

January 28, 2010

CALL TO ORDER:

Mayor Brunz called the meeting to order at 7:00 p.m., with the Pledge of Allegiance. Council members present: Aslett, Bieche, Edmundson, Loving, Sexton and Valentine. Staff present: Acero, Ackerman, Erickson, Kallio, Johnson, Johnstone, Lambert, Martin, Ruhland, Sheahan, Stafford, Thomas, Thramer, Tingley, VanDyken, VanSickle, Van Wieringen and Ziel.

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

MINUTES:

A motion was made by **Councilors Edmundson/Sexton** to approve the minutes of the January 14, 2010 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 57200 – 57322 in the amount of \$561,781.69. All were in favor. Motion carried.

Current Expense	\$ 300,643.94
City Street	39,032.39
Hopper Construction Fund	23,100.62
Library	2,456.19
Parks & Recreation	40,727.19
Cemetery Fund	2,524.41
Local Capital Improvement Fund	1,554.53
Sewer Fund	110,768.30
Sewer Cumulative Reserve	17,735.08
Storm Drainage Utility	23,239.04
Total	\$ 561,781.69

PUBLIC COMMENTS:

Mr. Brad Whaley, Café Burlington, extended an invitation to the Mayor and Council to his restaurant. During the month of February he will serve Mardi Gras dinner specials each Friday and Saturday evenings.

Ms. Cindy Verge, Skagit Valley Tulip Festival Executive Director, presented the City with a framed 2010 Tulip Festival poster. She thanked the City for their continued support for the Tulip Festival.

OFFICER REPORTS:

Public Works Director/City Engineer Martin discussed a few bills that are under consideration by the state legislature relating to water rights. He asked for council approval to send a letter to the representatives and senators to encourage approval of the legislation. **Councilor Aslett** suggested information in opposition be provided to Council prior to a decision so that they have a chance to review both sides of the issue.

January 28, 2010

He asked that additional information be presented at the next council meeting for consideration.

Councilor Aslett reported that he met as a part of the Library focus committee to consider the future direction of the library. He stated that the meeting lasted about five hours, but was a wonderful process directed by representatives from the state library. He noted that the meeting was attended by residents and non-residents who have an interest in the Burlington Public Library. He thanked **Library Director Buckholz** for the opportunity to be a part of this process.

Councilor Aslett noted recent graffiti problems within the City. He thanked **Officer VanDyken** for his work as Community Resource Officer relating to this issue.

SPECIAL REPORT:

Police Chief VanWieringen stated that the Community Resource Officer position began in July 2009. He introduced **Police Officer VanDyken** who described his position as Community Resource Officer. He stated that he has created several presentations that he uses when speaking to various community groups. Topics include business related crime prevention, blockwatch programs, graffiti, gang information. He works with the Sedro-Woolley and Mount Vernon Police departments regarding gang problems. He plans to add other programs in the future such as traffic control, abandoned cars, parking issues and citizen patrols. **Councilor Sexton** asked if training is available to the citizen patrols. **Police Officer VanDyken** indicated that training is not yet available as the program is in the development stage.

CONSENT AGENDA:

1. Skagit County Community Action Agency for community services in 2010.
2. Skagit Domestic Violence & Sexual Assault Services in 2010.
3. Extension of agreement with Craig Cammock for prosecution services 2010-2011.
4. Northwest Agriculture Business Center Farm Map using 2010 Lodging Tax Funds.
5. Skagit Valley Tulip Festival for use of 2010 Lodging Tax Funds.
6. Burlington Parks Foundation – Addition a Touch of Art Burlington using 2010 Lodging Tax Funds.

A motion was made by **Councilors Loving/Valentine** to approve Consent Agenda items #1-6 and authorize the Mayor to sign appropriate documents. All agreed. Motion carried.

UNFINISHED BUSINESS:

COUNCIL DECISION REGARDING POSITIONS WITHIN THE FINANCE DEPARTMENT.

City Attorney Thomas reviewed the past discussions with council and offered an ordinance for council consideration as they requested. **Councilor Aslett** requested about a fifteen minute Executive Session to discuss potential litigation.

