

January 26, 2006

CALL TO ORDER: Mayor Tjeerdsma called the meeting to order at 7:00 p.m., with the Pledge of Allegiance. Council Members present: Bensen, Doyle, Loving, Aslett, Valentine, Straathof and Montgomery. Staff present: City Administrator Aarstad, Police Chief Bowers, Planning Director Fleek, Administrative Assistant Sheahan, City Attorney Thomas, Recreation Coordinator Kinney and Accounting Supervisor Lambert.

APPROVAL OF MINUTES:

A motion was made by **Councilors Loving/Doyle** to approve the minutes of the January 12, 2006 Council meeting. All were in favor. Motion carried.

AUDIT OF BILLS:

Councilor Aslett presented the bills. A motion was made by **Councilors Aslett/Valentine** to approve vouchers 45466 – 45638 in the amount of \$224,422.72. All were in favor.

Current Expense	\$ 126,814.02
Current Expense Cumulative Reserve	17,599.81
Fire Equipment Cumulative Reserve	1,946.49
City Street	23,037.22
Library	135.02
Parks & Recreation	6,754.30
Cemetery Fund	162.97
Stadium Fund	6,000.00
Local Capital Improvement Fund	1,299.42
Parks & Recreation Reserve	6,096.44
Sewer Fund	28,171.16
Sewer cumulative Reserve	5,452.12
Storm Drainage Utility	953.75
Total	\$ 224,422.72

PUBLIC COMMENTS:

Mr. Lanny Wixon, 1225 Bayhill Drive Burlington, representing Skagit Council of Governments (SCOG) and the Regional Transportation Planning Organization (RTPO) announced a workshop “Complete Streets: Toward a Livable Community” April 24-28, 2006. The presenter is Dan Burden. Mr. Burden assists communities to develop creative transportation solutions for safe neighborhoods and vibrant business districts. He has 25 years experience developing active transportation, traffic calming practices and sustainable community design. Prior to this he had several years experience as a National Geographic photographer which exposed him to solutions for interconnectivity that have made him a conduit for innovative, effective and affordable ideas. He will hold meetings with local officials and community leaders to create cities and county teams that will be given the opportunity to select projects of their choice as the topic of the workshop. Mr. Burden will conduct a forum for projects teams as well as a free community wide workshop at McIntyre Hall. Mr. Wixon asked if the City of Burlington would be willing to help support this event with a \$1,000 contribution. If the expenses turn out to be greater than anticipated he may return to request additional funding (\$500). **Mayor Tjeerdsma** gave an example of the presentation and noted he was impressed with what he heard about this speaker. **Councilor Aslett** stated he was in favor of providing support for this event. **Councilor Valentine** stated that she was also in favor of providing funding for this speaker. A motion was made by **Councilors Aslett/Valentine** to approve \$1,000 from Legislative Emergency Fund to support this guest speaker. All approved. Motion carried.

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OFFICER REPORTS:

Planning Director Fleek distributed notes from her January 24, 2006 meeting with the Federal Emergency Management Association (FEMA). She attended this meeting along with representatives from Skagit County Dike Districts, Skagit County Public Works, Skagit System Cooperative, and the Department of Ecology. She reviewed the substance of the meeting regarding the Map Modernization program. At the meeting, she voiced her concern at the changes in Elevation Certificates, handling of crawl spaces and increased flood insurance rates that are being continually experienced by the public.

Planning Director Fleek noted that thirty years ago, in a gesture of goodwill and in commemoration of the American Bicentennial, the Japanese Prime Minister bestowed a gift of 1,000 cherry trees to the City of Seattle. To commemorate Washington State's ever-growing partnerships with Japan and its cities, the Association of Washington Cities is asking all Washington Cities to consider planting a cherry tree in their city on February 14, 2006. Council members were in favor of planting a commemorative tree. **Planning Director Fleek** noted that the Parks Foundation has offered to purchase the tree, perhaps several trees, for this event.

City Administrator Aarstad reviewed the Washington State Legislative program for 2006. He and **Mayor Tjeerdsma** were in Olympia this week and met with Senator Spanel and Haugen to discuss continued support of the Skagit River flood studies. Also attending this meeting were representatives of Skagit County and Dike Districts.

