

June 11, 2009

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: Buckholz, Dempsey, Erickson, Sheahan, Thramer, VanWieringen, Kinney, and Toth.

APPROVAL OF MINUTES:

A motion was made by **Councilors Loving/Doyle** to approve the minutes of the May 28, 2009 Council meeting. All agreed. Motion carried. A motion was made by **Councilors Loving/Aslett** to approve the minutes of the May 28, 2009 Council workshop. All agreed. Motion carried.

AUDIT OF BILLS:

Councilor Aslett presented the bills. A motion was made by **Councilors Aslett/Edmundson** to approve vouchers 55568- 55690 in the amount of \$261,259.39. All were in favor. Motion carried.

Current Expense	\$ 26,685.54
Current Expense Cumulative Reserve	22,685.36
Fire Equipment Cumulative Reserve	3,000.47
City Street	5,999.25
Hopper Construction Fund	92,950.78
Library	5,791.08
Parks & Recreation	5,239.08
Cemetery Fund	149.77
Stadium Fund	8,570.61
Parks & Recreation Reserve	17,926.44
Sewer Fund	39,689.24
Sewer Cumulative Reserve	20,260.97
Storm Drainage Utility	12,310.80
Total	\$ 261,259.39

PUBLIC COMMENTS:

Mr. David Smoots, 12802 Markwood Road, noted that FD#6 has submitted a letter to the City with a contract proposal. He encouraged council members to respond as soon as possible to the FD Commissioners.

OFFICER REPORTS:

Planning Director Fleek stated that the City has just received a two-year Master Shorelines grant funded by the state. She reported that the April 1, 2009 census report has been released by the State Office of Financial Management. They have established the 2009 population for the City of Burlington at 8,870. She noted that the Downtown Planning Group is active again. They are focusing on getting Railroad Park up and running so that it can be used as an event space and attract tourism and business promotion. She's hopeful that an art walk will be completed in time to be one of the 2010 Tulip Festival events. Applications will be submitted for 2010 Lodging Tax funds to assist with these planned projects. She noted that the Arts Task Force is working to establish goals and guidelines for public art in the City. She indicated a public meeting will be held at the end of the summer to consider the placement of farm equipment in the N. Burlington Boulevard Roundabout.

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Planning Director Fleek stated that the farmworker housing planned for a location in the levee set-back area west of Burlington may be relocated to a former farm-worker housing site on Pulver Road. She reviewed state regulations for this type of housing and options for connecting to the City sewer.

Library Director Buckholz stated that the reciprocal borrowing agreement with City of Mount Vernon has been working very well. Burlington residents are checking out 600-1000 items per month from the Mount Vernon library. She has seen a slight impact on the Burlington Library staff as Mount Vernon residents have checked out an average of 1,400-1,700 items per month from the Burlington Library. The Burlington Library Board has recommended a pilot reciprocal borrowing agreement with the City of Anacortes move forward. She will be meeting with the Anacortes Library Board in the near future to discuss an agreement. She wouldn't expect the same volume of business from Anacortes residents at the Mount Vernon residents. She expects to bring an agreement to Council later this summer. She noted that the latest issue of the National Geographic Traveler magazine includes Skagit Valley as a travel destination.

Assistant PW Director Dempsey stated that the Federal Emergency Management Agency is expected to reimburse the City about \$7,000 for December 2008 winter storm event expenses.

Police Chief VanWieringen stated that the grant to purchase a new car was approved on Monday, the order placed and the car was delivered today. This vehicle will be used by the community resource officer.

Finance Director Thramer distributed the list of proposed 2009 budget saving ideas developed at the Council workshop in March. He reviewed the list noting that several items have recently been implemented. Those items include the City Hall/Library refinance, transfer of a Street employee to the Sewer Department July 1, and transfer of non-union employees to new medical plan effective 7/1/09.

City Attorney Thomas stated that the City has received an announcement from Congressman Rick Larsen regarding a community small business workshop on June 18th. Representatives from State and Federal offices will be represented at the workshops. Small business owners might be interested in attending.

City Attorney Thomas noted that he has distributed a memo to City department heads, supervisors and Council members regarding the campaign season and what activities are or are not allowed by City employees.

