>10%</u>	<u>15%</u>	<u>50%</u>	<u>85%</u>	<u>90%</u>
21.2	22.3	26.9	33.2	34.9

Speeds Exceeded

<u>25 mph</u>	<u>35 mph</u>	<u>45 mph</u>	<u>55 mph</u>	<u>65 mph</u>	<u>75 mph</u>
64.9% (5942)	9.6% (882)	0.3% (32)	0% (0)	0% (0)	0% (0)

SB**Average (Mean)** 28.4 mph **Minimum** 7.2 mph **Maximum** 45.6 mph**Pace Range** 24.0 - 34.0 mph (77.7%)**Percentile Speeds** (mph)

<u>10%</u>	<u>15%</u>	<u>50%</u>	<u>85%</u>	<u>90%</u>
22.4	24.0	28.8	32.6	33.4

Speeds Exceeded

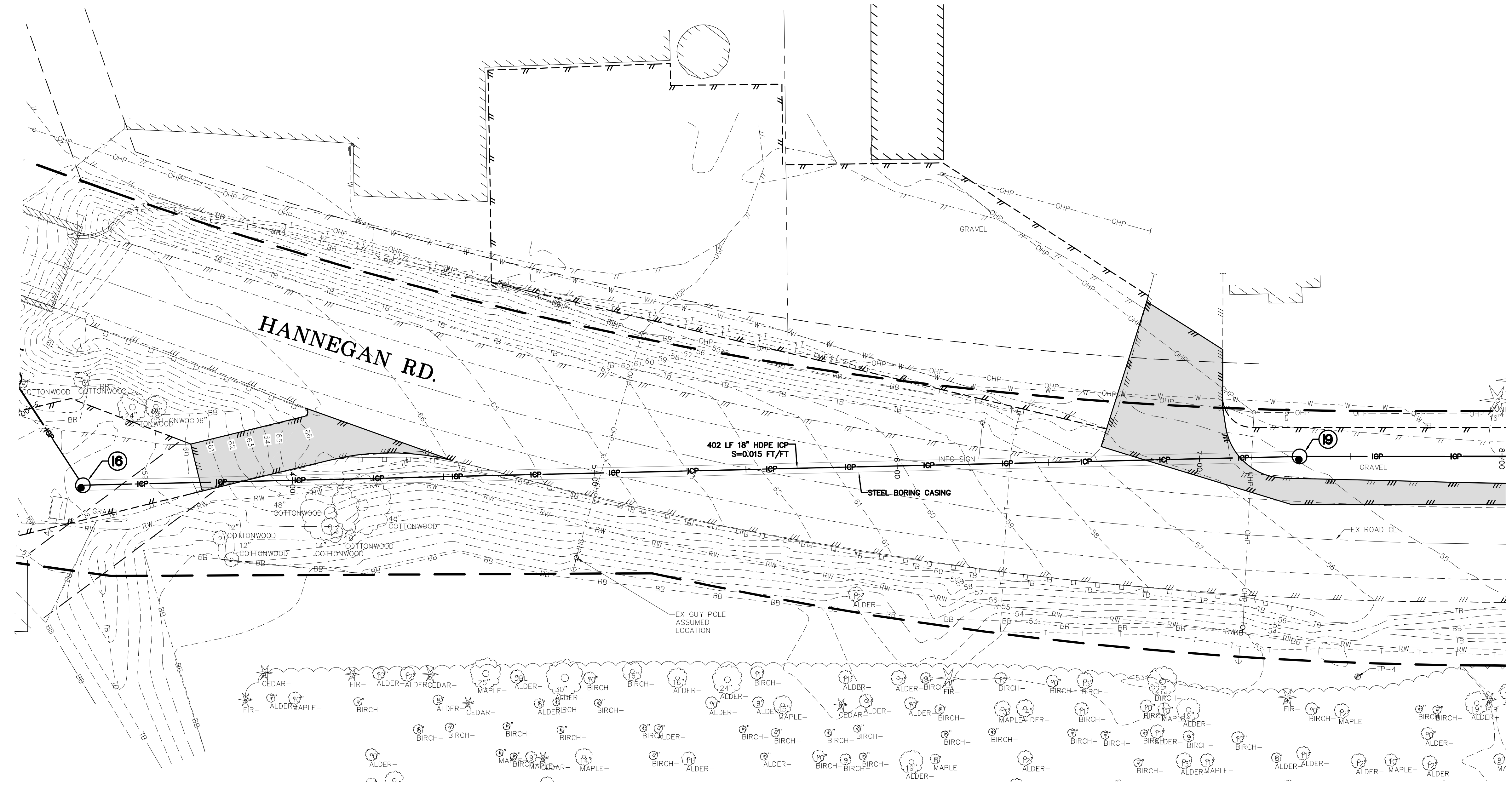
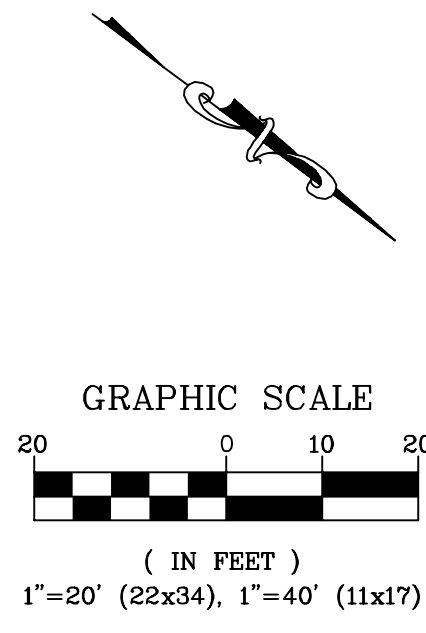
<u>25 mph</u>	<u>35 mph</u>	<u>45 mph</u>	<u>55 mph</u>	<u>65 mph</u>	<u>75 mph</u>
80.4% (6910)	4.7% (404)	0.0% (4)	0% (0)	0% (0)	0% (0)

