

June 24, 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, Montgomery, Valentine and Sexton. Staff present: Acero, Ackermann, Cavanaugh, Fleek, Martin, Sheahan, Sherwood, Stafford, Van Wieringen and Cammock.

MINUTES:

A motion was made by **Councilors Edmundson/Sexton** to approve the minutes of the June 10, 2010 Council meeting and Council workshop. All agreed. Motion carried.

AUDIT OF BILLS:

Councilor Edmundson presented the bills. A motion was made by **Councilors Edmundson/Montgomery** to approve vouchers 58228 – 58317 in the amount of \$470,867.16. All were in favor. Motion carried.

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|------------------------------------|----------------------|
| Current Expense | \$ 78,091.20 |
| Current Expense Cumulative Reserve | 981.92 |
| City Street | 15,485.63 |
| Hopper Construction | 6,240.00 |
| Library | 163.94 |
| Parks & Recreation | 5,910.73 |
| Cemetery Fund | 1,659.16 |
| Parks & Recreation Reserve | 7,699.11 |
| Sewer Fund | 36,666.49 |
| Sewer Cumulative Reserve | 283,858.79 |
| Storm Drainage Utility | 34,110.19 |
| Total | \$ 470,867.16 |

PUBLIC COMMENTS:

There were no public comments.

OFFICER REPORTS:

Planning Director Fleek reported that the code enforcement activities are being handled by the Police, Fire and/or Health Department as needed. Most recent complaints include unsightly weeds, persons living in recreational vehicles and illegal signs. She encouraged citizens to contact the Planning Department with any complaints.

Parks & Recreation Director Cavanaugh stated that the Firecracker Soccer Tournament and the Berry Dairy Days celebration were huge successes for the City, soccer clubs, Chamber, vendors and many local businesses. He reported no major problems during the weekend events. There was a large attendance at the Friday evening fireworks at Skagit River Park. This was due in part because the soccer tournament last game of the day ended about 8:30 p.m. Thus, many families remained in the park until after the fireworks.

Public Works Director/City Engineer Martin reported the City of Burlington has received a \$93,000 Department of Ecology grant for work with stormwater programs. He praised **Planning Director Fleek** for her work with the Chamber to submit a grant request for development of Railroad Park. He also congratulated her for drafting the Environmental Impact Statement for levee certification.

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Councilor Aslett noted that an article in the recent City Bulletin indicates sales tax revenue has increased this year. It was his understanding that sales tax revenue has not increased this year and wondered why the article stated otherwise.

UNFINISHED BUSINESS:

RESOLUTION ADOPTING THE SIX YEAR TRANSPORTATION IMPROVEMENT PLAN 2011-2016.

Public Works Director/City Engineer Martin stated that the City Council held a public hearing on the proposed six-year Transportation Improvement Plan, in accordance with RCW 35.77.010. There were no comments. Staff subsequently finalized the Washington Department of Transportation form based on the approved project priority list. He noted that the program can be revised at any time, following a public hearing, by a majority of the council. A motion was made by **Councilors Loving/Aslett** to approve the resolution adopting Burlington's Six Year Transportation Improvement Program for 2011-2016. All approved. Motion carried.

(Resolution # 19-2010)

REQUEST FOR TEMPORARY EMPLOYEES, STREET DEPARTMENT.

Public Works Director/City Engineer Martin stated that the Teamster's Union has been contacted to ensure this proposal is acceptable but we have not heard back from them as of today. Council requested this item be brought back for consideration after a response from the union.

NEW BUSINESS:

UPDATE OF THE INTERNATIONAL BUILDING CODES AS MANDATED BY THE STATE.

Building Official Sherwood stated this is a mandatory update of the construction and fire codes that occurs once every three years. Because of budget constraints, only one set of codes will be purchased at this time to be shared by all staff. Note that the Energy Code now includes the Indoor Ventilation Code. He noted that there is pending litigation on the energy code, and changes in implementation schedule are expected. The Ordinance presented this evening is set up to accommodate the likely change. A motion was made by **Councilors Aslett/Montgomery** to approve the Ordinance amending Burlington Municipal Code Chapter 15 to update the International Construction and Fire Codes to the 2009 Editions. All agreed. Motion carried.

(Ordinance # 1716)

PROPOSED ZONING CODE AMENDMENT AND COUNCIL RESOLUTION TO ESTABLISH DENSITY BONUS CREDITS.