REQUEST FOR TRANSFER OF SICK LEAVE TO A PUBLIC WORKS TEAMSTERS EMPLOYEE.

City Attorney Thomas stated that the Public Works Teamsters contract provides an opportunity for employees to donate sick leave to employees in need. He noted that there is a current Sewer Department employee who has been off work for several weeks and has exhausted their sick leave. The employee is scheduled to return to work this coming week, but will have three days of leave without pay. Donation and transfer of sick leave by other employees requires authorization by City Council. A motion was made by **Councilors Edmundson/Montgomery** to authorize donation/transfer of sick leave to a Public Works Teamsters employee. All agreed. Motion carried.

Recreation Coordinator Kinney arrived at meeting.

City Attorney Thomas reviewed the current proposal from Skagit County Fire District #6. He stated that following the negotiations session earlier this week, a request had been made of FD#6 to present a written statement of their choices. That response was received this afternoon and has been distributed to Council members. He quickly reviewed the response; he noted some clarification from the fire district is needed on a couple of the options requested in the letter. FD#6 has suggested a consultant be hired to review emergency services within the City and Fire District and perhaps consider formation of a Fire District Authority. **Councilor Bensen** asked why the need to hire a consultant; at an added expense.

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Mayor Brunz suggested the City and District should sign an agreement regarding fire service without the requirement to hire a consultant. **Councilor Bensen** voiced his concern that the meeting with the District took three and one-half hours and ended up nowhere; the meeting should have gone on until the contract was settled. Mr. Rick Whalen, District Commissioner, stated he believes we need to fix what's wrong and keep what works well, that's why the response from the District in today's letter. **Councilor Aslett** reviewed the offer and suggested the tentatively agreed annual fee of \$159,000 (pro-rated for the nine months of 2009) continue through 2010. He has no problem with the District trucks and equipment being housed at the District station. He noted he is not sure that the City can waive the sewer connection fee for District fire station to connect to the City sewer as requested. He noted that the District is requesting a District representative attend City Public Safety Committee meetings. He stated that the Public Safety Meetings have always been open to the public, District representatives may attend at any time. Mr. Whalen stated this approach makes sense to him. **Councilor Aslett** asked Mr. Whalen to go back and discuss this proposal with the District Commissioners. Mr. Whalen stated that the next Fire District #6 meeting will be Monday June 15, 2009. **Councilor Bensen** indicated the City would be willing to call a special meeting of the City Council if necessary to approve an agreement with the Fire District.

Recreation Coordinator Kinney reported that she attended the Free Kids at the Fair Day on May 30, 2009. The event was hosted by Skagit County at the Fair Grounds in Mount Vernon. She stated that at least 5,000 children attended the event. There were vendors and community groups with booths in every building at the fair grounds. Many of the booths and vendors ran out of supplies. She's hopeful that the County will sponsor the event again next year. She stated that the weekly All-comer Track Meets begin June 17, 2009 at the Burlington-Edison High School track. In past years, the City of Burlington and Skagit County hosted these track meets jointly. The County has cut their recreation program for 2009, so the City will host the track meets alone. There are usually 1,100 participants throughout the summer. They pay \$4 per event, or \$25 for season pass for participation (admission to watch is free). She stated that the summer camps are filling up well. Scholarship requests are up about 50%. They have good support from the Parks Foundation to provide scholarships. **Councilor Edmundson** hosted her first two-hour historical walk of Burlington which was very successful. She'll continue the walks over the next five weeks. Skagit Valley Herald has indicated they would like to follow Edie on the next walk. A page has been added to the City website inviting instructors to use the parks facilities for classes and trainings. **Recreation Coordinator Kinney** noted that she has been working with United General Hospital to provide a 12-week after school program on Tuesdays and Thursdays for third - fifth graders. The focus will be on fitness and nutrition. This program (CATCH Program) has been adopted by state of Texas within their schools and parks and recreation programs. She is working with the Finance Department to include notes about recreation activities to be added to the sewer bills. **Mayor Brunz** noted that the City will take a hard look at the success of the All-comer Track Meets. If it doesn't pay, then we may not be able offer the activity in future years.

Councilor Aslett apologized to **Councilor Doyle** for signing up for her council seat not knowing she was planning to run for re-election.

