

February 14, 2008

CALL TO ORDER:

Mayor Brunz called the meeting to order at 7:01 p.m., with the Pledge of Allegiance. Council members present: Aslett, Bensen, Doyle, Edmundson, Loving, Montgomery and Valentine. Staff present: Aarstad, Fleek, Harmon, Martin, Sheahan and Thomas.

APPROVAL OF MINUTES:

A motion was made by **Councilors Valentine/Aslett** to approve the minutes of the January 24 Council workshop. All agreed. Motion carried.

A motion was made by **Councilors Doyle/Bensen** to approve the minutes of January 24, 2008 Council meeting. All agreed. Motion carried.

AUDIT OF BILLS:

Councilor Montgomery presented the bills. A motion was made by **Councilors Montgomery/Valentine** to approve vouchers 51682 - 51855 in the amount of \$542,529.14. All were in favor. Motion carried.

Current Expense	\$ 62,453.08
Current Expense Cumulative Reserve	13,487.41
Fire Equipment Cumulative Reserve	4,106.79
City Street	315,154.16
Library	4,304.25
Library Permanent Book	200.92
Parks & Recreation	6,301.92
Cemetery Fund	468.49
Stadium Fund	7,130.77
Local Capital Improvement Fund	16,609.48
Park & Recreation Reserve	33,530.14
Sewer Fund	21,626.09
Storm Drainage Utility	57,155.64
Total	\$ 542,529.14

PUBLIC COMMENTS:

Mr. Mark Kramer, 506 S. Cherry St., asked if the planned Skagit County Summit calls all City officials together to re-visit the issue of basis of fees for solid waste. **Councilor Bensen** stated that the Municipalities Committee has made that request several times, but the County does not seem interested at this time.

OFFICER REPORTS:

Planning Director Fleek noted that Jack Doyle Memorial Park has been cleaned up. This is an opportunity to continue clean-up of park areas, but we need to find ways to come up with funding to bring the park to a better level. She may try to raise some funds through the Park Foundation.

Public Works Director/City Engineer Martin reported on a field trip that he took along with Mount Vernon Public Works Director to the Crowfoot area of Concrete. They visited several homes to determine the 2003 flood level in that neighborhood. He stated that there was 166,000 cfs during that flood event. Another trip to the area is planned on April 3, 2008 to continue the research. He noted that the City of Burlington is paying for most of this research at this time.

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Public Works Director Martin noted that **Mayor Brunz** is putting in many hours working for the City. **Mayor Brunz** recently sat on a panel to award grant funding; the City of Burlington was recipient of \$400,000.

City Administrator Aarstad reminded council that Ferguson's is holding an open house at 4:30 p.m. Thursday February 21st. Please let Judy know if you are planning to attend so that she can contact them with RSVP tomorrow morning.

City Administrator Aarstad reminded council that the AWC annual conference is June 16-20, 2008 in Yakima.

City Administrator Aarstad announced that the Tulip Festival kickoff will be held February 28, 2008 at the Outlets in Burlington.

City Administrator Aarstad stated that he will distribute information received from the AWC Legislative Conference about issues in the 2008 session that may be of importance to the City. Watch for this packet of information in your mailbox. **Councilor Edmundson** informed Council members that she would provide them with an 800 phone number to let legislators know if you either support or oppose a particular bill.

Councilor Loving noted that the meetings with legislators at the Legislative Conference in Olympia were very productive and helpful. He noted that Mr. Ryan Pemberton our lobbyist was very helpful as well.

Mayor Brunz stated that **Police Chief Bowers** has announced his retirement effective March 31, 2008. **City Administrator Aarstad** noted that we may re-organize the Police Administration and are looking at several options. One option would be to add a new position which would need council approval and a budget amendment. He's hopeful that a plan would be brought forward to the next council meeting. The Public Safety Committee which includes three council members will be a part of the discussion to formulate a plan.

City Administrator Aarstad announced that a new library Director has been hired. Ms. Margaret "Maggie" Buckholz will begin March 10, 2008.

UNFINISHED BUSINESS:

UPDATE URBAN FORESTRY SERVICES CONTRACT TO REFLECT THE CURRENT HOURLY RATE.

Planning Director Fleek stated that this agreement was presented to Council in December with an incorrect hourly rate. The correct rate is \$125 per hour. No other changes have been made in the agreement. A motion was made by **Councilors Benson/Loving** to approve the agreement with Urban Forestry Services. All agreed. Motion carried.

REPORT FROM PLANNING COMMISSION ON REMAND OF CONTRACT REZONE FOR DOUBLE BARREL BBQ AT THE CORNER OF AVON AND BURLINGTON BOULEVARD.

