

March 8, 2007

CALL TO ORDER: Mayor Tjeerdsma called the meeting to order at 7:05 p.m., with the Pledge of Allegiance. Council members present: Aslett, Bensen, Doyle, Loving, Valentine, Straathof and Montgomery. Staff present: Aarstad, Cavanaugh, Fleek, Harmon, Martin, Perkins, Sheahan, and Thomas.

APPROVAL OF MINUTES:

A motion was made by **Councilors Loving/Doyle** to approve the minutes of the February 20, 2007 Council meeting. All were in favor. Motion carried.

AUDIT OF BILLS:

Councilor Bensen presented the bills. A motion was made by **Councilors Bensen/Aslett** to approve vouchers 48857 – 48993 in the amount of \$1,468,425.89. All were in favor. Motion carried.

Current Expense	\$ 38944.29
Current Expense Cumulative Reserve	5,779.87
Fire Equipment Cumulative Reserve	3,329.60
City Street	26,062.38
Library	3,178.82
Parks & Recreation	4,567.28
Cemetery Fund	233.40
Stadium Fund	11,890.61
Local Capital Improvement Fund	1,323,799.41
Sewer Fund	24,891.12
Sewer Cumulative Reserve	8,757.52
Storm Drainage Utility	16,991.59
Total	\$ 1,468,425.89

PUBLIC COMMENTS:

There were no public comments.

OFFICER REPORTS:

Planning Director Fleek distributed maps showing the Skagit River dike through Burlington. She noted that the City is working with Skagit County Dike District #12 to get F.E.M.A. 100 year flood certification of dikes. The maps note areas in the City of Burlington Urban Growth Area (UGA) and property for possible location for new schools. She pointed out the area where Raspberry Ridge is located and noted staff concerns about further development in that area without sanitary sewer. This is outside of city limits, thus sewer connections are not available. It is also outside of UGA, so there is no option for annexation. She asked Council if the City should request that this area be included in our Urban Growth Area. **Councilor Loving** asked if the Raspberry Ridge Phase I area is included in the UGA would that open the gates to further development. **Planning Director Fleek** stated that including this area in the UGA would provide Burlington authority over any development. Zoning and other details would come back to the Council for determination at a later date. At this time, she is asking for suggested options. **Councilor Aslett** noted his concern that if we move our UGA then Raspberry Ridge Phase I might expand even further. **City Administrator Aarstad** clarified that because Raspberry Ridge Phase II is within the current UGA, the City has authority to regulate development. Phase I, which has already been constructed, is not in the UGA and thus the City has had no power or authority to regulate any development. **Planning Director Fleek** stated no decision on annexation is before Council this evening. She's asking if the City Council might want to look at the possibility of adding the area of Phase I to the UGA. This all relates to flood hazard mitigation study

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and control of the east end of the dike. **City Attorney Thomas** noted that to allow construction of Raspberry Ridge Phase I, the County suspended County zoning and density regulations to allow construction. He noted that at this time the property is under control of the county. If it were changed to the City of Burlington UGA, the City would regulate zoning (open spaces, or low density, etc.) Council members suggested Planning Director Fleek look at the possibility of adding the Raspberry Ridge Phase I area to the UGS.

Library Director Perkins announced that she and Children's Librarian Anderson have been making "Where's Waldo" presentations to local fourth graders. They seem to be a great hit.

Library Director Perkins noted that the City of Mount Vernon has been looking into the possibility of an interlocal agreement with the City of Burlington library that would allow library users of both cities to borrow books at the Mount Vernon or Burlington library with one single library card. Now that Burlington library collection and library are growing, there is greater interest in this possibility. This will come to council at a later date as details are worked out.

AGREEMENT WITH BOYCE COMMERCIAL SERVICES TO MOVE BOOK COLLECTION, FURNITURE AND EQUIPMENT TO NEW LIBRARY.

