

March 13, 2008

**CALL TO ORDER:**

Mayor Brunz called the meeting to order at 7:00 p.m., with the Pledge of Allegiance. Council members present: Aslett, Bensen, Doyle, Edmundson, Loving, Montgomery and Valentine. Staff present: Bowers, Buckholz, Fleek, Harmon, Martin, Sheahan, Thomas, Thramer, Tingley, Small, Blasdell and Donnelly.

**APPROVAL OF MINUTES:**

A motion was made by **Councilors Valentine/Bensen** to approve the corrected minutes of February 28, 2008 Council meeting. All agreed. Motion carried.

**AUDIT OF BILLS:**

**Councilor Montgomery** presented the bills. A motion was made by **Councilors Montgomery/Aslett** to approve vouchers 51945 - 52081 in the amount of \$551,429.23. All were in favor. Motion carried.

Current Expense	\$ 61,403.11
Current Expense Cumulative Reserve	10,908.61
Fire Equipment Cumulative Reserve	5,149.51
City Street	231,724.38
Library	5,037.28
Library Permanent Book	5,315.11
Parks & Recreation	3,998.83
Cemetery Fund	266.67
Stadium Fund	5,881.02
Local Capital Improvement Fund	192,680.85
Park & Recreation Reserve	533.26
Sewer Fund	21,272.98
Storm Drainage Utility	7,257.62
<b>Total</b>	<b>\$ 551,429.23</b>

**PUBLIC COMMENTS:**

There were no public comments.

**Mayor Brunz** welcomed former City Council member Sally Straathof to the meeting.

**Mayor Brunz** introduced new Library Director Buckholz and Finance Director Thramer and welcomed them to the meeting.

**OFFICER REPORTS:**

**Buildings & Grounds Supervisor Tingley** reviewed the problems with the furnace at the Parks & Recreation Department, 900 E. Fairhaven Avenue. He stated that an estimate to fix the furnace is nearly \$10,000. He does not have funds in his budget for this expense and requested funds from the City Council. **Councilor Aslett** noted that this is truly an emergency expense and should be paid by the legislative fund. **Buildings & Grounds Supervisor Tingley** noted that he could replace only one unit for about \$5,000. He noted that these units were scheduled for replacement in prior years, but were not done due to budget constraints. **Councilor Bensen** suggested fixing one unit now and budget for the other four units in next year's budget. **City Attorney Thomas** noted we could declare this an emergency and thus forgo the bidding process. **Councilor Aslett** noted that Andgar is the same company that has been doing maintenance on this HVAC system. A motion was made by **Councilors Aslett/Montgomery** to replace both units (approximately \$11,000 including

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tax) as an emergency expenditure and pay from the Legislative Emergency Fund. All agreed. Motion carried.

**Assistant Public Works Director/City Engineer Harmon** stated that the DOT open house held regarding the N. Burlington Blvd. project was well attended and had many positive comments. The roundabout with a silo concept had a “love/hate” reaction. Some liked it; others thought it was an ugly concept. Bids came in on the structure and lighting at about \$125,056. He noted that this does not include “Burlington” lettering or the City logo. **Mayor Brunz** asked what amount was estimated for this portion of the project. **Assistant Public Works Director/City Engineer Harmon** noted an estimate of \$150,000 to \$200,000 for the entire project.

**Assistant Public Works Director/City Engineer Harmon** stated that SKAT has brought forward their concept for the SKAT bus stop. The design resembles a barn in keeping with the rural farming theme.

**City Attorney Thomas** reviewed the procedure for Council members who are unable to attend the Council meetings. He stated that he sent a memo to all Council members regarding the procedure.

**City Attorney Thomas** discussed recent meetings regarding the Skagit County Solid Waste agreement that broadened the cities participation. To date, the City of Sedro-Woolley has not signed on to the agreement. He noted that several issues have been discussed and may be presented in a revised agreement. Current representation is based on city population. The entities have now agreed upon a revision to weight the voting. **Councilor Doyle** asked about the County’s recent moratorium on new solid waste sites and the effect on Burlington and/or the interlocal agreement. **City Attorney Thomas** stated his belief that it pertains to system operator agreements and will have no affect on Burlington.

