

March 11, 2010

**CALL TO ORDER:**

Mayor Brunz called the meeting to order at 7:01 p.m., with the Pledge of Allegiance. Council members present: Aslett, Bieche, Edmundson, Loving, Montgomery, Sexton and Valentine. Staff present: Cavanaugh, Fleek, Johnson, Johnstone, Kalio, Lambert, Martin, Ruhland, Sheahan, Thramer, Tingley and Van Wieringen.

**Mayor Brunz** reminded Council members to turn on their microphones.

**MINUTES:**

A motion was made by **Councilors Sexton/Valentine** to approve the minutes of the February 25, 2010 Council workshop and Council meeting. All agreed. Motion carried.

**AUDIT OF BILLS:**

**Councilor Edmundson** presented the bills. A motion was made by **Councilors Edmundson/Sexton** to approve vouchers 57523 – 57624 in the amount of \$122,956.34. All were in favor. Motion carried.

Current Expense	\$ 40,377.86
Current Expense Cumulative Reserve	10,903.44
City Street	928.23
Hopper Construction Fund	6,082.52
Library	2,706.60
Parks & Recreation	4,809.80
Cemetery Fund	103.99
Stadium Fund	5,826.87
Local Capital Improvement	93.17
Park & Recreation Reserve	1,921.47
Sewer Fund	17,569.54
Storm Drainage Utility	31,632.85
<b>Total</b>	<b>\$ 122,956.34</b>

**PUBLIC COMMENTS:**

Mr. Brian Gentry, 13576 Vista Ridge Lane, Bow, spoke as a member of Burlington Citizens for Schools and the Blue and Gold Committee. He stated that the Blue & Gold committee met several times to review the school financial position and gain an understanding how the district got into their current financial situation. The Citizens for School group was formed to support a bond issue that will be on the May 18, 2010 ballot. He distributed flyers that provide factual information relating to the bond. He noted several town hall meetings will be held throughout the community prior to the election to educate voters of the importance of this issue and encourage everyone to vote for the bond. He asked for City council support in the form of a Resolution. The bond would be an assessment of \$.19 per thousand dollars value which would add \$38.00 tax on a home valued at \$200,000.

Mr. Mark Kramer, 506 South Cherry, spoke about the proposed school bond issue. He suggested the City might not want to support the tax as it won't provide benefit to any student, will only pay for an unfunded debt.

**OFFICER REPORTS:**

**Planning Director Fleek** talked about new art in City hall which is a part of the Tulip Festival Art Walk taking place in Burlington during the entire month of April. She noted that art has been placed along the hallway of City Hall as part of this event. Other art will

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be located in City businesses. She also talked about the progress of the Railroad Park planning and opportunities for funding and tourism.

**Parks & Recreation Director Cavanaugh** stated that three part-time staff positions that are funded through park user fees were inadvertently omitted from his 2010 budget. One position is funded from rental fees from the covered shelters and is the same person that works at the yard waste facility. The shelters need to be cleaned on the weekends following prior days use to be ready for the next user. The second position is the person who lines the soccer fields prior to tournaments, etc. The field use fees collected cover the cost of this employee and provide some additional revenue to the City. The third position is for a cemetery worker funded through cemetery fees. He noted that a certain percentage of cemetery revenue is currently distributed to the endowment fund and the capital fund. He suggested the amount designated to the endowment fund be reduced to allow more funding for current maintenance expenses. He noted that the endowment fund cannot be used for cemetery maintenance expenses until after the cemetery is full. He does not expect this to happen for another 30-35 years. Until then, the endowment is invested and earning interest; the current balance is about \$285,000. **Councilor Sexton** asked for clarification of the revenue and missing expenditures. **Mayor Brunz** clarified the part-time staff was omitted in this department when in fact there is revenue to support these positions. **Councilor Sexton** asked how expenditures could be added to an already balanced budget without including additional revenue. He asked where the funds would come from to pay for the new expenditures.

