

July 22, 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, Montgomery, Sexton and Valentine. Staff present: Ackermann, Bloodgood, Cavanaugh, Dite, Martin, Sheahan, Stafford, Thomas, Thrasher and Tingley.

MINUTES:

A motion was made by **Councilors Sexton/Bieche** to approve the minutes of the July 8, 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/Sexton** to approve vouchers 58430 – 58525 in the amount of \$194,401.70. All were in favor. Motion carried.

Current Expense	\$ 64,932.06
Fire Equipment Cumulative Reserve	1,790.78
City Street	15,261.60
Hopper Construction	142.34
Library	111.80
Parks & Recreation	4,916.21
Cemetery Fund	233.19
Stadium Fund	18,348.91
Local Capital Improvement Fund	384.76
Parks & Recreation Reserve	45.78
Sewer Fund	31,338.91
Sewer Cumulative Reserve	10,631.80
Storm Drainage Utility	41,069.96
Park Endowment Fund	5,193.60
Total	\$ 194,401.70

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

PUBLIC COMMENTS:

There were no public comments.

OFFICER REPORTS:

Public Works Director/City Engineer Martin stated that our Congressional delegation may get funding for continuing the Skagit River General Investigation study.

Public Works Director/City Engineer Martin stated that the funding authorized by the City Council to support engineering and environmental reports to move along the possibility of replacing the Burlington Northern Santa Fe Skagit River Bridge will not be used. The State does not have funds in the budget this year to proceed with the project. He noted that the project will be reconsidered in future years.

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City Attorney Thomas stated that the Burlington Chamber of Commerce and the League of Women Voters have scheduled a candidate forum for the evening of August 3, 2010 at the Burlington City Hall. The forum will include candidates for positions of County Assessor, County Commissioner (3rd district) and the 40th Legislative Representative (Position 1 and 2).

City Attorney Thomas stated that we have been contacted by the State Auditor's office regarding the possibility of renting office space in a government building. The Auditor is planning to close the office in Mount Vernon and is looking to downsize.

PURCHASE OF MAIN COMPUTER SYSTEM SWITCH.

City Attorney Thomas reported that last Friday we had a failure of a main computer switch. We were able to repair the problem with a temporary fix. **Information Systems Technician Hawes** recommends purchase of a new switch at a cost of about \$2,500. **City Attorney Thomas** recommends using funds from the Legislative Emergency Fund for this purchase. A motion was made by **Councilors Aslett/Sexton** to authorize funds from the Legislative Emergency Fund to purchase a new switch. All agreed; motion carried.

Mayor Brunz announced that he has implemented an Employee of the Quarter award for City employees. The first quarter award for the City of Burlington goes to **Parks Supervisor Craig Bloodgood**. **Mayor Brunz** showed the plaque that will be displayed in City Hall noting this award. **Mayor Brunz** stated there were several employees nominated for this award. Nominations for this award came from City employees and citizens. Nominations were reviewed by an employee committee.

Mayor Brunz noted that **Planning Director Fleek** distributed a survey form to each Council member. She asked that they complete the survey and return it to her office.

UNFINISHED BUSINESS:

TEMPORARY SECOND WORK CREW.

Building & Grounds Supervisor Tingley stated that to add a second work crew for about 10 weeks (380 hours) will cost the City about \$6,325.00 for wage and benefits. Tools and supplies can be shared with the existing work crew. Transportation for the crew to work sites around the City would be in an old squad car. He noted there are several projects that could be completed by a second crew. He reminded council that the hope is that by adding a second work crew for ten weeks, the assignment backlog can be cut down. At this time, defendants assigned to the work crew are given work dates in April or May 2011. Summer is a good time to increase the work crew as there are many more opportunities for work than during the winter months. **Councilor Aslett** asked **Finance Director Thramer** where the funds would come from for this expenditure. **Finance Director Thramer** indicated the funds would come from cash reserves. A motion was made by **Councilors Aslett/Valentine** to approve the request for a temporary work crew contingent upon approval by the Teamsters Union. All agreed; motion carried.

NEW BUSINESS:

REQUEST FOR STREET CLOSURE OF THE 1000 – 1100 BLOCK OF E. HAZEL AVENUE ON AUGUST 28, 2010.

