

September 24, 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: Fleek, Martin, Sheahan, Stafford, Thomas, Thramer, and VanWieringen.

**APPROVAL OF MINUTES:**

A motion was made by **Councilors Doyle/Aslett** to approve the minutes of the September 10, 2009 Council workshop and Council meeting. All agreed. Motion carried.

**AUDIT OF BILLS:**

**Councilor Aslett** presented the bills. A motion was made by **Councilors Aslett/Edmundson** to approve vouchers 56366 – 56448 in the amount of \$731,682.26. All were in favor. Motion carried.

Current Expense	\$ 80,035.20
Current Expense Cumulative Reserve	1,340.80
Fire Equipment Cumulative Reserve	395,514.00
City Street	23,167.10
Parks & Recreation	17,226.56
Cemetery Fund	1,562.19
Stadium Fund	1,000.00
Park & Recreation Reserve	127,842.06
Sewer Fund	13,688.07
Storm Drainage Utility	70,306.28
<b>Total</b>	<b>\$ 731,682.26</b>

**PUBLIC COMMENTS:**

There were no public comments.

**OFFICER REPORTS:**

**Planning Director Fleek** discussed the proposal for density heritage credits. She noted that a copy of the report was distributed to council members earlier this week. She stated that a committee will meet to discuss the proposal and asked if any council members would be interested in serving on the committee to contact her.

**Planning Director Fleek** suggested that downtown park areas be designated as such by council resolution. She stated that such a designation would provide for fundraising opportunities through the Parks Foundation. The park areas would be the old fire station site, and the area including Alpha Park to Lions Park. **Councilor Aslett** asked if this idea had been reviewed by the Planning Commission. **Planning Director Fleek** noted that it had not been reviewed by the Planning Commission, but that she would bring it before them for consideration at the next Planning Commission meeting.

**Public Works Director/City Engineer Martin** reported that the Golder / Pacific International Engineers review of the geotechnical report of the levees in Burlington was a very good report. He noted that Golder was impressed with the current levee status and

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may need to be raised in only a few places to meet standards for certification. He noted that they did not review the levees in the 3-bridge corridor as that is slated for levee set-back in the future. The result of this review is the recommendation that the City document work done by Skagit County Dike District #12 from the date of the review forward.

**Councilor Edmundson** stated that she presented her ideas regarding the Grafton House to the Parks Foundation. The recommendation from the foundation members was to move the Grafton house to a different location and create a neighborhood park on the Burlington Boulevard site in accordance with Mrs. Grafton's wishes. They are also in favor of maintaining the Museum Board and moving forward to develop a museum. She noted that **Parks & Recreation Director Cavanaugh, Councilor Loving** and herself will forward names to **Mayor Brunz** of citizens interested in serving on the Museum Board.

**Mayor Brunz** extended an invitation to council members to meet with him this next week to discuss the 2010 budget. He suggested they meet in groups of one, two or three councilors at a time. He asked that they contact Judy to schedule an appointment on his calendar. He noted that he has scheduled meetings with all department heads tomorrow morning to finalize their 2010 budgets.

#### **SPECIAL REPORT:**

Bethany of Skagit Domestic Violence & Sexual Assault Services, thanked the City of Burlington for their continued financial support. She stated that they understand these are tough economic times yet they continue to provide free services to victims county-wide. She noted that in 2008 that of the 800 contacts, 60 were from Burlington.

#### **PROCLAMATION:**

**Mayor Brunz** read a proclamation proclaiming the months of September, October and November, 2009 as United Way Campaign Months. **Councilor Aslett** noted that the United Way goal is one million dollars and that initial contributions total \$490,000.

#### **UNFINISHED BUSINESS:**

##### **RESOLUTION TO ADOPT CITY-WIDE GOALS.**

**City Attorney Thomas** stated that this item was presented at the last council meeting. Council members requested the item be delayed until this evening to provide additional time for review and consideration. Council members discussed some of the goals and indicated they would like more time to consider the final list. **Councilor Aslett** suggested a workshop be scheduled for November 12, 2009 to finalize the goals. He asked **Planning Director Fleek** if she would distribute the goals list at the community meeting scheduled for next week, to see if there are any comments or suggestions from the public.