Combined**Average (Mean)** 27.9 mph **Minimum** 5.1 mph **Maximum** 53.8 mph**Pace Range** 22.9 - 32.9 mph (70.9%)**Percentile Speeds** (mph)

<u>10%</u>	<u>15%</u>	<u>50%</u>	<u>85%</u>	<u>90%</u>
21.6	22.8	28.0	32.8	34.1

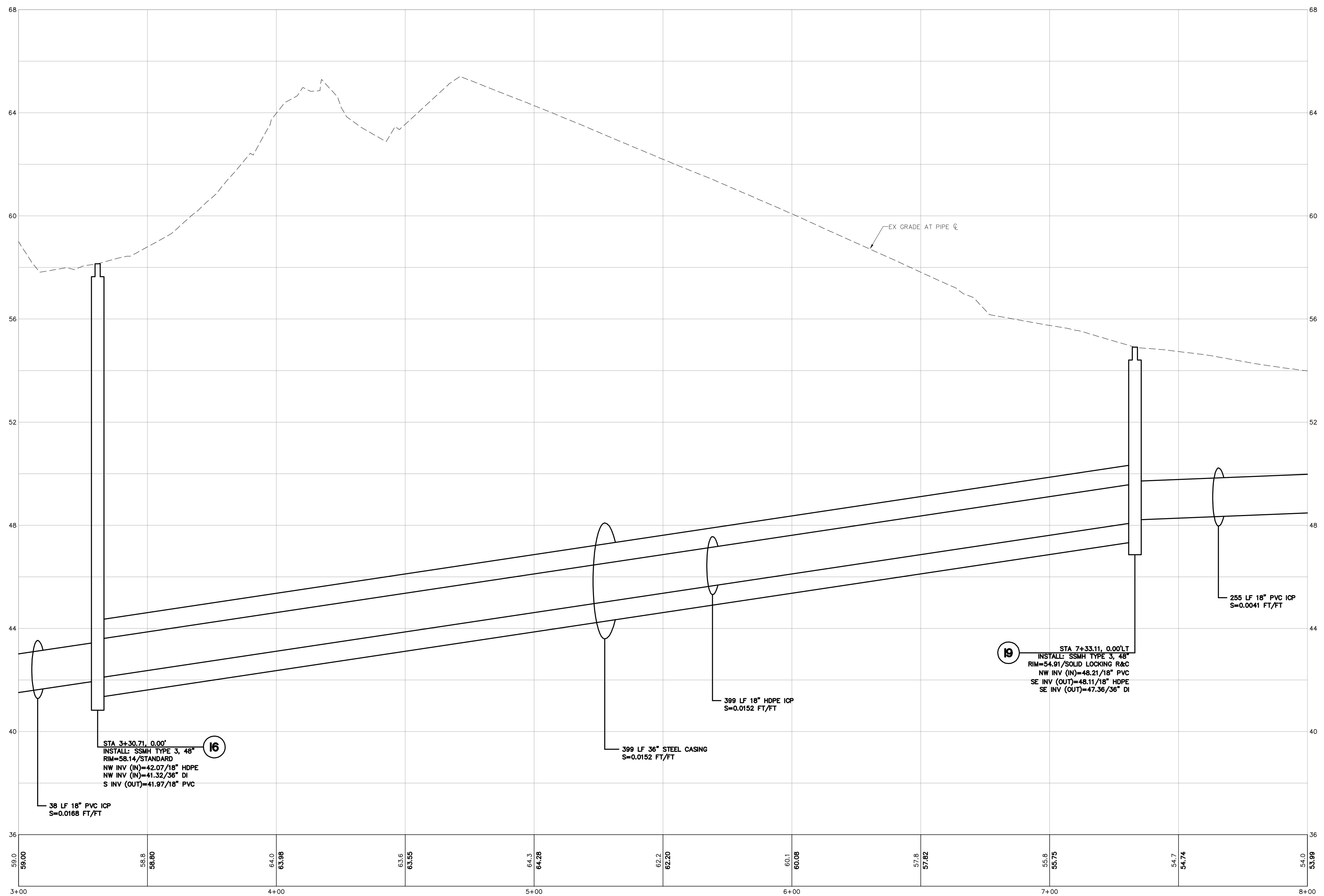
Speeds Exceeded

<u>25 mph</u>	<u>35 mph</u>	<u>45 mph</u>	<u>55 mph</u>	<u>65 mph</u>	<u>75 mph</u>
72.4% (12852)	7.2% (1286)	0.2% (36)	0% (0)	0% (0)	0% (0)



PRELIMINARY	DESIGNED BY OAM	R&E Reichhardt & Ebe ENGINEERING INC P.O. Box 978 423 Front Street Lynden, WA 98264 (360) 354-3687	NO.	DATE	DESCRIPTION	BY	CITY OF LYNDEN 300 4TH ST. LYNDEN, WA 98264	CITY OF LYNDEN INDUSTRIAL CONDENSATE PIPELINE PLAN - STA 3+00 TO 8+00	DWG 16001 ICP		DATE 6/2/20
