

December 11, 2008

CALL TO ORDER:

Mayor Pro Tem Montgomery called the meeting to order at 7:00 p.m., with the Pledge of Allegiance. Council members present: Aslett, Bensen, Doyle, Montgomery and Valentine. Staff present: Aarstad, M. Anderson, Cavanaugh, Fleek, Martin, Sheahan, Stafford, Thomas, Thramer, VanWieringen, Ackerman, Judy, Butterfield and A. Bradshaw.

A motion was made by **Councilors Doyle/Aslett** to excuse **Councilor Edmundson** and **Councilor Loving** from tonight’s meeting. All agreed. Motion carried.

APPROVAL OF MINUTES:

A motion was made by **Councilors Aslett/Doyle** to approve the corrected minutes of the November 25, 2008 Council meeting. All agreed. Motion carried.

AUDIT OF BILLS:

Councilor Aslett presented the bills. A motion was made by **Councilors Aslett/Valentine** to approve vouchers 54150 – 54295 in the amount of \$663,397.76. All were in favor. Motion carried.

Current Expense	\$ 76,541.10
Current Expense Cumulative Reserve	4,944.36
City Street	470,906.03
Hopper Construction Fund	1,223.71
Library	9,555.18
Parks & Recreation	2,806.42
Cemetery Fund	585.38
Stadium Fund	9,281.59
Local Capital Improvement Fund	43,248.76
Park & Recreation Reserve	1,036.80
Sewer Fund	18,724.20
Storm Drainage Utility	24,544.23
Total	\$ 663,397.76

PUBLIC COMMENTS:

There were no public comments.

OFFICER REPORTS:

Parks & Recreation Director Cavanaugh noted that the roof on the rental house located on Whitmarsh Road is leaking in three places. Estimates to tear-off and re-roof using 30-year composition are about \$4,800. His plan is to use 311 (capital) Funds as this is not repair, but rather replacement. Council members asked if a vote was needed for this expenditure. **City Attorney Thomas** clarified that because this is for an emergency, no bids are required as it is for replacement, not repair and maintenance, and the funds are available in the budget. There is no requirement for a Council vote. **City Administrator Aarstad** stated that **Parks & Recreation Director Cavanaugh** brought this to Council to keep them informed of the situation.

Finance Director Thramer reviewed the accountability report and the audit report from the State Auditor based on audit of the 2007 City records. There were no audit findings and no problems. He praised all departments and staff for the clean bill of health. He noted that there were some minor recommendations that have been addressed.

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Finance Director Thramer presented two options regarding how to disperse revenue to specific funds should revenue be less than the budgeted (expected) amounts. He suggested (option A) to disperse revenue at the same % level to each fund or; (Option B) maintain the General Obligation funds and Library funds status quo and reduce all other funds. Council members were in favor of Option B.

City Administrator Aarstad stated that fuel bids for 2009 are being accepted. Council will see the bid results at the first meeting in January 2009.

City Administrator Aarstad discussed the possibility of purchasing portable defibrillators to be placed in each City building. City staff is looking for grant opportunities to purchase such items.

City Administrator Aarstad noted that New Business item #3 (Public Defender contract) will be pulled from tonight's agenda. The recommendation is to hire Sybrandy & Witt, but the contract has a few minor changes – so this will come back to council at the January 8, 2009 meeting.

City Administrator Aarstad noted that the application deadline for the City Administrator position was December 9th. Twenty-three applications were received. He explained the selection process noting the interviews would include a two part interview process that will include department heads and council members. The first will be a formal interview with an interview panel; the second will be a less formal discussion with the candidate and a second panel. This will take place on December 18th. He asked if any council members were interested in participation on either the formal or informal panel. **Councilor Aslett** indicated he would like to serve on the formal interview panel. **Councilors Doyle, Valentine and Bensen** indicated they would like to serve on the informal panel. **City Administrator Aarstad** will check with **Councilors Edmundson & Loving** as to their preference. **Councilor Montgomery** indicated he would not be available to participate.

SPECIAL REPORT:

Ms. Linda Aufrecht, Executive Director Burlington Chamber of Commerce, presented an overview of recent activities taking place at the Chamber and Visitor Center.