Mayor Brunz read a letter from Celtic Arts Foundation thanking Burlington for its support of a scheduled event at the Children's Museum in Burlington.

Mayor Brunz read a letter from Kar-Mart regarding the DNA Kits program hosted at their dealership. They expressed gratitude to the Burlington Police Department for allowing Officer Weiss to attend and interact with the children at the event. There were over 130 children that participated.

SPECIAL REPORT:

Ms. Linda Aufrect, Executive Director Burlington Chamber of Commerce, reported on recent Chamber activities. She noted that Visitor Information Center staff member Kelly is assisting with the Carnegie Library Auto Tour sponsored by Clark County Tourism to

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promoted tourism through Carnegie Library architecture in Washington State. The tour is scheduled to visit Burlington. The Chamber is building a new website which is nearly 50% complete. Walk-in visitors have increased by more than double (from 77 to 181). Fiesta Unidos (planned for August 29, 2009) will be hosted at the Outlet Shoppes at Burlington. A carnival will be housed at the Outlet Shoppes during the Berry Dairy Days Festival, June 18 – 21, 2009. The Harvest Festival will be held at Skagit River Park on Saturday September 26, 2009. The Chamber is sponsoring Burlington Bucks campaign. A Burlington Bucks card costs \$15 and will provide the card holder various discounts from local merchants. She plans to market this program county-wide to get everyone to shop in Burlington. She reported that Chamber membership continues to grow.

UNFINISHED BUSINESS:

There was no Unfinished Business.

NEW BUSINESS:

REQUEST TO CLOSE A ONE-BLOCK PORTION OF ORANGE AVENUE FROM S. ANACORTES STREET TO S. PINE STREET FOR ANNUAL NEIGHBORHOOD BLOCK PARTY ON SATURDAY, JULY 25, 2009.

Planning Director Fleek stated that this is the third year for this neighborhood block party; there have been no problems in past years. A motion was made by **Councillors Aslett/Loving** to approve the street closure request on Orange Avenue for Saturday July 25, 2009. All agreed. Motion carried.

AMENDMENT #1, PROFESSIONAL SERVICES AGREEMENT WITH GRAY & OSBORNE SEWER DEPARTMENT CAPITAL PROJECTS.

Assistant City Engineer Dempsey stated the City initially contracted with Gray & Osborne in January of this year to quickly provide engineering design and bid packages for several Sewer capital projects by June 30th, with the idea we would be well-positioned to attract capital funding we hoped would be included in a national infrastructure investment bill. Gray and Osborne have done a good job so far and are within 60 days of completing all of the design work. However, the urgency of meeting the original schedule has waned because there will be no federal infrastructure investment program for these types of projects, and we have allowed Gray and Osborne to slow their activity. But since the original contract termination date was June 30th, it needs to be extended to enable routine completion of the tasks. A motion was made by **Councillors Aslett/Montgomery** to approve Amendment #1, Contract for Professional Services with Gray & Osborne, Inc. to extend the termination date to December 31, 2009. All agreed. Motion carried.

CONTRACT WITH SAIL ELECTRIC FOR FIBER OPTIC CABLE PULL.

Assistant City Engineer Dempsey stated that in conjunction with the SR-20 improvement project, new conduit has been installed, and other conduit has become available for City use. In April, City of Burlington and Mount Vernon staff met with several WSDOT supervisors and discussed the possibility of extending the City's fiber optic system east-west (primarily utilizing the State's new conduit) through the key SR-20 corridor, thereby enabling connection to all of the traffic signals beginning with the Burlington Boulevard/Rio Vista signal; extension of fiber optic cable north under the railroad tracks to Peterson Road; and also south on Nevitt Road. This enables the City to develop redundancy of service, connect all of the traffic signals; connect most of the City's sewer lift stations, and provide service expansion capability into the future. This \$23,553 contract will pull the cable through the conduits. At this point, we have a handshake agreement with WSDOT to provide access to City fiber in return for use of the WSDOT conduit. We will follow up with an agreement. It is envisioned very little, if any, money will change hands because WSDOT sees the benefit of having access to the City's system in the future. Funding for this contract will come from the Street, Sewer, and Arterial Street funds. A motion was made by **Councillors Bensen/Valentine** to approve a contract with Sail Electric for installation of fiber optic cable. All agreed. Motion carried.