	DRAWN BY OAM/LMH									JOB# 16001	SCALE H: 1"=20' v: N/A
	CHECKED BY IDH/NZ										

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16
 STA 3+30.71, 0.00'
 INSTALL: SSMH TYPE 3, 48"
 RIM=58.14/STANDARD
 NW INV (IN)=42.07/18" HDPE
 NW INV (IN)=41.32/36" DI
 S INV (OUT)=41.97/18" PVC

38 LF 18" PVC ICP
S=0.0188 FT/FT

399 LF 36" STEEL CASING
S=0.0152 FT/FT

399 LF 18" HDPE ICP
S=0.0152 FT/FT

19
 STA 7+33.11, 0.00'
 INSTALL: SSMH TYPE 3, 48"
 RIM=54.91/SOLID LOCKING R&C
 NW INV (IN)=48.21/18" PVC
 SE INV (OUT)=48.11/18" HDPE
 SE INV (OUT)=47.36/36" DI

255 LF 18" PVC ICP
S=0.0041 FT/FT



PRELIMINARY

DESIGNED BY
OAM
 DRAWN BY
OAM/LMH
 CHECKED BY
IDH/NZ

R&E Reichhardt & Ebe
 ENGINEERING INC
 P.O. Box 978 | 423 Front Street
 Lynden, WA 98264 (360) 354-3687