City Administrator Aarstad announced that the Streamlined Sales Tax (SST) bill passed in the State Senate and is now headed for the State House of Representatives. We need to continue to contact our representatives to ask that they support this bill. He noted that the SST was proposed by the federal government to equalize sales tax for catalog/internet purchases and stores. Currently sales tax is not collected for internet or catalog sales. This has created an imbalance with regard to purchasing power. The proposal is to collect sales tax from all sales based on point of delivery. Currently customers pay sales tax at point of sale. Studies have shown that should the SST be adopted, the City of Burlington could lose one million in sales tax revenue during the first year of implementation. Proposed legislation includes mitigation for cities/counties that would lose sales tax income because of this law.

Mayor Tjeerdsma distributed a letter from a local child requesting a signal light be installed on State Highway 20 at North Skagit Street. After a discussion regarding children's safety while crossing at that intersection a motion was made by **Councilors Loving/Bensen** to have **Mayor Tjeerdsma** pursue the issue with Washington State Department of Transportation. All agreed. Motion carried. A letter will be sent to the child regarding Council action.

UNFINISHED BUSINESS:**PUBLIC HEARING TO CONSIDER THE MERITS OF ANNEXING ONE LOT LOCATED AT 12753 MARKWOOD ROAD. APPLICANT IS KENNETH BROWN.**

Planning Director Fleek reviewed the request from Mr. Brown to split off one lot. His intent is not to create more lots. If annexed, he will connect to sewers when requested by the City. **Mayor Tjeerdsma** noted that septic systems work well in that area due to the sandy soil. A motion was made by **Councilors Loving/Valentine** to approve the annexation of the land located at 12753 Markwood Road. All approved. Motion carried.

ORDINANCE TO ADOPT FINAL PLAT SUBJECT TO BOND FOR COMPLETION OF WORK FOR HARVEST EDGE TOWNHOUSE PROJECT. APPLICANT IS DUANE YOUNGREN.

Planning Director Fleek discussed the plat. She noted that this is the first townhouse subdivision in Burlington, creating a total of 16 Townhouse lots with common open space. A motion was made by **Councilors Valentine/Loving** to adopt the ordinance creating Plat of Harvest Edge. All agreed. Motion carried.

(Ordinance # 1591)

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NEW BUSINESS:**PRESENTATION AND SLIDE SHOW ON THE WORLD CHAMPIONSHIP PUNKIN' CHUNKIN' IN DELAWARE.**

Recreation Coordinator Kinney presented a slide show about the Punkin' Chunkin' Festival held in Delaware each fall. She attended the three-day festival in October 2005 along with **Parks & Recreation Director Cavanaugh**. She noted that this was the 20th year for the festival. It is run by a volunteer organization, not by the local municipality. The attendance on Saturday was estimated at 30,000. There were 91 participating teams of various types. The event is held on farmland with that includes a 35-acre parking lot that was filled to capacity each day. There were many food vendors, a chili contest as well as a carnival. She gathered a lot of planning information on this trip that will be useful for the Burlington Harvest Festival. The Burlington planning committee recently held their first meeting to begin work for the 2006 Harvest Festival to be held in October. She thanked the Council for their continued support of this event and for allowing her to make the trip to Delaware.

RESOLUTION ADOPTING AN AMENDED DEFERRED COMPENSATION PLAN FOR CITY EMPLOYEES.

Accounting Supervisor Lambert reviewed the changes to the Deferred Compensation Plan for city employees at the request of Hartford. These changes are based on changes to the IRS Code. A motion was made by **Councilors Aslett/Montgomery** to approve the Resolution adopting an amended Deferred Compensation Plan for City employees. All were in favor. Motion carried.

(Resolution # 2-2006)

RESOLUTION TO AUTHORIZE THE WAIVER OF CERTAIN PERMIT FEES FOR CITY FACILITY CONSTRUCTION PROJECTS.

City Administrator Aarstad presented the resolution to allow waiver of certain permit fees for City projects. This Resolution would only waive City fees, not impact or state fees, etc. **Councilor Aslett** stated that for accounting purposes he believes it would be better to pay all of the permit fees and run them through the revenue and expenditure accounting records. A motion was made by **Councilors Loving/Bensen** to approve the resolution. Voting in favor: **Councilors Bensen, Loving, Valentine, Doyle, Straathof** and **Montgomery**. Voting against, **Councilor Aslett**.

