

April 8, 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 and Sexton. Staff present: Ackerman, Dempsey, Kinney, Martin, Moser, Sheahan, Staheli, Thomas, Thramer, Tingley and Van Wieringen.

MINUTES:

A motion was made by **Councilors Edmundson/Loving** to approve the minutes of the March 25, 2010 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 57716 – 57817 in the amount of \$118,939.18. All were in favor. Motion carried.

Current Expense	\$ 57,862.81
Current Expense Cumulative Reserve	13,515.75
City Street	12,596.81
Library	4,172.36
Parks & Recreation	6,318.86
Cemetery Fund	162.71
Stadium Fund	7,813.13
Sewer Fund	11,853.38
Storm Drainage Utility	4,643.37
Total	\$ 118,939.18

PUBLIC COMMENTS:

Mr. Jose Medina and Mr. Ernesto Medina commented on the increase fees for use of the Skagit River Park soccer fields. Mr. Medina indicated that because of the fee increase, several (up to ten) teams have dropped out of his soccer league. He noted that fewer teams in the league results in fewer people in Burlington during soccer events. These folks often purchase goods and services while in town. He asked how the City came up with the new fees. **Councilor Aslett** indicated that operational costs have increased over the years, and the City needed to adjust fees. It is his understanding that **Parks & Recreation Director Cavanaugh** compared fees in the surrounding area to come up with new fees for Burlington. **Councilor Aslett** suggested Mr. Medina meet with **Parks & Recreation Director Cavanaugh** to discuss the fee schedule.

OFFICER REPORTS:

Public Works Director/City Engineer Martin reported on the status of the ongoing U.S. Army Corps of Engineers General Investigation study of the Skagit River. He stated that this study was discussed in a recent meeting with U.S. Senator Patty Murray.

Public Works Director/City Engineer Martin reported that staff will hold a meeting this next week to discuss how to deal with mosquitoes in the City. They will consider safe sprays and/or pellets. There are funds in the 2010 budget for this project.

Public Works Director/City Engineer Martin shared a recent article in a Seattle paper regarding a study by University of Washington Associate Professor Alan Hamlet regarding river levels affected by climate warming.

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Building & Grounds Supervisor Tingley reported that the large evergreen tree in Alpha Park is diseased and will be removed within the next two weeks. The cost to cut down and remove the tree is about \$650.00. He will report back to council at a later date with a recommendation for a replacement tree.

Fire Chief Staheli thanked **Mayor Brunz** for appointing him as Fire Chief this past week. He stated he is grateful to have the opportunity to serve the City in this capacity. He noted that other city departments are always willing to assist if needed. **Councilor Aslett** thanked him for his service this past year as **Interim Fire Chief**.

Recreation Coordinator Kinney stated that the Youth Appreciation Day was held this past week at the Lucille Umbarger Elementary School. She estimated there were more than 100 students in attendance. Twenty-three agencies set up booths to provide information and opportunities to the youth. There were 51 Burlington-Edison High School student volunteers to assist with the program, including set-up and clean-up at the end of the day.

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

City Attorney Thomas asked council members if they would like to have a facilitator at the planned retreat. **Councilor Aslett** was in favor of hiring a facilitator and suggested a limit of \$1,500. **Councilor Bieche** suggested the retreat be held without a facilitator. **Councilor Montgomery** indicated he was in favor of a facilitator. **Councilor Aslett** noted his concern that without facilitator the group will get bogged down; a facilitator will keep discussions moving along and on task. The Council consensus was to limit the cost for a facilitator to \$1,500 (for two 4-hour sessions).

Councilor Sexton sat in on Municipal Court proceedings on a recent Wednesday. He was impressed how well the staff moved along more than 160 cases. He also did a ride-along with **Officer Campo**. **Councilor Sexton** was very impressed as to how the officer carried out his duties.

SPECIAL PRESENTATIONS:

23RD ANNUAL FARM WORKERS MARCH:

Ms. Consuelo Guandique was not in attendance for the presentation. **Mayor Brunz** stated the group will have to apply for a parade permit and noted there is an issue of overtime expenses for this event. **Lieutenant Moser** stated the department will need five officers on duty (at overtime rates). This is one more than last year, but the march grows larger each year. **Mayor Brunz** noted that organizers of another march this last year paid the overtime costs. **Chief VanWieringen** noted that the 2010 budget is \$10,000 less than 2009; this march will require police presence, thus overtime expenses. **City Attorney Thomas** noted we have a fee/permit process requiring \$20. We need to follow current policy and consider changes for the future. He will bring information to the next council meeting regarding fees, etc.

MAYOR'S YOUTH AWARD:

Mayor Brunz presented the 2010 Mayor's Youth Awards to Miriam Creelman and Alexandra McMannis. **Recreation Coordinator Kinney** thanked all of the students who were nominated for the award.

SPECIAL REPORT:

Ms. Linda Aufrecht, Executive Director Burlington Chamber of Commerce, presented an overview of the March Chamber activities and upcoming plans and projects. She noted

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an increase in numbers at the Visitor Information Center since the beginning of the Tulip Festival (April 1st). She reminded everyone that Burlington is hosting an “Art Walk” during April. Twenty-four artists have their art displayed in twenty businesses in Burlington. Brochures that include a map and list of businesses are available at City Hall, the businesses and the Chamber office.

