

August 27, 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, and Montgomery. Staff present: Cavanaugh, Dempsey, Martin, Sheahan, Thomas, Thrumer and VanWieringen.

A motion was made by **Councilors Doyle/Loving** to excuse **Councilor Valentine** from tonight's meeting. All agreed. Motion carried.

APPROVAL OF MINUTES:

A motion was made by **Councilors Loving/Doyle** to approve the minutes of the August 13, 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/Aslett** to approve vouchers 56172 – 56260 in the amount of \$346,720.26. All were in favor. Motion carried.

Current Expense	\$ 46,918.00
Current Expense Cumulative Reserve	1,398.39
Fire Equipment Cumulative Reserve	139,965.78
City Street	18,943.59
Library	92.25
Parks & Recreation	23,431.17
Cemetery Fund	600.14
Park & Recreation Reserve	17,350.62
Sewer Fund	26,939.22
Sewer Cumulative Reserve	22,129.29
Storm Drainage Utility	48,951.81
Total	\$ 346,720.26

PUBLIC COMMENTS:

Mr. Mark Kramer, 506 South Cherry, encouraged the City to appropriate 2010 Lodging Tax revenues to the City Parks and Recreation Department as the activities and festivals they provide probably put more visitors in local hotels and motels than any other organization. **City Attorney Thomas** noted that the laws regarding how the City can spend Lodging Tax funds seems to change from year to year. In the past the City could not use the funds to operate an event or festival, but rather the funds could only be used to encourage tourist to the area or event. A recent opinion by the state attorney general will now allow jurisdictions to pay wages in support of such events (wages, overtime, garbage removal, etc.). **Parks & Recreation Director Cavanaugh** stated that he will submit two applications to the Lodging Tax Advisory Committee for review; one for wages and operation of festivals and activities and the other for soccer goals for Skagit River Park.

OFFICER REPORTS:

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Public Works Director/City Engineer Martin stated that he had recently received the final GeoTechnical analysis of the Dike District 12 levees. He will read the report and schedule a meeting to review the report. He encouraged council members to attend; he will notify council members when he has scheduled a date and location for the meeting.

Parks & Recreation Director Cavanaugh reported that the Rotary park paving project should be completed by Monday. The light poles will be installed tomorrow and the hydro seed applied. The fence should be removed on Monday. The contractor will continue to water the seeded area during the hot dry weather.

Parks & Recreation Director Cavanaugh reported that **Councilors Edmundson** and **Loving** met to discuss the future of the Grafton house (located on Burlington Boulevard). **Councilor Edmundson** stated that a suggestion is to relocate the house to Railroad Park (on Fairhaven Avenue). At that location the house could be available as a museum and meeting place with adequate parking and easier access. The Burlington Boulevard site where the house would be moved from could then be a local (pocket) park with picnic tables, etc. The site could be developed to provide some parking as well as green spaces for use by the public. **Councilor Doyle** suggested that employees from area business might use the park for lunches, etc. **Councilor Loving** noted that the expense of moving the house, etc. would be funded by the \$200,000 endowment provided by Ms. Grafton. At present the balance of the account is about \$214,000. With this plan in mind, there would be no need to change the municipal code regarding the museum. He suggested that new members be appointed to the Museum Board so that ideas and suggestions can move forward. **Mayor Brunz** noted that siding on the house needs to be replaced and the paint may contain lead. Removal and replacement of the siding could be expensive.

Finance Director Thramer reported that the state auditor's exit conference was held this afternoon. The auditor will issue one (1) audit finding (associated with internal controls) and one (1) management letter (regarding fixed assets policy). He noted that the auditors found the City's financial reports to be in order. To remedy the management letter, council will consider a proposed fixed assets policy this evening. He stated that some job duties are being reassigned within the Finance Department to address the concerns regarding internal controls. The audit report will be issued in the near future.

Finance Director Thramer reported the August 2009 sales tax revenue was 3.1% lower than for August 2008. He noted that this is a pleasant change from the double-digit drops in sales tax revenue that we've seen throughout most of the year.

Finance Director Thramer suggested small group meetings as a way to keep council members engaged throughout the 2010 budget preparation process. He would meet with the finance committee members for 20-30 minutes following their review of vouchers twice per month and select another meeting time during the week to discuss the budget progress with the other council members. This would give him a change to obtain input from council members, answer any questions they might have and keep them informed of the 2010 budget planning direction. **Councilor Aslett** suggested these meetings could continue throughout the year, not only during the budget preparation process. He suggested that the next four years will be financially difficult for the City. **Councilor Edmundson** asked how soon we would see revenue numbers resulting from the federal "cash for clunkers" program. **Finance Director Thramer** indicated that sales tax collected in the month of August would not be remitted to the City until October.