Library Director Perkins distributed a contract for services with professional movers to move files, furniture and book collections to new library. She received quotes from three vendors and is suggesting this one. Boyce Commercial Services has done all the moves for the Seattle Public Library and come highly recommended. A motion was made by **Councilor Loving/Aslett** to approve the contract in the amount of \$12,000. All approved. Motion carried.

Library Director Perkins will bring contracts to next meeting for approval of self check out vendors. She has released invitation to bid for miscellaneous supplies (stools, rocking chair, book bins). She will bring contracts for approval to the next meeting for those items.

Library Director Perkins distributed a flyer of schedule of events. The first will be April 16th at 5:30 pm. when a book brigade will be formed to move books to new library from the old. It will be symbolic effort as they will not move the entire collection. The Library grand opening is scheduled for Saturday June 16th, the weekend prior to Berry Dairy Days. Fun activities are being planned for this event.

Public Works Director/City Engineer Martin noted that there was a meeting regarding Skagit River Feasibility Study where the County asked for City approval. He recommended that Council does not approve the hydrology study that has been done. He will bring resolution to council at next meeting with specific language regarding this issue.

City Administrator Aarstad distributed current to date budget for the new City Hall. He noted that the City is running \$400,000 ahead in construction costs. In the furniture category, we are running a bit over the budgeted amount.

INTERLOCAL AGREEMENT WITH SKAGIT EMERGENCY MEDICAL SERVICES COMMISSION REGARDING IMPROVEMENTS TO BURLINGTON FIRE STATION TO ACCOMMODATE EMS PERSONNEL.

City Administrator Aarstad asked for approval of an interlocal agreement regarding remodel of Fire Station to accommodate two additional paramedics. Prior to Skagit County paying for the construction, this agreement needs to be approved noting who will retain ownership of improvements to the station. A motion was made by **Councilor Bensen/Loving** to approve the interlocal agreement. All agreed. Motion carried.

SPECIAL PRESENTATION:

Ms. Lindie Case of United General Hospital is a substance abuse professional who is working with the Burlington Parenting Network. She is working on a grant for Burlington to address Underage Drinking Prevention. She reviewed results of a 2004 survey given to 6th, 8th and 12th grade level students in the Burlington area relating to drug and alcohol use. She

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reviewed the grant and work being done by the Burlington Parenting Network as well as the goals of the work funded by the grant.

UNFINISHED BUSINESS:**AN ORDINANCE REGULATING CAMPING WITHIN THE CITY OF BURLINGTON – REVISION.**

City Administrator Aarstad stated that the ordinance presented to the council this evening has been revised according to council direction to clarify the permit process and identify the staff that will be responsible for managing and issuing permits within certain areas of the City. In addition current City Codes addressed several of the questions related to the use of tents, RV's and trailers as residences for an extended period of time. A motion was made by **Councilors Loving/Montgomery** to approve the ordinance and authorize the Mayor to sign on behalf of the City. All agreed. Motion carried.
(Ordinance # 1618)

APPROVAL OF PER CALL COST TO SKAGIT COUNTY FIRE DISTRICT #6 FOR 2007.

City Administrator Aarstad stated that the agreement between the City of Burlington and Fire District #6 for fire protection requires an annual review of the costs to the City of Burlington to provide this service. The agreement includes a formula for calculation of the cost per call which will be charged to Fire District #6 for the period January 1 – December 31, 2007. The calculations for 2007 have been reviewed and approved by the Fire District #6 Commissioners. A motion was made by **Councilors Aslett/Valentine** to approve the cost per call to be charged in 2007 at \$659.78. All agreed. Motion carried.