(Resolution # 3-2006)

CONTRACT WITH SPOT FOR CARE/DETENTION OF ANIMALS.

Police Chief Bowers noted that the City has for many years contracted with the Humane Society of Skagit Valley for care and custody of dogs brought to their site by the City animal control officer. Two years ago the contract presented to the City included cats and stated that the City would be billed for any cat or dog brought to them by Burlington residents in addition to those brought by City animal control officer. The City does not have an ordinance regarding cats. In the past there were not alternatives to the Humane Society. This past year, the Public Safety Committee asked that City staff look into other options. He noted that there is a problem with feral cats in that these cats cannot be adopted. **Councilor Straathof** asked about the difference between SPOT & the Humane Society. **Police Chief Bowers** noted that the City has no control over charges billed by the Humane Society because the City is required to pay for any cat or dog brought to the Humane Society by City residents as well as the City animal control officer. If we contract with SPOT, the City would pay \$65.00 per cat transferred to SPOT only by the City animal control officer. SPOT will have the cat spayed/neutered and released them back into the community by adoption. If you are having problems with cats, SPOT will help residents catch the cat. When the City animal control officer picks up a dog, it is usually kept at the Police Station for 1-3 days while an attempt is made to locate the owner prior to the animal being transferred to the Humane Society. If dogs are taken to the Humane Society by residents, the City will be billed even if the owner claims their dog within the first day. If we contract with SPOT the City will continue to retain dogs a few days until claimed by its owner. If no owner is found, the dog will then be transferred to SPOT for adoption. **Councilor Aslett** noted that his two dogs left his yard for a run and were picked up and taken to the Humane Society by a citizen. It cost him to reclaim his pets. If the citizen had called for the City animal control officer, he

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might have had the chance to retrieve his pets the first day from the Police Station at no cost to him. **Councilor Straathof** asked about the current problem with cats. **Police Chief Bowers** stated that the City does not have an ordinance regarding cats, thus the City does not transfer cats to the Humane Society. In addition to domestic housecats the City has a population of feral cats (those that have no owner and run wild). Some amount of feral cats do the City a service by keeping down the rodent population. We would not want to remove all feral cats from the City. A representative of SPOT added that they often collect problem feral cats and after having them spayed/neutered will locate them to safer areas (farms or rural homes). She also noted that SPOT does not take stray cats, kittens, or pregnant cats.

Sandy Nelson, Director of the Human Society Skagit Valley, noted it came as a surprise to her that the City was looking for an alternative to the Humane Society. She reviewed their funding history. She noted that letters were sent to the City two years in advance of the contract change in 2005. She noted that up until 2005, Skagit County had paid for all stray cats and dogs brought to their site by Skagit County and City residents. The County required the contracts be changed so that the Cities would pay for animals delivered by city residents. She cautioned the City to sure they (and SPOT) are aware of the 10-day quarantine rules for dangerous dogs. **Police Chief Bowers** noted a difference in the contracts – instead of the City animal control officer taking the pet to the shelter, a SPOT representative will come to Burlington Police station to pick up the pet. **Councilor Bensen** asked for clarification regarding the number of cats taken to the Humane Society during the month of December. **Police Chief Bowers** stated that all cats delivered to the Humane Society were by residents, not by City representatives.

Mr. Mark Kramer, 506 South Cherry, stated that he hoped this is not a “knee jerk” decision by the Council without fully looking at both sides. He stated that he does understand the financial implications. He asked if the City animal control officer will have time to take care of more cats. He suggested that the Council put off a decision until further research can be conducted. **Mayor Tjeerdsma** noted that a committee has done research and this action tonight is the result. A motion was made by **Councilors Aslett/Loving** to approve the contract between SPOT (Saving One Pet at a Time) and the City of Burlington for one year and authorize the Mayor to sign. All approved. Motion carried.

ADJOURNMENT:

A motion was made by **Councilors Bensen/Aslett** to adjourn the meeting at 8:25 p.m. All were in favor. Motion carried.

Richard A. Patrick
Finance Director / City Clerk

Roger “Gus” Tjeerdsma
Mayor