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DISCUSSION: 6-YEAR TRANSPORTATION IMPROVEMENT PROGRAM AND FEDERAL PROJECTS, 2010-2015.

Assistant City Engineer Dempsey asked for feedback from council in anticipation of the public hearing June 25, 2009. Councilor Loving asked about possible improvements to Orange Avenue. He indicated the City needs to talk to the residents about when we plan paving/improvements what part of their yard actually belongs to the City. Councilor Aslett asked about having cumulative totals included by year. He noted the big projects are being pushed off to future years. He also asked about the George Hopper interchange funds in 2008. Finance Director Thramer noted that the Transportation Improvement Program is a planning document and the Budget is a spending document.

AUTHORIZE MAYOR TO ENTER INTO COLLECTIVE BARGAINING AGREEMENT WITH TEAMSTERS LOCAL UNION #231, CLERICAL EMPLOYEES AND RECORDS TECHNICIANS FOR 2009-2011.

City Attorney Thomas stated that the members of the Teamsters Local #231 Clerical Employees and Records Technicians bargaining unit have voted to accept the 2009 – 2011 agreement. He noted that the agreement provides a 4% Cost of Living pay increase for 2009 and the increase in 2010 and 2011 will be 90% of the CIP-W U.S. Cities June to June with a minimum 1% and 4% maximum. If the sales tax receipts for the period July 1, 2009 through June 30, 2010 meet or exceed seven million dollars the City agrees to adjust the minimum COLA in 2011 to a minimum 2.5%. A motion was made by Councilors Bensen/Loving to approve the collective bargaining agreement between City of Burlington and Teamsters Local #231, Clerical Employees and Records Technicians for 2009 – 2011. All agreed. Motion carried.

AMENDING ORDINANCE #1665 TO REPEAL SECTION IV OF 2009 BUDGET AND SALARY ORDINANCE. ORDINANCE TO ADOPT THE CITY'S 2009 SALARY ORDINANCE.

City Attorney Thomas stated that historically the Budget and Salary Ordinance have been one combined document. He requested that Council repeal the Salary portion of the current budget and salary ordinance (#1665). A 2009 salary ordinance will be voted on in the next agenda item. A motion was made by Councilors Bensen/Valentine to approve the ordinance repealing section IV of Ordinance #1665. All agreed. Motion carried. (Ordinance # 1676)

ORDINANCE TO ADOPT THE CITY'S 2009 SALARY SCHEDULE TO INCLUDE TEAMSTERS LOCAL #231 CLERICAL AND RECORDS TECHNICIANS WAGES FOR 2009.

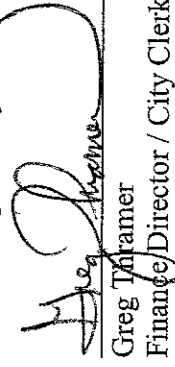
City Attorney Thomas presented the ordinance that includes the 2009 wages as provided in the collective bargaining agreement approved by council for the 2009 – 2011 Clerical and Records Technicians Teamsters Union. He noted that this ordinance includes only the 2009 Salary Schedule as there is no change to the 2009 budget. A motion was made by Councilors Bensen/Valentine to approve the ordinance re-establishing the 2009 salary schedule reflecting the agreement authorized by the City Council with Teamster's Local 231 - Clerical. All agreed. Motion carried. (Ordinance # 1677)

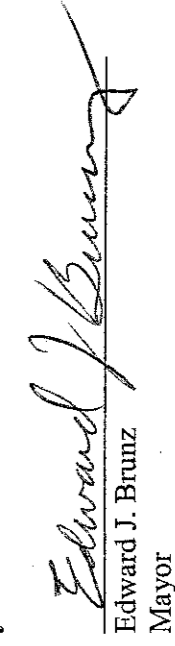
EXECUTIVE SESSION:

The Mayor and Council members adjourned to Executive Session at 8:20 p.m. for the purpose of discussing litigation. The Mayor and Council members returned from Executive Session at 8:27 p.m.

ADJOURNMENT:

The meeting was adjourned at 8:28 p.m by Mayor Brunz.


Greg Thramer
Finance/Director / City Clerk


Edward J. Brunz
Mayor