NEW BUSINESS:**REQUEST BY FIBREX TO PROVIDE ANGLE PARKING AROUND RIGHT-OF-WAY CORNER AND TO PARTIALLY REMOVE PUBLIC SPACE FOR FOUR ADDITIONAL PARKING STALLS.**

Planning Director Fleek presented the request by Fibrex Corporation to stripe angle parking at the corner of Spruce and Sharon to serve Fibrex and other existing businesses. The proposal also includes removing part of the existing green public space at the corner for an additional four parking stalls. She noted that approval of the permit to add angle parking without removal of the public green space would keep the public green space intact which is an important element of this community. Mr. Brian McGuire, Fibrex Corporation, described how they would like to change the shape of the green space area to add four parking spaces. He would also change the roadway/parking area to one-way (to accommodate angle parking on both sides of the area). He noted that his proposal reduces the overall size of green space, but does not remove it. A motion was made by **Councilors Loving/Bensen** to approve the request for angle parking as presented by Fibrex Corporation. All agreed. Motion carried.

REQUEST FOR STREET CLOSURE IN FRONT OF CAFÉ BURLINGTON ON SATURDAY AUGUST 25, 2007, FOR A COMMUNITY BARBEQUE BEGINNING AROUND 4 P.M. UNTIL EVERYONE IS FULL.

Planning Director Fleek stated that this request is similar to the request in 2006. A change is proposed to have the event on Saturday (rather than Friday), since the banks close at 1:00 p.m. this will give more time to prepare, and more time for people to come and go rather than all arriving at the same time. An Emergency Plan and site plans are the same as for 2006. Mr. Brad Whaley gave reasons for moving from Friday to Saturday based on last year's experience. He may invite another restaurant to participate. A motion was made by **Councilors Valentine/Doyle** to approve the temporary street closure on Saturday August 25, 2007. All agreed. Motion carried.

NORTHWEST OFF-ROAD RADIO CONTROLLED ASSOCIATION (N.O.R.A.) CONTRACT.

Parks & Recreation Director Cavanaugh stated that on February 14, 2007, the Parks Board reviewed the proposed changes to the existing contract with N.O.R.A. and recommend

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that the following changes be made: extend the contract by five years and change the closing hours to 1:00 a.m. rather than 12:30 a.m. A motion was made by **Councilors Bensen/Loving** to approve the agreement with the Northwest Off-Road Radio Controlled Association. All agreed. Motion carried.

INTERLOCAL AGREEMENT BETWEEN CITIES OF ANACORTES, BELLEVUE, BELLINGHAM, BOTHELL, BREMERTON, BUCKLEY, BURIEN, BURLINGTON, CAMAS, DES MOINES, ELLENSBURG, EVERETT, FEDERAL WAY, FIRCREST, KENNEWICK, KENT, LONGVIEW, MARYSVILLE, MOUNT VERNON, NORMANDY PARK, ORTING, PORT ANGELES, PULLMAN, PUYALLUP, RENTON, RICHLAND, SAMMAMISH, SEATAC, SUMNER, UNIVERSITY PLACE AND VANCOUVER AND KITSAP COUNTY REGARDING LEGAL SERVICES.

City Attorney Thomas stated that it is the purpose of this interlocal agreement to have the Coalition collectively pay for legal services of Foster Pepper PLLC to represent the Coalition’s interests in any legal challenges to the Phase II National Pollutant Discharge Elimination System Permit. The agreement authorizes fees and costs up to a total of \$275,000. Split equally this would amount to no more than \$8,333.00 for the City of Burlington. A motion was made by **Councilors Loving/Aslett** to approve the Interlocal Agreement and authorize the Mayor to sign on behalf of the City. All agreed. Motion carried.

EXECUTIVE SESSION:

Mayor and Council members adjourned to Executive Session for the purpose of discussing land acquisition at 8:07 p.m.. The Mayor and Council members returned from Executive Session at 8:14 p.m.

ADJOURNMENT:

A motion was made by **Councilors Doyle/Montgomery** to adjourn the meeting at 8:15 p.m. All were in favor. Motion carried.

Richard A. Patrick
Finance Director / City Clerk

Roger “Gus” Tjeerdsma
Mayor