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:**WASHINGTON STATE DEPARTMENT OF TRANSPORTATION
CHUCKANUT DRIVE PROJECT UPDATE.**

Assistant City Engineer Dempsey introduced Mr. Marco Foster, Construction Engineering Manager with the Washington State Department of Transportation. Mr. Foster reviewed the plans to upgrade and reconfigure the traffic patterns at the Chuckanut Drive/Interstate-5 interchange. He noted the plans call for construction of two roundabouts; one on each side of Interstate-5. The new design will eliminate two signal lights on the east side of the interstate and reduce traffic congestion at the Chuckanut Drive overpass by moving the interstate on-ramps further away from the overpass. He stated that the project work has begun and should be complete after the end of the summer. During construction there will be some road closures and detours.

**PUBLIC HEARING TO UPDATE THE BURLINGTON MUNICIPAL CODE
TITLE 14 SURFACE WATER UTILITY PERTAINING TO NEW SYSTEM
EXTENSION CHARGE.**

Mayor Brunz opened the public hearing. **Assistant City Engineer Dempsey** stated that the proposed ordinance will amend BMC 14.805.200, System Extension Charges. He noted that letters sent to property owners resulted in no comments or calls. He stated that the City financed and constructed stormwater utility infrastructure with the North Burlington Boulevard and North Burlington Regional Stormwater Facility projects. Total costs from consultant design to construction, exceeded \$3.5 million. The Revised Code of Washington state, allows municipalities to recover a portion of the costs of stormwater utility improvements from other property owners who later develop property in the vicinity and use the improvements. Properties subject to the proposed system extension charge are within a 70 acre drainage basin near the high school. The fee will be \$30,000 per acre fee. **Public Works Director/City Engineer Martin** noted that the stormwater can be put into Gages Slough rather than on-site retention ponds, which is much less costly to the developers. Mr. Mark Kramer, 506 South Cherry, asked if the fees would cover the entire cost of the project. He asked if the notice was sent early enough so that property owners could respond. He asked if council plans to make a decision tonight or wait until developers show up to complain. **Councilor Aslett** stated the research has been done to determine a fee that will cover about 50% of the actual expected costs. A motion was made by **Councilors Aslett/Loving** to close the public hearing. All agreed. Motion carried. A motion was made by **Councilors Aslett/Bieche** to approve the ordinance amending BMC, Title 14. All agreed. Motion carried.
(Ordinance # 1709)

SEWER LINE REPLACEMENT CONTRACT.

Public Works Director/City Engineer Martin stated that this contract will replace 243 feet of old sewer line in the alley between Greenleaf and orange streets, bordered by Pine and Cherry streets. Total cost with tax is expected to be \$40,254.57. He noted that new “Public Work” procurement states allow multi-craft project such as this to be awarded without a formal bid process; however, because we have not yet updated our City purchasing policy to align it with the new statute, thus Council approval is required. The

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work was budgeted for in 2010 Sewer budget. The apparent low quotation from Excavation West was withdrawn due to an error. The proposed contract is with Sligar Construction LLC for \$46,446.00 (plus tax). Washington Codes require a performance bond and at this time the contractor is not able to get a \$50,000 performance bond. The statutes allow that contracts less than \$35,000 do not require a performance bond. His recommendation is for the City to purchase the material and the contractor will do the work. This will keep the contract under \$35,000. **City Attorney Thomas** stated this procedure would be allowed. **Councilor Montgomery** asked if we purchase the materials, would we save money. **Director/City Engineer Martin** stated that is a possibility. **Councilor Aslett** asked about the bid that was withdrawn. **Public Works Director/City Engineer Martin** stated that the bid was withdrawn due to an error in the calculations. A motion was made by **Councilors Montgomery/Loving** to approve the contract with Sligar Construction LLC to do the work with the City purchasing the materials. All agreed. Motion carried.

BURLINGTON NORTHERN SANTA FE RAILROAD BORE PERMIT CONTRACT.

Public Works Director/City Engineer Martin stated that the Public Works Department is cooperating with a regional effort to bring fiber to the top of Burlington Hill in order to provide enhanced communications for emergency services. The work requires conduit be installed in the BNSF right-of-way via a subsurface bore. Our staff volunteered to take on the permits needed to bore under SR-20 as well as the BNSF tracks. Washington State Department of Transportation has already approved our request to bore under SR-20. The railroad is expeditiously processing this request. All costs associated with this permit (except City staff time) will be reimbursed by a federal grant administered by the Skagit County Department of Emergency Management. A motion was made by **Councilors Bieche/Sexton** to approve the contract with BNSF Railway Company. All agreed. Motion carried.

EXECUTIVE SESSION:

There was not an executive session

ADJOURNMENT:

A motion was made by **Councilors Aslett/Bieche** to adjourn the meeting at 8:32 p.m.

Greg Thramer
Finance Director

Edward J. Brunz
Mayor