EXECUTIVE SESSION:

The Mayor and Council adjourned to Executive Session to discuss potential litigation at 7:30 p.m. The Mayor and Council returned from Executive Session at 7:48 p.m. A motion was made by **Councilors Edmundson/Valentine** to table the decision regarding positions within the Finance Department until the next council meeting. All agreed. Motion carried.

January 28, 2010

NEW BUSINESS:**REQUEST FROM HEART 2 HOME FOR CONNECTION TO CITY OF BURLINGTON SEWER SYSTEM.**

Mr. Steve Barron presented photographs of the current conditions in a farm worker labor camp. His plan is to purchase the property and replace the small buildings with 44 modular homes. He requested permission to connect to the City sewer system. **Councilor Aslett** noted that because this parcel is located outside of the City limits and is not in the Burlington Urban Growth Area, he does not believe the City can grant permission to connect to the sewer system. **City Attorney Thomas** noted that current state law allows an exception if for a life/safety issue. **Councilor Sexton** asked if Mr. Barron would provide a site plan to the City. Using a photograph of the parcel, Mr. Barron indicated where the modular units would be located and where he would propose the sewer line and pump station be located. **City Attorney Thomas** noted that the building permit process will be through Skagit County, as the property is located outside of the City limits. Council members requested that this issue be tabled until the next meeting so they could obtain more information from the school district, dike district and review state regulations.

CONTRACT WITH GOLDER ASSOCIATES, INC. FOR CERTIFIED LEVEE SEGMENT GEOTECHNICAL ENGINEERING AND CONSTRUCTION MONITORING SERVICES.

Public Works Director/City Engineer Martin stated that this contract will provide continued geotechnical services from Golder Associates to ensure Golder is in the loop on all construction activities on those levee segments that are intended for certification. His intention is that Golder will be the engineering firm that eventually will back the certification report. The term of the agreement is through December 31, 2012. A motion was made by **Councilors Edmundson/Loving** to approve the contract with Golder Associates, Inc. and authorize the Mayor to sign. All agreed. Motion carried.

RESOLUTION REGARDING THE SKAGIT RIVER HYDROLOGY AND REQUESTING A TECHNICAL CONFERENCE TO RESOLVE.

Public Works Director/City Engineer Martin stated that this resolution is intended to provide background information to FEMA headquarters, other federal agencies, and our State and Federal delegations about the Skagit hydrology issue, and request a technical conference be set up to resolve the issue. A motion was made by **Councilors Valentine/Sexton** to approve the resolution regarding the Skagit River hydrology. All agreed. Motion carried.

(Resolution # 03 - 2010)

RESOLUTION REGARDING REPLACEMENT OF THE BURLINGTON NORTHERN SANTA FE SKAGIT RIVER BRIDGE.

Public Works Director/City Engineer Martin stated that the proposed resolution is intended to make a strong statement in order to get the attention of state and federal legislators and state and federal agencies that may have jurisdiction or influence on this issue, and raise the profile of this serious public safety problem. For three years, Burlington has been working in cooperation with Sedro-Woolley and the adjacent Dike Districts to get some activity going on replacing this bridge. We know with certainty that this bridge is a hazard to itself and the adjacent levees during Skagit floods. A motion was made by **Councilors Aslett/Bieche** to approve the Resolution regarding replacement of the Burlington Northern Santa Fe Skagit River Bridge. All agreed. Motion carried.

(Resolution # 04 - 2010)

BID AWARD, SANITARY SEWER LIFT STATION #3.

Public Works Director/City Engineer Martin stated that sixteen bids were opened January 14th. The apparent low bid by Ro-Con Equipment Specialists, did not meet the contract specifications and had an error within their bid proposal. The second low bid from Interwest Construction, substantially met the specifications. Staff recommends

January 28, 2010

awarding the contract to the second lowest, responsible bidder, Interwest Construction of Burlington, WA in the amount of \$545,025.04. A motion was made by **Councilors Loving/Edmundson** to award the bid for Sanitary Sewer Lift Station #3 to Interwest Construction in the amount of \$545,025.04. All agreed. Motion carried.

ADJOURNMENT:

The meeting was adjourned at 8:24 p.m. by **Mayor Brunz**.

Greg Thrumer
Finance Director

Edward J. Brunz
Mayor