NO.	DATE	DESCRIPTION	BY

CITY OF LYNDEN
 300 4TH ST.
 LYNDEN, WA 98264

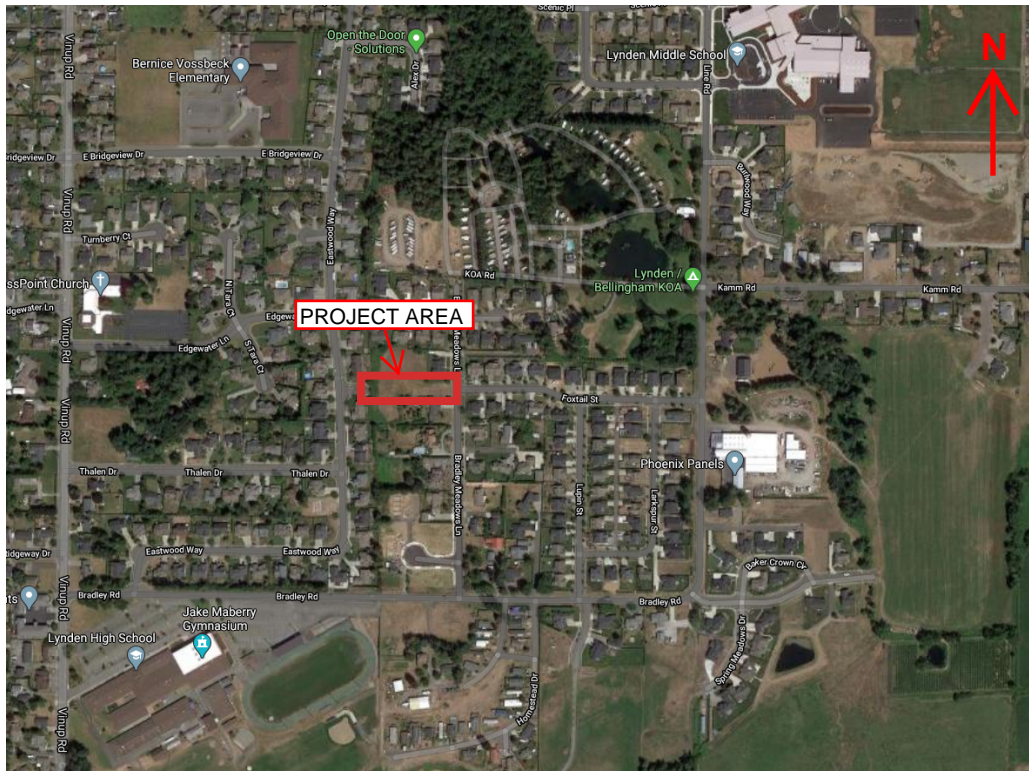