Planning Director Fleek stated that this case was remanded by the City Council to the Planning Commission for further consideration. The Planning Commission met, took additional testimony and deliberated on the proposed drive-through use at the corner of Avon Avenue and Burlington Boulevard (the State Route 20 route through Burlington to the east). She noted that the Planning Commission recommends denial of the drive-through use. The primary issue is traffic as the access would be through the alley, which would be one-way. A motion was made by **Councilors Edmundson/Doyle** to uphold the Planning Commission recommendation to deny the contract rezone amendment for drive-through use at that property. Voting in favor were **Councilors Bensen, Valentine, Aslett, Doyle, Edumudson** and **Montgomery**. Voting against was **Councilor Loving**. Motion carried.

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NEW BUSINESS:**INTERLOCAL AGREEMENT WITH SKAGIT COUNTY TO PARTNER WITH USGS, COUNTY, CITIES, AND DIKE DISTRICTS TO MAINTAIN RIVER GAGES.**

Public Works Director Martin stated that this proposed interlocal agreement will enable the County to be partially reimbursed for its expenses to maintain the upstream river gates in the Skagit system. These gages are very important to Cities and Dike Districts downstream during a flood event. The County has handshakes with Mount Vernon, Burlington and several Dike Districts to sign a similar interlocal. The concept is the County would pay half of its total annual cost of \$32,000, with the remaining \$16,000 paid by the City and Dike District partners. This agreement provides for Burlington to pay \$2,000 annually. Although not budgeted for this year, this expense can be paid from the Drainage Utility "emergent" line item. **Councilor Bensen** asked the term of this agreement. **Public Works Director Martin** indicated there is not an end date. A motion was made by **Councilors Loving/Aslett** to approve the interlocal agreement with Skagit County for a partnership with the County, the Cities, the Dike Districts and the USGS to maintain the Skagit River flood gages. All agreed. Motion carried.

CONTRACT AMENDMENT WITH SKAGIT INFORMATION SERVICES, L.L.C.

Public Works Director Martin stated that this proposed amendment with Skagit Information Services will provide some of the resources necessary to support our current effort to gain additional forensic information related to historic flooding in the Crofoot Addition in the Town of Concrete. The amount of the amendment is \$4,200, bringing the total contract to \$9,700. In addition, the contract completion date has been extended from November 15, 2008 to June 30, 2009. Compensation remains unchanged at \$35/hour. A motion was made by **Councilors Bensen/Montgomery** to approve the contract amendment with Skagit Information Services L.L.C. All agreed. Motion carried.

PROPOSED REVISIONS TO THE SKAGIT COUNTY COMPREHENSIVE SOLID WASTE MANAGEMENT PLAN.

Public Works Director Martin stated that Skagit County is attempting to move forward with revisions to the Comprehensive Plan that would follow from the interlocal agreement. This will be a topic of discussion at the upcoming Solid Waste Advisory Committee meeting on the 13th of February, and presumably at the next Municipalities Committee Meeting on the 27th. He asked Council members to be sure and read the proposed revisions to the Skagit County Comprehensive Solid Waste Management Plan and let he or the Mayor know of any concerns they might have.

PROJECT CONSTRUCTION AGREEMENT WITH PUGET SOUND ENERGY FOR UNDERGROUND CONVERSION – NORTH BURLINGTON BOULEVARD AND NEVITT ROAD.

Assistant Public Works Director/City Engineer Harmon stated that these agreements for Puget Sound Energy to accomplish the construction work to underground the electric utilities along Nevitt Road and North Burlington Boulevard in conjunction with the City's street improvement projects. The City's 40% share for Nevitt is estimated at \$47,102 and for North Burlington Boulevard, \$103,496. The expense associated with the PSE underground work was budgeted in the 2008 cost for construction for each project. **Councilor Aslett** asked if this is on both sides of the street. **Assistant Public Works Director/City Engineer Harmon** noted this is only PSE lines, thus only one side of the street. **City Administrator Aarstad** noted each utility will have a similar agreement and all except Verizon will use the PSE trench. A motion was made by **Councilors Bensen/Aslett** to approve project construction agreements with Puget Sound Energy for underground conversion of the electric utilities along Nevitt Road and North Burlington Boulevard. All agreed. Motion carried.

LETTER OF UNDERSTANDING BETWEEN WASHINGTON STATE DEPARTMENT OF TRANSPORTATION AND THE CITY OF BURLINGTON FOR THE CHUCKANUT INTERCHANGE AND SKAT PARK-AND-RIDE.

Assistant Public Works Director/City Engineer Harmon stated that this letter of understanding details the goals to help ensure the Chuckanut Interchange roundabout at Old-99 and the SKAT Park-and-Ride access road are constructed to match the North Burlington Boulevard Project. In summary, WSDOT will match the City's illumination,

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construct landscaping per City standards, construct a median down the boulevard, provide all needed stormwater treatment for their projects, complete the combined use trail from Old-99 to north of Campers World and will pay a fee to connect to the City stormwater system. The City will be responsible to pay any additional cost above WSDOT standard illumination for Old-99 only, pay for the construction of the median on the boulevard, maintain the landscaping for the Old-99 roundabout, and pay for the construction of the combined use trail beyond the limits of their project. An agreement will follow that will detail the cost and finalize all commitments related to these goals. **Assistant Public Works Director/City Engineer Harmon** noted DOT does not usually allow irrigation in the roundabout but we will contact them about doing so. A motion was made by **Councilors Aslett/Montgomery** to approve the Letter of Understanding #124 with the Washington State Department of Transportation for the construction of the Chuckanut Interchange and SKAT Park-an-Ride access road. All agreed. Motion carried.