Councilor Loving asked about the status of the old fire station site. He noticed there are no plantings or asphalt on the site since removal of the building. **Councilor Edmundson** stated that she spoke with **Public Works Director Martin** about the site and was informed there are not funds to create a parking area (with asphalt and plantings). **Public Works Director Martin** stated that the cost to convert the site to a public parking lot would require the City to comply with current municipal codes. This would require engineering and design to treat storm water runoff to comply with the NPDES permit and

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meeting the City landscape requirements. The expense could be several hundred thousand dollars. **Councilor Bensen** suggested that if the City cannot afford to design and construct a nice parking lot, we need to address the liability of leaving it as is. He suggested fencing the lot to keep vehicles from parking or at least post it with “no parking” or “park at your own risk” signage to reduce liability. **Councilor Doyle** asked if posting signs would reduce our liability. **Councilor Edmundson** stated she has seen vehicles parked in the lot while they shop downtown or use the trail along SR20.

Mayor Brunz reported he has heard several positive comments about the tractor recently placed in the North Burlington Boulevard roundabout. One call came from a resident of Bellingham who had recently driven through the area. **Councilor Edmundson** stated she had heard one negative comment.

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

BID AWARD FOR CONSTRUCTION OF WHITMARSH RESTROOMS.

Parks & Recreation Director Cavanaugh stated that nine (9) bids were received for construction of the Whitmarsh restrooms. He noted that a requirement in the bid was to utilize a masonry company from an approved list. The low bid (\$95,000) did not include an approved masonry company. The next lowest bid (\$96,500) did use an approved masonry company. A motion was made by **Councilors Edmundson/Bensen** to award the bid for construction of the Whitmarsh restrooms to Myers General Commercial Corporation for a price of \$96,500 (plus sales tax). All agreed. Motion carried.

UPDATE TO BURLINGTON MUNICIPAL CODE TITLE 14 – SURFACE WATER MANAGEMENT SECTIONS PERTAINING TO STORMWATER DISCHARGES.

Mayor Brunz opened the public hearing. **Assistant City Engineer Dempsey** stated that this public hearing is in regards to proposed changes to the municipal code due to a federal mandate from the Environmental Protection Agency. The City of Burlington’s Phase II National Pollutant Discharge Elimination System (NPDES) stormwater permit states that these minor code updates shall be completed this year. The updates pertain to prohibited stormwater discharges, and place more obligations on the owner of private stormwater systems. There will be a major code update to the stormwater ordinance next year as required by the NPDES permit. A motion was made by **Councilors Aslett/Montgomery** to approve the ordinance amending sections of the Burlington Municipal Code Title 14 Surface Water Management. All agreed. Motion carried.
(Ordinance # 1681)

Councilor Bensen asked **Public Works Director Martin** about the definition of “stormwater”. **Councilor Bensen** asked if water with cranberry juice could be allowed to run into the storm drains. **Public Works Director Martin** suggested he get together with the concerned business owner and discuss ways to treat the water runoff and comply with the NPDES permit.

RESOLUTION IN THE MATTER OF THE ISSUANCE OF WARRANTS PRIOR TO APPROVAL BY THE CITY COUNCIL.

Finance Director Thrumer stated that the City’s longstanding practice is to pay warrants twice a month following review and approval by the Finance Committee and by the full City Council. In rare cases the City must issue a warrant prior to Finance Committee review and Council approval. The State Auditor has recommended the adoption of a resolution to grant the Mayor discretionary authority to issue certain

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warrants prior to approval by the City Council to expedite payment of claims due to emergency and/or business deadlines. He noted that just seven (7) warrants have been issued prior to council approval in the past. It is his expectation that such warrants will continue to be issued very sparingly and only when absolutely necessary. **Councilor Bensen** asked about the time period the seven warrants covered. **Finance Director Thrasher** noted that was within the past year, although four (4) of the warrants were for one property purchase transaction. **Councilor Aslett** suggested adding a requirement to contact finance committee members for approval as well. **Finance Director Thrasher** indicated he will revise the proposed resolution and bring it to a future council meeting for approval.

RESOLUTION TO ADOPT A FIXED ASSET POLICY.

Finance Director Thrasher stated that as part of the 2008 audit, it was discovered that the City does not have a fixed asset policy that has been formally adopted by City Council. The resolution presented this evening has been prepared in accordance with Governmental Finance Officers' Association (GFOA) recommended practices. A motion was made by **Councilors Aslett/Doyle** to approve the resolution to adopt a fixed asset policy effective September 1, 2009. All agreed. Motion carried.

(Resolution # 12-2009)

EXECUTIVE SESSION:

There was not an executive session.

ADJOURNMENT:

The meeting was adjourned at 8:14 p.m. by **Mayor Brunz**.

Greg Thrasher
Finance Director / City Clerk

Edward J. Brunz
Mayor