**Public Works Director Martin** asked for permission to hire a part-time staff person to trim trees next week. This employee would cost about \$700 and come from the street fund vegetation control line item. **Councilor Aslett** stated there would be no answer at this time to the personnel requests from Parks and Recreation and Public Works.

**Public Works Director Martin** distributed the itinerary for the Washington D.C. trip this next week that includes representatives from Burlington, Mount Vernon, LaConner, Skagit County, Mount Vernon Schools, and Dike Districts. Meetings with government officials, Congressmen and Senators have been scheduled for each day while in Washington D.C.

**Finance Director Thrumer** reported that the Teamsters Union has requested a copy of the City's Cash Reserve Policy. He noted that the City does not have a cash reserve policy, but that the City has followed the GFOA general guidelines for cash reserve. He noted that the City should have about 2 months cash reserve (\$1.3 million). He suggested council and staff create a cash reserve policy. He asked that council think about a future discussion to work towards this policy. **Councilor Aslett** stated he is in favor of such a policy and noted the City should be very concerned about sales tax revenue as it is so volatile. He noted that a couple of police cars have had engine problems, and the department has already used their 2010 repair/maintenance funds. This shows we need a reserve fund. **Councilor Sexton** was also in favor of developing this policy.

**City Attorney Thomas** stated he has had opportunity to contact a local facilitator, Ms. Kate Bennett, to help with a Council retreat. She is affiliated with Leadership Skagit through the Economic Development Association of Skagit County. He has attempted to contact another person, but has not made contact yet. He asked for suggested retreat dates. After some discussion it was decided one or two Tuesday evenings would be the best.

#### **SPECIAL REPORT:**

Ms. Linda Aufrect, Executive Director Burlington Chamber of Commerce, noted that the state legislature has passed a bill designating a Scenic By-Way along Interstate-5 from Starbird Road to Bow Hill Road. She noted that Burlington is within one mile of four or five Scenic By-Ways; which puts Burlington in the middle of the tourism routes. She

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stated that the committee for Railroad Park has been meeting and will be applying for grant funding to build a new visitor information center. Supported by the Scenic By-Way designation, Washington Association of Visitor Centers and others, this should be a successful project. She announced that the Chamber membership has taken a position in support of the May 18<sup>th</sup> Burlington-Edison School Bond issue and gave a short explanation as to why. **Councilor Aslett** shared positive comments he has heard about the chamber and their staff.

**UNFINISHED BUSINESS:**

**ORDINANCE CHANGING THE HOURS AND CONDITIONS OF EMPLOYMENT FOR AN APPOINTED EMPLOYEE.**

**Mayor Brunz** stated the council would go into executive session.

**EXECUTIVE SESSION:**

The Mayor and City Council members adjourned to Executive Session at 7:54 p.m. for the purpose of discussing collective bargaining and litigation. **Mayor Brunz** stated that the session would last approximately 15 minutes. At 8:11 p.m. **City Attorney Thomas** announced the executive session would last about another 15 minutes. The Mayor and City Council members returned from Executive Session at 8:31 p.m.

**Mayor Brunz** called the meeting back to order. He apologized for not following City guidelines to add a position in the Finance Department. **City Attorney Thomas** read from the proposed ordinance with revisions to section 1. The revised ordinance would create an additional Accounting Technician I position subject to provisions of the Labor Agreement between the City and Teamsters Local No. 231. The position shall be filled in accordance with the City's hiring policies. A motion was made by **Councilor Edmundson** to adopt an ordinance to change the hours and conditions of employment of an appointed employee. **Councilor Edmundson** withdrew her motion. A motion was made by **Councilors Bieche/Edmundson** to adopt the revised ordinance as read by City Attorney Thomas. All agreed. Motion carried.