City Attorney Thomas stated that this request comes from the Foursquare Church and Burton's Nursing Home. They would like to close the street from 10:00 a.m. to 4:00 p.m. on Saturday August 28, 2010 for a neighborhood block party. He noted that Police and Fire have reviewed and approved this request. A motion was made by **Councilors**

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Sexton/Montgomery to approve the street closure request for August 28, 2010. All agreed; motion carried.

INVITATION FOR BIDS; NORRIS STREET VICINITY SEWER LINE REPLACEMENT.

Public Works Director/City Engineer Martin stated that project will replace 430 feet of sewer main and 150 feet of side sewer in two alleys located west of Cleveland Street and north of West Fairhaven Street. A motion was made by **Councilors Aslett/Edmundson** to approve the invitation for bids for the Norris Street sewer replacement project. All agreed; motion carried.

CONTRACT WITH PUMP TECH. INC. FOR A HEADWORKS SUBMERSIBLE PUMP AND MOUNTING PLATE ADAPTER.

Public Works Director/City Engineer Martin presented a contract for \$33,478 to provide the planned third inlet pump to ensure our influent system retains a backup capability even when one of the pumps fails or is pulled for routine maintenance. A motion was made by **Councilors Aslett/Sexton** to approve the contract with Pump Tech. Inc. All agreed; motion carried.

ORDINANCE REGARDING DRIVER INATTENTION.

City Attorney Thomas stated that the purpose of this ordinance is to include in the Burlington Municipal Code regulations regarding inattentive driving. **Councilor Aslett** asked if this ordinance had been reviewed by the Public Safety Committee. **City Attorney Thomas** indicated that it had not. **Mayor Brunz** asked if the council would like to hear from citizens in the audience. Council members indicated they would like to hear from the public on this issue. **City Attorney Thomas** reviewed the types of traffic infractions and explained how this ordinance would be used. **Councilor Sexton** asked if other cities have implemented this ordinance. **City Attorney Thomas** indicated several cities around the state have a similar ordinance in place. **Prosecuting Attorney Cammock** stated that this ordinance is being presented at his request to provide an additional tool for prosecutions rather than for use by police officers when issuing citations. Mr. John Cox, Fairhaven Avenue, noted that police officers use computers in their patrol cars while driving which could be considered inattentive driving. **Assistant Police Chief Stafford** indicated he would like to rely on current statutes but would not object if this ordinance is intended to be used as a tool for prosecution. **Parks and Recreation Director Cavanaugh** stated his concern about policies regarding gray areas of the law. This ordinance seems to be about gray areas. Mr. Randy Hamilton, Clear Lake, spoke against the ordinance. He was concerned that this ordinance is a secondary offense that could become a primary offense at a later date. Mr. Greg Ackermann, Blackburn Road, Mount Vernon, noted his concern that driving distractions can be caused by a cup of coffee or children in the car. He doesn't believe the ordinance is clear enough. **Councilor Aslett** suggested the ordinance be re-written and brought back for reconsideration. A motion was made by **Councilors Aslett/Edmundson** to not approve the ordinance adding a new section, 10.28, to the Burlington Municipal Code regarding driver inattention. All agreed; motion carried.

COUNCIL AGENDA POLICY.

City Attorney Thomas presented a Council Agenda Policy. He noted that this policy is being introduced so as to prevent surprises to the city council and citizens resulting from unanticipated items being introduced at City Council meetings. He noted that the policy describes each type of agenda item, how they are placed on the agenda and responsibilities of City staff. **Councilor Aslett** suggested clarification to section D.5 of the policy. **City Attorney Thomas** indicated he would add additional language and bring this to council for reconsideration at the next City council meeting.

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EXECUTIVE SESSION

The Mayor and Council adjourned to Executive Session at 8:18 p.m. to discuss bargaining and litigation. **Mayor Brunz** stated he expected the session to last about 25 minutes. At 8:45 p.m. **Mayor Brunz** announced the Executive Session would last about another 20 minutes. The Mayor and Council returned from Executive Session at 9:04 p.m.

ADJOURNMENT:

Mayor Brunz adjourned the meeting at 9:05 p.m.

Greg Thrumer
Finance Director

Edward J. Brunz
Mayor