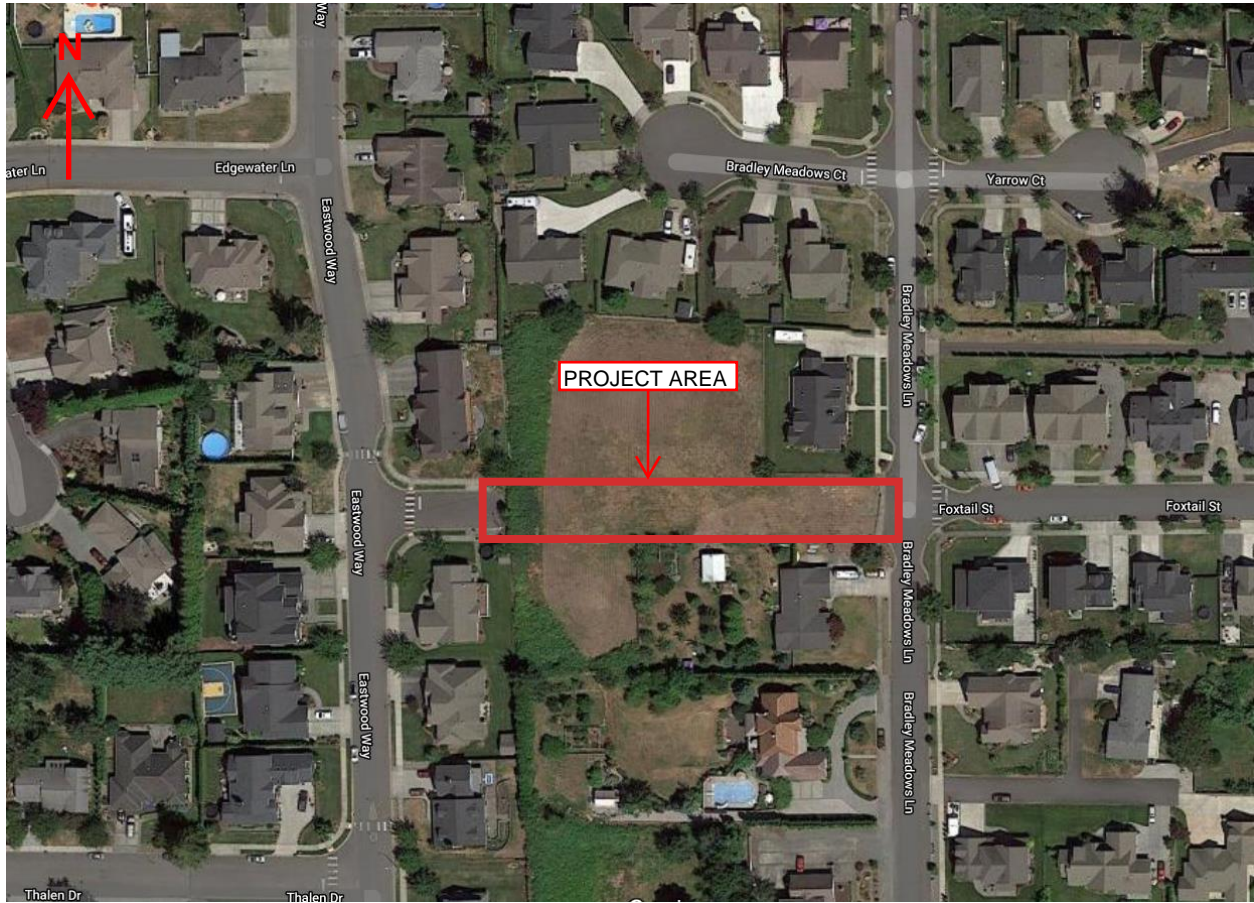
CITY OF LYNDEN
 INDUSTRIAL CONDENSATE PIPELINE
 PROFILE - STA 3+00 TO 8+00