**Councilors Loving** about the status of obtaining a recycling container for cardboard at the senior center. **Building & Grounds Supervisor Tingley** stated that the recycling container has been ordered from Waste Management.

#### **UNFINISHED BUSINESS:**

There was no Unfinished Business on the agenda.

#### **NEW BUSINESS:**

##### **APPOINTMENT OF TERRY VAN NATTA TO THE BOARD OF ADJUSTMENT.**

**Planning Director Fleek** stated that Mr. Van Natta has lived in Burlington for several years and is interested in getting involved in city government. He lives in the northwest precinct on Southview Drive. With the election of Edie Edmundson to the City Council, there is a vacancy on the Board of Adjustment. A motion was made by **Councilors Aslett/Doyle** to approve the appointment of Terry VanNatta to the Board of Adjustment. All agreed. Motion carried.

##### **BID AWARD FOR THE NORTH BURLINGTON BOULEVARD IMPROVEMENT PROJECT FROM SR20 TO OLD 99.**

**Assistant Public Works Director/City Engineer Harmon** stated bids were opened for the North Burlington Boulevard Improvement Project from SR-20 to Old-99 on Thursday, February 28, 2008 with the lowest bid from G.G. Excavation, Inc. for the amount of \$4,503,293.09. Awarding the low bid will result in an initial construction cost including construction engineering of approximately \$5,050,000. Funds associated with construction and construction engineering was budgeted at approximately \$5,668,000. Grant revenue has increased approximately \$957,900 since the 2008 budget was put in place. A motion was made by **Councilors Aslett/Bensen** to award the bid for construction of the North Burlington Boulevard Project to G.G. Excavation, Inc. bid for the amount of \$4,503,293.09. All agreed. Motion carried.

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**RENTAL AGREEMENT FOR CONSTRUCTION FIELD OFFICE ON NORTH BURLINGTON BOULEVARD.**

**Assistant Public Works Director/City Engineer Harmon** stated that a house has come available for rent and is located in the center of the N. Burlington Boulevard Improvement Project. This house would serve as an excellent field office for the construction inspection team and large enough to accommodate important on-site meetings. A field office was specified in the contractor bid, but he feels this house will be a better solution at a reasonable cost. The house is currently connected to utilities and ready for occupancy. Additionally, the rental of this house will eliminate a possible tenant that may not be amenable to the construction activity. The rental agreement is \$1,000 a month through the end of the year and month by month thereafter. The total estimated rental cost through the end of the year is \$9,500.00. The contractor supplied field office was estimated at \$25,000 fully furnished including computers, copier/fax, utilities, etc. A motion was made by **Councilors Bensen/Aslett** to approve the Rental Agreement for \$1,000 per month. All agreed. Motion carried.

**RIGHT OF ENTRY LICENSES FOR WORK IN THE CONCRETE CROFOOT ADDITION.**

**Public Works Director/City Engineer Martin** stated that he is working with property owners in the Concrete vicinity to conduct forensic investigation of their residences. He requested that Council approve rights of entry up front, so that staff will have authority in hand as they take the next step of getting the right of entry in place for each property they hope to investigate. He proposes compensation of between \$250 and \$500 per residence, depending on the amount of disturbance and the forensic value to the City. He asked for authority to negotiate a maximum of six right-of-entry licenses, with a maximum total compensation of \$3,000. It is likely that some of these licenses will not be executed with the property owners, due to scheduling issues or the preference of the property owners to not be bothered. He presented diagram of and described the theory of water in Crowfoots area of Concrete during historical flooding events. **Councilor Aslett** asked about the source of funding for these agreements. **Public Works Director/City Engineer Martin** stated that the funding would come from the Drainage Utility Fund. A motion was made by **Councilors Valentine/Loving** to approve up to six rights of entry licenses with property owners in Concrete, pursuant to the City's investigation of historic flooding on the Skagit River, with compensation in total not to exceed \$3,000. All agreed. Motion carried.