AGREEMENT WITH TIFFANY FINANCIAL MANAGEMENT FOR PAYROLL PROCESSING SERVICES:

City Administrator Aarstad stated that the City has been utilizing the services of Tiffany Financial Management for processing of payroll and the filing of necessary payroll reports since January 2000. It is in the best interest of both parties to have a professional services agreement in effect. The agreement may be terminated by either party with 90 days written notice. He noted that Mr. Tiffany usually works 40-48 hours per month (\$41-45 per hour average). He explained the costs for additional tasks over the past years. He noted that other Finance Department staff review timesheets and they are then re-reviewed by Mr. Tiffany prior to processing payroll. The State Auditor's are concerned about a possible conflict with work done by finance staff and signing of paychecks. He noted the cost of the service provided by Mr. Tiffany would be less than hiring a full-time payroll officer. He noted that **Interim Finance Director Marie** recommends continuing with Tiffany at this time. When a Finance Director is hired; a change could be considered. **Councilor Aslett** suggested Council put off this discussion until **Interim Finance Director Lambert** can be here to discuss this with Council. He noted his concern that only one person knows the payroll process. **City Administrator Aarstad** noted that the Finance Director cannot cross over duties of processing payroll and approving payroll to avoid conflict with the State Auditors. **Councilor Bensen** stated he would rather wait until **Interim Finance Director Lambert** can discuss this with council. A motion was made by **Councilors Aslett/Doyle** to table this item until **Interim Finance Director Lambert** can be in attendance to discuss this agreement with Council. All agreed. Motion carried.

INTERLOCAL AGREEMENT BETWEEN THE CITY OF BURLINGTON AND SKAGIT COUNTY TO LOCATE A BALLOT BOX AT 900 EAST FAIRHAVEN AVENUE.

City Administrator Aarstad stated that the Skagit County Auditor has requested a location to install an election ballot drop box in the City of Burlington. The site selected to place this box was in the old City Hall parking lot near the old utility payment drop box. This agreement identifies the County's responsibilities for maintenance and repairs of the drop box and the City shall continue to maintain this planter area where the box is located at 900 E. Fairhaven Avenue. A motion was made by **Councilors Bensen/Doyle** to approve the Interlocal Cooperative Agreement between the City of Burlington and Skagit County and authorize **Mayor Brunz** to sign the agreement on behalf of the City of Burlington. All agreed. Motion carried.

EXECUTIVE SESSION:

Mayor and Council members adjourned to Executive Session at 8:02 p.m. for the purpose of discussing personnel. The Mayor and Council members returned from Executive Session at 8:18 p.m.

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Mayor Brunz noted that he's been pleased with the Interim Finance Director. Following interviews for the position, the interview panel has recommended a candidate for the position. The candidate selected is requesting a starting salary higher than that advertised in the job announcement; **Mayor Brunz** asked for input from Council members regarding this request. He noted that the salary range has five steps; the entry salary range was advertised at steps one through three. The candidate has requested a starting salary nearer to step five. **Councilor Edmundson** asked if the Mayor thought the candidate would take the position at step three (\$92,000 annually) even though the candidate currently earns about \$97,000 per year. She noted that the candidate is a Certified Public Accountant and has much governmental experience. If the candidate does not accept the position at step three, she suggested that the City re-advertise the position for additional applications. **Councilor Aslett** stated if the candidate started at step three, they would be at step five in two years.

Mr. Mark Kramer, 506 S. Cherry Street, noted that Burlington recently hired a Public Works Director and Assistant Engineer; probably hired at a higher rate of pay than planned. The result is a high level/caliber of employees in the Engineering Department. He suggested the City hire the best candidate and pay a little more if needed. **Mayor Brunz** noted the City needs to come to a resolution regarding this position so that there is some stability within the department as the City has had an interim Finance Director since August. Council members discussed the salary range as well as the amount budgeted in 2008 for the Finance Director position. **City Administrator Aarstad** stated that the Council consensus seems to be that step three is maximum acceptable as a starting salary but would like to leave the door open for the Mayor to work with vacation and sick leave to negotiate the hiring. **Councilor Edmundson** reminded council that we need to hire the best candidate within our budget.

ADJOURNMENT:

The meeting was adjourned at 8:45 p.m. by **Mayor Brunz**

Marie I. Lambert
Interim Finance Director / City Clerk

Edward J. Brunz
Mayor