CONSENT AGENDA:

1. Professional services contract for 2009 with Jacque Beamer, urban wayfinding designer.
2. Professional services Contract for 2009 with Urban Forestry Services Inc.
3. Professional services contract for 2009 with Ecotone solutions.
4. Professional services contract for 2009 with Curt Miller, landscape architect.

A motion was made by **Councilors Bensen/Aslett** to approve the consent agenda items 1 - 4 and authorize the Mayor to sign the appropriate documents. All agreed. Motion carried.

UNFINISHED BUSINESS:

2009 BUDGET AND SALARY ORDINANCE.

Finance Director Thramer stated that a public hearing regarding the 2009 proposed budget was held at the November 13, 2008 City Council meeting. He asked if council members had any questions or other changes to the proposed budget. A motion was made by **Councilors Bensen/Doyle** to adopt the proposed 2009 Budget and Salary Ordinance. All agreed. Motion carried.

(Ordinance # 1665)

BID AWARD FOR 2008 NEW TRI-DECK ROTARY LAWN MOWER.

Parks & Recreation Director Cavanaugh stated that on November 13th, the council approved a bid announcement for a new rotary mower. The bid deadline was December

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8th. The City received only one bid for the mower from Barnett Implement of Mount Vernon. The cost of the tri-deck mower (including a one-year parts and labor warranty and sales tax) is \$20,709.00. A motion was made by **Councilors Aslett/Bensen** to award the bid for the tri-deck mower to Barnett Implement for \$20,709.00 including tax. All agreed. Motion carried.

NEW BUSINESS:

COUNTY WIDE MUTUAL AID AGREEMENT.

Fire Chief Anderson stated that the Skagit County Fire Chiefs and Fire Commissioners have updated the county wide Mutual Aid Agreement and are requesting that all agencies sign off on the agreement. This agreement allows all fire departments to operate in each others jurisdiction when requested. The agreement that is being updated was entered into in 1971. A motion was made by **Councilors Aslett/Valentine** to approve the Mutual Aid agreement and authorize the Mayor to sign. All approved. Motion carried.

INTERLOCAL AGREEMENT WITH PIERCE COUNTY FIRE DISTRICT #21.

Fire Chief Anderson stated that the finance committee requested that the Fire Department move forward with placing the order for the new fire engine that is identified in the Capital Improvement Plan. This Interlocal agreement with Pierce County Fire District #21 will allow Burlington Fire Department to place an order for a new fire truck at a substantial savings compared to calling for bids based on current pricing. **Councilor Bensen** asked if the council approves this interlocal will the city have opportunities to make changes to the specifications of the truck. **Fire Chief Anderson** indicated that we would have the ability to make changes to the specs. **Councilor Aslett** asked if the City is committed to purchasing this truck by signing the agreement. **Fire Chief Anderson** indicated that the City can withdraw from the purchase if necessary. The truck company has stated the truck would be used as a demonstration truck should we change our minds. **Fire Chief Anderson** noted that diesel standards will change for the next model year, thus raising the price quite a bit. By purchasing as part of this interlocal agreement at this time, the City could save a substantial amount of money. A motion was made by **Councilors Bensen/Aslett** to approve the interlocal agreement with Pierce County Fire District #21. All agreed. Motion carried.

The following item was removed from tonight's agenda:

APPROVAL OF THE PUBLIC DEFENDER AGREEMENT FOR 2009 – 2010 SERVICES.

RESOLUTION APPOINTING A NEW MEMBER TO THE LODGING TAX ADVISORY COMMITTEE.

City Administrator Aarstad stated that this resolution will appoint Ms. Linda Aufrecht Executive Director of the Burlington Chamber of Commerce to replace Mr. Dick Irwin, who retired from the Chamber earlier this year. A motion was made by **Councilors Aslett/Doyle** to approve the Resolution appointing Ms. Aufrecht to the Lodging Tax Advisory Committee. All agreed. Motion carried.

(Resolution #18-2008)

COUNCIL COMMITTEE ASSIGNMENTS FOR 2009.

City Administrator Aarstad stated that Mayor Brunz has made his committee assignments and recommendations as indicated on in the agenda. **City Administrator Aarstad** asked if any council members objected to their committee assignments.