**VENDOR SERVICES AGREEMENT FOR CARPENTRY SERVICES IN THE CONCRETE VICINITY FOR THE SKAGIT RIVER FLOOD STUDY.**

**Public Works Director/City Engineer Martin** stated that this contract for carpentry services related to work on private residences in the Concrete vicinity, for the Skagit River historic flood investigation. Maximum payable will be \$8,500. A motion was made by **Councilors Bensen/Aslett** to approve the vendor services agreement with Pacific Contracting Company. All agreed. Motion carried.

**INTERLOCAL AGREEMENT WITH SKAGIT COUNTY DIKE AND DRAINAGE DISTRICT 12 TO BEGIN PRELIMINARY ENGINEERING ACTIVITIES FOR LEVEE CERTIFICATION.**

**Public Works Director/City Engineer Martin** stated that it is time to begin the engineering geotechnical and levee design work that will form the basis for the levee certification report, levee capital improvement projects, and eventual levee accreditation by FEMA. Initially this will bring on qualified consultants, formulate a least-cost strategy to achieve certification, and then begin the technical work to achieve that. The initial dollar projections included (City \$500,000 and Dike District \$250,000) mirror the Puget Sound Energy settlement amounts that went to each jurisdiction. He noted that this interlocal agreement is proposed as a true partnership: although the agreement provides for the City to run the paperwork, every issue/action considered important by either partner, must be agreed upon by both partners. A motion was made by **Councilors Bensen/Montgomery** to approve the interlocal agreement with Skagit County Dike and Drainage District #12 to begin preliminary engineering activities for levee certification. All agreed. Motion carried.

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**APPROVAL OF ADDENDUM TO EMS RENTAL AGREEMENT FOR SPACE IN THE BURLINGTON FIRE STATION.**

City Attorney Thomas stated that each year an addendum to the Fire Station Lease Agreement with Skagit EMS is presented. This is to maintain a current rental fee for the cost of utility use by the EMS staff and vehicles positioned at the Fire Station to provide emergency response calls for medical emergencies in the central valley. A motion was made by Councilors Valentine/Montgomery to approve the addendum to the Fire Station Lease between the City of Burlington and Skagit Emergency Medical Services Commission and authorize Mayor Brunz to sign on behalf of the City. All agreed. Motion carried.

**POLICE DEPARTMENT REORGANIZATION.**

Police Chief Bowers presented a plan for reorganization of the Police Department that would add a new position of "Assistant Police Chief". He noted that the Assistant Chief and Lieutenant would share the administrative duties with more direct supervision of operations. He suggested that the position could be added within the 2008 budget parameters. If Council is in favor of this proposal, a public hearing would be held at the March 25, 2008 council meeting at which time the 2008 budget could be amended to add the Assistant Police Chief position. He noted that the Police Lieutenant is a Civil Service position, which requires testing prior to hire. The earliest completion of the testing process would be August or September. If the City allows the proposed change, the new Chief would appoint an Assistant Chief. Keeping the Lieutenant position allows for upper mobility opportunities for current staff. Police Chief Bowers noted that one of the unfilled police officer positions authorized in the 2008 budget could be omitted and still save money even if the other officer position is filled prior to end of 2008. A public hearing will be held at the March 25, 2008 council meeting to consider this proposal.

Mayor Brunz noted that he had a chance to go to graduation at the Basic Law Enforcement Academy. He stated that the next graduation will be March 20, 2008. If any council members are interested in attending, contact him about sharing a ride.

**EXECUTIVE SESSION:**

Mayor and Council members adjourned to Executive Session at 7:49 p.m. for the purpose of discussing land acquisition. The Mayor and Council members returned from Executive Session at 7:59 p.m.

**ADJOURNMENT:**

The meeting was adjourned at 8:00 p.m. by Mayor Brunz

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Greg Thramer  
Finance Director / City Clerk

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Edward J. Brunz  
Mayor