**(Ordinance # 1704)**

**PROTECTING PERMITS FROM ENDANGERED SPECIES ACT BIOLOGICAL OPINION; OPTIONS AND ISSUES.**

**Planning Director Fleek** stated that the ESA Biological Opinion claims the National Flood Insurance Program is killing endangered species by allowing floodplain development. The City is working to make sure that the citizens and property owners are protected under the Endangered Species Act in the way the Biological Opinion is implemented in Burlington that affects all property in the Floodplain under the National Flood Insurance Program. Small cities located in the floodplain are hardest hit by the Biological Opinion, and Burlington is working on all available options, including reports on every construction and land use permit, and potentially a Habitat Conservation Plan approved by National Marine Fisheries Services. An Endangered Species Act Checklist will be implemented at the permit Center, and the applicants will get assistance in completing the form, to minimize our liability and hopefully also protect the applicants, until such time as a permanent solution is identified.

**CITY OF BURLINGTON TRAVEL POLICY:**

**Councilor Aslett** asked Council members to reconsider an issue concerning payment for meals under per diem rules. He stated that at the last council meeting a resolution was approved to amend the City Travel Policy to allow payment for missed meals that are provided at a conference if the person was attending another meeting for City business. He believes that the Travel Policy already included a provision whereby the Mayor could authorize payment for a missed meal thus there is no need to have amended the policy. A

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discussion ensued regarding the policy and intent of the prior amendment. A motion was made by **Councilors Aslett/Bieche** to rescind Resolution 08-2010 amending the City Travel Policy. There was additional discussion to clarify the policy change and reason for the vote. A call for the vote was made by **Councilor Valentine**. Further discussion to clarify the issue ensued. A call for the vote was made by **Councilor Bieche**. It was decided to bring this issue to a future council meeting in written form for further clarification. **Councilor Aslett** withdrew his motion; **Councilor Bieche** withdrew her second to the motion.

**NEW BUSINESS:**

**PROPOSED REZONE OF OLD FIRE STATION SITE AND ADJACENT BUSINESS FROM SEMI-PUBLIC TO GENERAL COMMERCIAL.**

**Planning Director Fleek** stated that the City of Burlington is requesting that the site of the old Fire Station (on E. Victoria Street) and the Varsity Inn (112 N. Cherry Street) be rezoned from Semi-Public (RS) to General Commercial (C-1). The Planning Commission conducted a public hearing on February 17, 2010 and made a recommendation to grant the rezone, following public testimony. Concerns raised include ensuring adequate downtown parking and flexibility in making the trail connection to Lion’s Park. **Councilor Aslett** asked if persons who may be interested in purchase of this property are aware of the possible rezone. **Planning Director Fleek** indicated the parties have been advised. He has also advised the property appraiser of the possible rezone. A motion was made by **Councilors Bieche/Montgomery** to approve the rezone request and adopt the ordinance rezoning the old fire station site and adjacent business from Semi-Public (R-S) to General Commercial (C-1). All agreed. Motion carried.

**(Ordinance #1705 )**

**RESOLUTION DECLARING SEVERAL ELECTRONIC ITEMS AND THREE VEHICLES AS SURPLUS.**

**Finance Director Thramer** stated that the electronic equipment is from the Sewer Department. Most of the equipment is no longer needed or has been replaced. The vehicles include an old pick-up truck that was used by former Fire Chief Ted Banta. It has close to 200,000 miles on it and does not run. Also included is a small GMC (Sonoma) pick-up with about 50,000 miles, which does not run. The third vehicle is a 1984 Chevrolet 3/4 –ton Custom Deluxe pick-up with about 190,000 miles. This truck does run. A motion was made by **Councilors Valentine/Loving** to approve the resolution declaring the electronic equipment and vehicles as surplus and authorizing their sale or disposal. All agreed. Motion carried.

**(Resolution # 11-2010)**

**EXECUTIVE SESSION:**

There was not an executive session

**ADJOURNMENT:**

The meeting was adjourned at 9:09 p.m. by **Mayor Brunz**.

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Greg Thramer  
Finance Director

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Edward J. Brunz  
Mayor