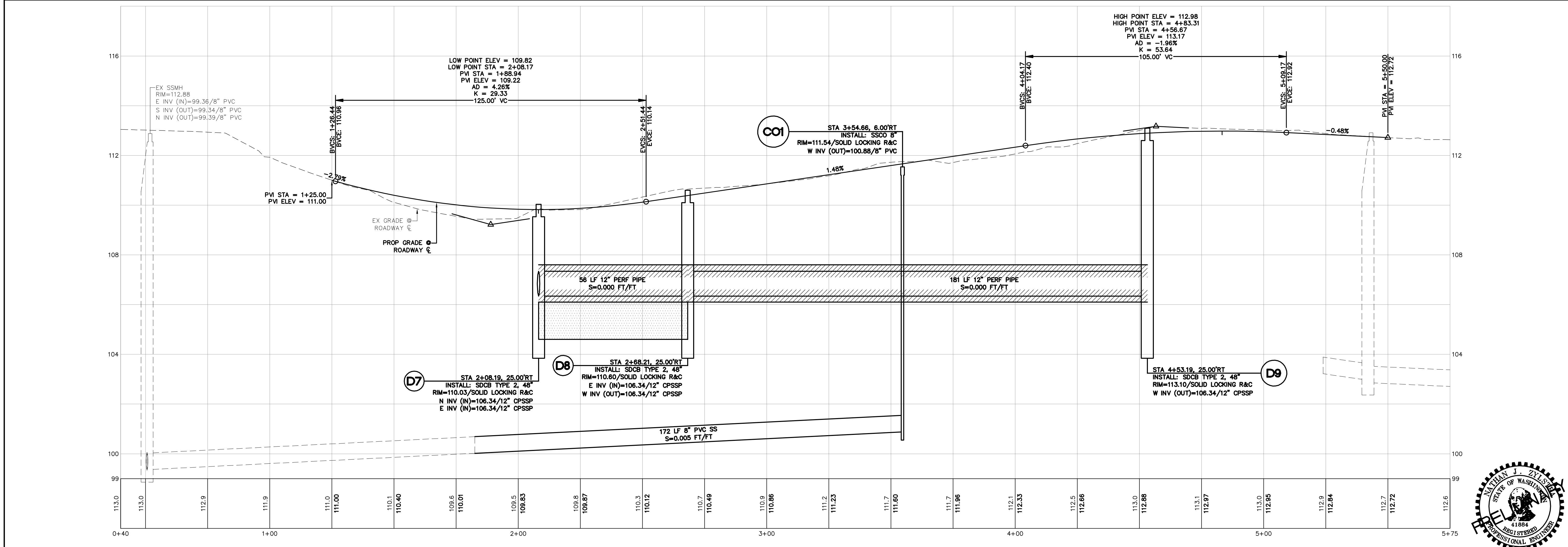
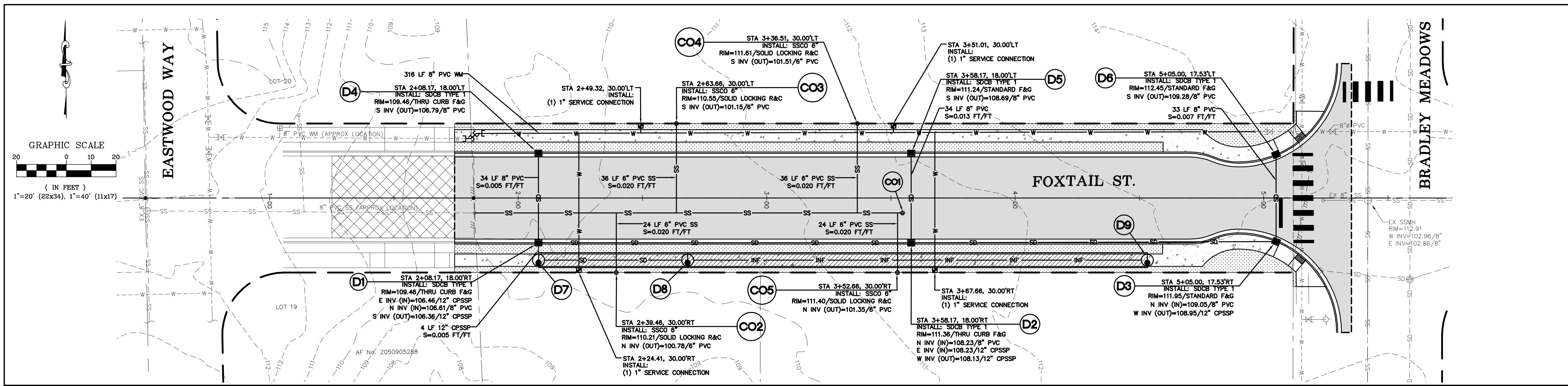
DWG 16001 ICP
 JOB# 16001

SCALE
 H: 1"=20' V: 1"=2'

DATE
6/2/20
 SHEET
of 29

FOXTAIL STREET GAP ELIMINATION VICINITY MAP





PRELIMINARY	DESIGNED BY IDH/DLE	R&E Reichhardt & Ebe ENGINEERING INC P.O. Box 978 423 Front Street Lynden, WA 98264 (360) 354-3687	NO.	DATE	DESCRIPTION	BY	CITY OF LYNDEN 300 4TH ST. LYNDEN, WA 98264	FOXTAIL ST. GAP ELIMINATION PLAN AND PROFILE	DWG 19009 PROBASE		DATE 9/11/19
	DRAWN BY IDH/DLE		CHECKED BY IDH							JOB# 19009	SCALE H: 1"=20' V: 1"=2'