Planning Director Fleek stated that a public hearing was conducted by the Planning Commission on May 19, 2010, and a recommendation was made to send the proposal to the City Council for action. The idea for a zoning density bonus program that would both increase the property value of the development site, and raise money to support the Skagit Farmland Legacy Program by targeting the purchase of farmland development rights in a specific area adjacent to the City of Burlington, was first presented in 2004. A detailed economic study funded by the Conservation District, the City, the County and a major donation by the Economists themselves, was completed in June of 2009. The proposal was recommended as a pilot project by the task force and the planning commission. She noted that efforts to establish this program have been on-going for several years with a task force and through the Planning Commission along with input from citizens. She noted that after one year, the success of the program and the fees will be reevaluated and recommendations will come back to the City Council. **Councilor Aslett** spoke in opposition to this proposal suggesting this may not be the best approach to preserving farmland. **Councilor Sexton** stated he was not in favor of allowing

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property owners extra density for a fee. **Councilor Loving** and **Councilor Bieche** spoke in favor of the proposal as a way to preserve a rural farmland buffer along the west and north sides of the Burlington City limits. Mr. Allen Rozema, Executive Director Skagitonians to Preserve Farmland, reviewed the actions of the Burlington Planning Commission and the Agricultural Heritage Credit Proposal Task Force to develop a program and a fee structure. He further explained how the program would be implemented. Mr. Mark Kramer, 506 South Cherry, spoke in favor of the Agricultural Heritage Credit program. A motion was made by **Councilors Loving/Valentine** to adopt the Ordinance to establish Burlington Agricultural Heritage Credit Program. Voting in favor were **Councilors Bieche, Loving, Valentine** and **Montgomery**. Voting against were **Councilors Edmundson, Aslett** and **Sexton**. Motion carried.
(Ordinance # 1717)

A motion was made by **Councilors Loving/Valentine** to adopt the Resolution to set fees for a one year pilot program for the Agricultural Heritage Credit Program. Voting in favor were **Councilors Edmundson, Valentine, Bieche, Montgomery** and **Loving**. Voting against were **Councilors Aslett** and **Sexton**. Motion carried.
(Resolution # 20-2010)

CONTRACT WITH SCHWETZ CONSTRUCTION FOR STREET IMPROVEMENTS ALONG EAST FAIRHAVEN AVENUE.

Public Works Director/City Engineer Martin stated that this contract will facilitate road improvements along the north side of East Fairhaven, near Gardner Road. Schwetz Construction will install approximately 350 lineal feet of sidewalk, curb, gutter, and asphalt. In 2004, the Fairgarden developer paid the City of Burlington \$15,000 in lieu of building the frontage improvements, which never got built. Since, we have received numerous requests from the home owner association for the City to construct the improvements. This contract also includes a small project on Goldenrod Road. The funding (\$25,000) for will come from the "Street Roadway" line in the 2010 Street budget. A motion was made by **Councilors Loving/Montgomery** to authorize the Mayor to sign the contract with Schwetz Construction for E. Fairhaven improvements. Voting in favor were **Councilors Edmundson, Loving, Valentine, Aslett, Montgomery** and **Sexton**. Voting against was **Councilor Bieche**. Motion carried.

SIGNAGE TO RESTRICT DOGS AT SKAGIT RIVER PARK DURING TOURNAMENTS.

Parks and Recreation Director Cavanaugh stated that there have been several incidents over the past years that have been deemed a liability to the City concerning dogs being aggressive during tournament play. He noted that signage is the most cost effective and visual communication to remedy the situation. He requested council approval to purchase and install signage at Skagit River Park. A motion was made by **Councilors Bieche/Sexton** to authorize the Parks Department to purchase and install signage at Skagit River Park restricting dogs at the park during tournaments. All agreed. Motion carried.

AGREEMENT WITH GREAT FLOORS COMMERCIAL SALES TO INSTALL CARPET TILES IN COMMUNITY CENTER.

Parks & Recreation Director Cavanaugh stated that the lobby area floor of the community center had to be done separately from the earlier flooring project so the senior center would not have to be shut down. Now that the community hall floor is complete, the office and equipment can relocate to the community hall room while the installation is being done in the lobby. Estimates were received and Great Floors Commercial Sales was the lowest estimate. A motion was made by **Councilors Montgomery/Valentine** to approve the agreement with Great Floors Commercial Sales and authorize the Mayor to sign. All agreed. Motion carried.

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RESOLUTION TO REVISE VENDOR FEES.

Parks & Recreation Director Cavanaugh stated that after initiation of the new 2010 vendor fees at City parks, there were a number of inquiries as to why the fees had been increased by 300% rather than the 50% that was expected. This resolution will correct the “per day” portion of the vendor fee to read “per event”. A motion was made by **Councilors Aslett/Bieche** to approve the resolution amending the Vendor Fees. All agreed. Motion Carried.
(Resolution # 21-2010)

GRAFTON HOUSE DEMOLITION.

Parks & Recreation Director Cavanaugh stated that all other possibilities for the removal or donation of the Grafton House have dried up. At the March 25th council meeting, the City Council gave staff the go ahead for demolition if other options were exhausted; we are now at that point. He asked that council approve an agreement with SP General Contracting LLC to demolish the building at a cost of \$5,193.60 (plus tax). A motion was made by **Councilors Aslett/Loving** to approve the agreement with SP General Contracting LLC to demolish the Grafton House, located at 941 South Burlington Boulevard. All agreed. Motion carried.

EXECUTIVE SESSION

There was not an executive session.

ADJOURNMENT:

A motion was made by **Councilors Bieche/Valentine** to adjourn the meeting at 8:27 p.m. All agreed; motion carried.

Greg Thramer
Finance Director

Edward J. Brunz
Mayor