**Finance Director Thramer** arrived at the meeting.

##### **AMENDMENT OF GUN POLICY IN THE PERSONNEL POLICY AND PROCEDURES MANUAL.**

**City Attorney Thomas** stated that he made a slight change in the language of the resolution to read "prohibited from carrying weapons in City buildings" rather than "from carrying weapons in City-provided vehicles". **Councilor Loving** stated that his previous objections with this policy have been addressed and he is in favor of the amendment. **Councilor Doyle** asked if an employee violated this policy would they be fired from their

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position. **City Attorney Thomas** noted that the City has a progressive discipline policy and that an employee might not be fired if it were a first offense although it would depend upon the circumstances. **Councilor Valentine** asked for clarification regarding personal vehicles and weapons. **City Attorney Thomas** noted a person could have a weapon in their personal vehicle under State law and the City policy. A motion was made by **Councilors Aslett/Loving** to adopt the resolution to amend Chapter 15 of the Personnel Policy and Procedures Manual regarding weapons. Voting in favor were **Councilors Bensen, Loving, Valentine, Aslett, Montgomery and Edmundson**. Voting against was **Councilor Doyle**. Motion carried.  
**(Resolution #15-2009)**

**NEW BUSINESS:****PROPOSED CONTRACT REZONE TO INCREASE THE NUMBER OF DWELLING UNITS ALLOWED ON A SITE FROM 4 TO 5. THE SITE (705 PETERSON ROAD) IS ZONED R-3, MULTI-FAMILY. APPLICANT IS AME PROPERTIES, LLC.**

**Planning Director Fleek** stated that the Planning Commission conducted a public hearing on the proposed contract rezone on August 19, 2009, and several neighboring property owners testified. They recommended granting the proposed contract rezone subject to the following conditions: 1) plan review by the Planning Commission, 2) provide laundry facilities in each unit, and 3) meet code requirements for landscaping including street trees and the children's play area. She noted that the decision tonight must be made on the record. **Councilor Aslett** noted that several persons were against the rezone and asked if any changed their minds after the Planning Commission recommendations. **Planning Director Fleek** indicated they did not change their opinions. A motion was made by **Councilors Montgomery/Loving** to approve the contract rezone ordinance, subject to the conditions recommended by the Planning Commission. Voting in favor were **Councilors Bensen, Loving, Valentine, Montgomery, Doyle and Edmundson**. Voting against was **Councilor Aslett**. Motion carried.

**(Ordinance # 1682)****PROPOSED AMENDMENTS TO BURLINGTON MUNICIPAL CODE CHAPTER 17, SIGNS.**

**Planning Director Fleek** stated that the Planning Commission conducted a public hearing on February 18, 2009 on proposed amendments to the sign code that sparked additional debate and code review, leading to a continued public hearing on June 17, 2009. The Planning Commission made a recommendation to approve the proposed code changes, subject to a legal opinion on the question of non-commercial electronic text message signs. The Planning Department then met with the Law Department and further revised the proposal. On August 13, 2009, the Planning Department sent an informal request to the City council for advice on several alternative approaches to the issue of Electronic Message Centers in general. While it may not be feasible to take final action without further review and modifications to the proposal, it remains the goal to update the sign code taking a practical approach that is reasonably enforceable. She reviewed each section and the proposed additions or changes. She requested direction from council regarding electronic signage. One suggestion is to limit electronic signs to locations of at least 20 acres and only along the I-5 corridor. **Councilor Loving** noted his objections to electronic signs at any location. **Councilor Edmundson** suggested the council needs to decide how they want the City to look; like a carnival or a lovely city. **Councilor Aslett** stated he is in favor of eliminating flashing and spinning signs. **Planning Director Fleek** indicated she would come back to council with an ordinance that does not allow for electronic signs with the exception of time and temperature signs.

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**INTERLOCAL AGREEMENT FOR FIBER SERVICES.**

**City Attorney Thomas** stated that for over a year, Burlington has been engaged in discussions with Mount Vernon concerning the provisions of fiber services. Burlington has previously entered into an agreement with both Mount Vernon and the Port for the transfer of data between the Port and Mount Vernon, and this agreement will allow Burlington to also utilize Mount Vernon’s equipment for fiber services. There are several commercial businesses in Burlington that would like the fiber services that we could provide. The fee charged to the businesses should help recover our costs. The sum of \$15,000 was included in the 2009 IS budget for this expense. A motion was made by **Councilors Aslett/Bensen** to authorize the Mayor to enter into the interlocal agreement with the City of Mount Vernon. All agreed. Motion carried.

**EXECUTIVE SESSION:**

The Mayor and Council members adjourned to executive session at 7:48 p.m. for the purpose of discussing personnel (collective bargaining). **City Attorney Thomas** noted that the executive session should last about 30 minutes. The Mayor and city council members returned from the executive session at 8:30 p.m.

**ADJOURNMENT:**

The meeting was adjourned at 8:31 p.m. by **Mayor Brunz**.

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Greg Thramer  
Finance Director / City Clerk

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Edward J. Brunz  
Mayor