He asked that Council approve the appointment of Mr. Terry Esskew to the Traffic Safety Committee. A motion was made by **Councilors Bensen/Doyle** to confirm the appointment of Terry Esskew to the Traffic Safety Committee. All agreed. Motion carried.

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A motion was made by **Councilors Valentine/Aslett** to confirm the appointments to the Lodging Tax, Emergency Services, Museum Board, SKAT Board and SCOG, RTPD and MPO Boards. All agreed. Motion carried.

A motion was made by **Councilors Valentine/Aslett** to elect **Councilor Loving** to serve as 2009 Mayor Pro Tem. All agreed. Motion carried.

A motion was made by **Councilors Bensen/Valentine** to elect **Councilor Montgomery** to serve on the Investment Committee in 2009. All agreed. Motion carried.

RESOLUTION ESTABLISHING A POLICY TO ADJUST DISPUTED BILLING CLAIMS AND WRITE OFF BAD DEBTS.

Finance Director Thrumer stated that the proposed resolution will reaffirm the Finance Director's authority to correct all billing errors and directs him/her to present a detailed listing of past due, uncollectible accounts receivable to Council for write-off on an annual basis. The Finance Director would be authorized to adjust disputed billings claims up to \$100.00 with no additional approval and from \$100.00 to \$500.00 with the Mayor's approval. Any disputed amount greater than \$500.00 would need Council approval. **Councilor Aslett** asked if he would keep council informed as to how often he adjusts disputed bills. A motion was made by **Councilors Valentine/Doyle** to approve the resolution establishing a policy to adjust disputed billing claims and write off bad debts. All agreed. Motion carried.

(Resolution #19-2008)

DISCUSSION REGARDING THE SKAGIT COUNTY SOLID WASTE COMPREHENSIVE PLAN AMENDMENT.

City Attorney Thomas stated that the Council will be requested to approve the Skagit County Solid Waste Comprehensive Plan Amendment at the January 8, 2009 council meeting. He noted that this plan has been extensively reviewed by State agencies, our neighboring municipalities and Skagit County. There have been several amendments calling for deletions or additions to this plan. He noted that a copy of the proposed amendments will be provided to council members for review prior to January 8, 2009.

EXTENSION OF AGREEMENT WITH CRAIG CAMMOCK TO PROVIDE PROSECUTION SERVICES FOR THE CITY IN 2009.

City Attorney Thomas stated that the City would like to enter into an extension for services with Craig Cammock for prosecution services for the year 2009. He noted his monthly fee will be \$5,880.00. A motion was made by **Councilors Bensen/Valentine** to approve the extension of the agreement with Craig Cammock for prosecution services in 2009. All agreed. Motion carried.

INTERLOCAL AGREEMENT WITH SKAGIT COUNTY OFFICE OF ASSIGNED COUNSEL.

City Administrator Aarstad stated that this agreement is presented by Judge Svaren, **Court Administrator Dite** and **City Attorney Thomas** in an effort to remove a liability from the City of Burlington. In the past City municipal court staff has interviewed individuals who were to report to Burlington Municipal Court to determine if they qualify for the right to be represented by our Public Defender. As a result of discussions with Judge Svaren, we determined it was a conflict of interest for City staff to complete this task. In addition this agreement provides an opportunity to move defendants through the trial process in a quicker fashion and reduce jail time days if the judge determines the offender can be assigned to community service. Cost to the City will be \$15 per referral. The City will have the opportunity to request the \$15 be repaid by the person referred. A motion was made by **Councilors Aslett/Bensen** to approve the Interlocal Agreement with Skagit County Office of Assigned Counsel and authorize **Mayor Pro-Tem Montgomery** to sign the agreement. All agreed. Motion carried.

COUNCIL CHAMBERS

CITY HALL

BURLINGTON, WA

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EXECUTIVE SESSION:

There was not an Executive Session.

ADJOURNMENT:

The meeting was adjourned at 7:45 p.m. by **Mayor Pro Tem Montgomery.**

Greg Thramer
Finance Director / City Clerk

Edward J. Brunz
Mayor