

July 23, 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, Montgomery and Valentine. Staff present: Buckholz, Cavanaugh, Fleek, Martin, Moser, Sheahan, Stafford, Thomas, and VanWieringen.

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

**APPROVAL OF MINUTES:**

A motion was made by **Councilors Bensen/Doyle** to approve the minutes of the July 9, 2009 Council workshop and council meeting. All agreed. Motion carried.

**AUDIT OF BILLS:**

**Councilor Edmundson** presented the bills. A motion was made by **Councilors Edmundson/Valentine** to approve vouchers 55893 – 56009 in the amount of \$288,680.54. All were in favor. Motion carried.

Current Expense	\$ 81,700.94
Current Expense Cumulative Reserve	4,758.96
Fire Equipment Cumulative Reserve	563.62
City Street	22,345.58
Hopper Construction Fund	44,766.46
Library	174.69
Parks & Recreation	21,034.39
Cemetery Fund	1,004.30
Stadium fund	8,656.92
Park & Recreation Reserve	43,540.01
Sewer Fund	21,350.58
Sewer Cumulative Reserve	28,345.91
Storm Drainage Utility	10,438.18
<b>Total</b>	<b>\$ 288,680.54</b>

**PUBLIC COMMENTS:**

There were no public comments.

**OFFICER REPORTS:**

**Parks & Recreation Director Cavanaugh** reported that a special events permit request was submitted today to provide a beer garden with music for the Emerald City Ultimate Frisbee Tournament at Skagit River Park on August 15, 2009. This request needs council approval. This tournament has been held at Skagit River Park for the past ten (10) years. The host team usually rents the Community Center for their dinner/music event, but this year the facility is not available on that evening. As an alternative they would like to have the dinner/party in a cordoned off area of Skagit River Park. Most participants will be staying in recreational vehicles at Skagit River Park. **Councilor Bensen** asked how late they planned to provide music. **Parks & Recreation Director Cavanaugh** stated the band will be located on a portable stage facing the river and will play until 11 p.m.

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**Councilor Montgomery** suggested the music end by 10 p.m. due to close proximity to residential areas. **Councilor Doyle** asked about police presence at the event. **Parks & Recreation Director Cavanaugh** indicated the event sponsors will hire a security guard from Whatcom Security and one Parks & Recreation Department Monitor.

**Councilor Aslett** arrived at the meeting.

**Councilor Doyle** asked how many participants are expected for the tournament. **Parks & Recreation Director Cavanaugh** stated he expects 1,000 players from seven (7) countries. **Councilor Edmundson** noted there have not been any problems with this group in past years and they bring revenue into the City. Mr. Mark Kramer, 506 S. Cherry Street, suggested the group pay for a City police officer to patrol the evening event. Since the City won't see any revenue from rental of the community center, hiring of a police officer shouldn't be an undo burden for the tournament sponsors. **Parks & Recreation Director Cavanaugh** indicated he would be in favor of a Burlington police officer in attendance. **Police Chief VanWieringen** noted that the cost would be \$62/hour for a police officer in addition to \$20/hr for a Whatcom Security employee and \$11/hr for a City Monitor. Motion by **Councilors Bensen/Doyle** to approve the special events permit with the stipulation that a Burlington police officer be hired for the event in addition to the security guard and monitor and the music must end by 10:00 p.m. All agreed. Motion carried.

**Parks & Recreation Director Cavanaugh** distributed final drawings of the Whitmarsh Restrooms. He noted that the bid notice will be published in the Daily Journal of Commerce and Skagit Valley Herald. Three weeks from now will be the bid opening.

**Parks & Recreation Director Cavanaugh** discussed the Museum Board. He stated that the last meeting of the Museum Board was held in June, 2002. He noted that the board is an advisory board to City Council and the Mayor. There have been recent discussions about a non-profit group using the museum building for their monthly meetings. Until it actually is used as a Museum, he would be in favor of allowing other groups to use the building. The users would pay utilities and maintenance which would reduce City expenditures. He suggested the museum board could be abolished by amending the Burlington Municipal Code. He also suggested the museum be under the Parks and Recreation Board. That board would then make recommendations to the Council and Mayor regarding the museum. **Councilor Valentine** asked about stipulations when the house was gifted to the City. **Parks & Recreation Director Cavanaugh** stated that **City Attorney Thomas** has reviewed the documents and believes it would be ok for the City to allow a non-profit group to use the building. **Councilor Edmundson** stated she thinks it would be a good idea to have the building occupied. **Parks & Recreation Director Cavanaugh** noted the user group would pay utilities and maintenance in lieu of rent. He will bring an ordinance to amend the municipal code to a future council meeting for approval.

**Parks & Recreation Director Cavanaugh** stated that paving of the State Route 20 trail is completed. There have been lots of positive comments along with a few negative comments. After some explanation, many of the negative comments changed to positive. He suggested placing information on a "capital projects" page on the city web site to be used by all departments. **Councilor Aslett** suggested information regarding this project be placed in the City newsletter. He noted that most of his neighbors see and read the newsletter and don't usually look at the City website.

**Police Chief VanWieringen** discussed acquisition of a thermal imaging machine. He is ready to go out to bid. He expects the unit to cost about \$12,000, which is \$1,000 less than expected. He noted that \$10,000 will come from the seized drug funds – no tax money will be used for this purchase.

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**Police Chief VanWieringen** announced that a City police officer currently serving in the military reserves has resigned from his Police Officer position to join the military full-time. The City has been holding his position open while he has served active duty. The City will now fill this open position. Council members wished the officer well and asked **Police Chief VanWieringen** to thank the officer for his service to the City and the Country.

**Library Director Buckholz** reported that continuation of the mother read/father read program will be funded by the Economic Development Association of Skagit County to enhance literacy skills. This funding will keep the evening program going through summer. This program encourages parents to read with their children to improve literacy skills.

**Library Director Buckholz** reported that the Anacortes City Council has approved the interlocal borrowing agreement. She will bring it to the August 13, 2009 Council meeting for approval. The Library board is proceeding slowly. The Mount Vernon agreement is permanent; the Anacortes agreement will be for one test year. **Councilor Edmundson** asked about a similar agreement with Sedro-Woolley. **Library Director Buckholz** stated that Sedro-Woolley would prefer to wait because of economic issues at this time. She noted that the LaConner Regional Library is very interested in a similar agreement. The library board would like to see these agreements across the County – it's nice for the City taxpayers to have other library collections available. She noted that the Anacortes library has a large Jazz music collection and Burlington has many DVD's and audio books. **Councilor Valentine** asked about the process to obtain a library card from another city. **Library Director Buckholz** stated that the process must start at the home library and if a minor, they must have a parent with them. The home library will put a stamp/sticker on the home library card indicating the holder of the card is "eligible" for the reciprocal borrowing benefit.

**City Attorney Thomas** noted the Association of Washington Cities will host basic budget training on August 13 and 14<sup>th</sup>. Please let him know if any are interested in attending.

**City Attorney Thomas** mentioned that the Auditor's Exit Audit be held on Thursday August 13<sup>th</sup>. **Councilor Aslett** asked if the exit audit could be August 27<sup>th</sup> as he will not be available on the 13<sup>th</sup>. **City Attorney Thomas** stated he will check with **Finance Director Thramer** and the State Auditor to see if August 27<sup>th</sup> is a possible date.

#### **UNFINISHED BUSINESS:**

#### **FINDINGS AND CONCLUSIONS IN SUPPORT OF CONTRACT REZONE #2-08, TO ALLOW THE INSTALLATION OF A FUELING STATION IN THE FRED MEYER PARKING LOT.**

**Planning Director Fleek** stated that the City Council voted to approve a contract rezone to establish a gas station in the Fred Meyer parking lot. The Findings of Fact and Conclusions of Law are required because this case was decided following a request for further consideration and a closed record appeal hearing. A motion was made by **Councilors Bensen/Montgomery** to approve the Findings and Conclusions in support of the Contract Rezone #2-08, to allow the installation of a fueling station in the Fred Meyer parking lot. All agreed. Motion Carried.

#### **NEW BUSINESS:**

#### **AWARD OF BID FOR PAVING OF ROTARY PARK PARKING LOT.**

**Parks & Recreation Director Cavanaugh** stated that five bids were opened Wednesday July 15, 2009. He noted that the bid amounts ranged from \$130,975.78 to \$224,099.12.

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After review of the bid documents and completion of reference checks, he found the lowest responsible bid was from Culacurcio Brothers, Inc. which was lowered to \$130,613.63 after a correction to the tax rate used for the calculation. He noted that the funds for this project will come from the Capital Improvement Fund. These funds are earmarked for such projects and cannot be transferred to other City fund accounts. **Councilor Aslett** asked for clarification of “responsive”. **Parks & Recreation Director Cavanaugh** stated the bidder’s references had to be checked as well as the math in the bid documents. A motion was made by **Councilors Aslett/Bensen** to award the bid for paving of Rotary Park parking lot to Colocurcio Brothers, Inc. for the amount of \$130,613.63. All agreed. Motion carried.

**CONTRACT WITH ADVANCE CONSTRUCTION FOR BOAT RAMP IMPROVEMENTS.**

**Parks & Recreation Director Cavanaugh** stated that there were three estimates received for this project. Advance Construction has come in as the lowest \$29, 544.83 (including tax). He noted that it is necessary to complete this project as the funds remaining from the IAC grant are expiring. This agreement will provide two 30’ x 100’ concrete slabs that slope away from the existing road. **Parks & Recreation Director Cavanaugh** noted several typos were caught prior to this evening and have been corrected on the original copy of the agreement. Construction will not begin until after King fishing season (ends Aug 9) and the beginning of Humpie fishing season (August 16). If they run into problems and are not able to complete the entire project in one week, they will complete one half one week and complete the remainder the following week. A motion was made by **Councilors Bensen/Valentine** to approve the contract with Advance Construction for boat ramp improvements. All agreed. Motion carried.

**ASSIGNMENT OF FIRE STATION LEASE.**

**City Attorney Thomas** stated that the City of Burlington Fire Department entered into a lease agreement with Skagit Emergency Medical Services in 2005 and now wishes to transfer and assign that Lease to Central Valley Ambulance Authority. No other details of the lease have changed. A motion was made by **Councilors Bensen/Montgomery** to approve the assignment of the fire station lease to Central Valley Ambulance and authorize the Mayor to sign. All agreed. Motion carried.

**EXECUTIVE SESSION:**

There was not an Executive Session.

**Councilor Aslett** apologized for not attending this evening’s workshop. He noted that we have made a  $\frac{3}{4}$  million dollar reduction in street fund in 2009. He noted that the budget projections presented during the workshop only goes out three (3 years); if we go three more years the negative effect will get worse. He noted that he is highly concerned about the budget projection. He suggested that to build up a two-month cash reserve could take ten years. He stated that the City is spending more than we are taking in and not changing quickly enough in response to the changes in the economy.

**ADJOURNMENT:**

A motion was made by **Councilors Valentine/Montgomery** to adjourn the meeting at 7:57 p.m. All agreed. Motion carried

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Greg Thramer  
Finance Director / City Clerk

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Edward J. Brunz  
Mayor