

January 13, 2005

**CALL TO ORDER:** Mayor Tjeerdsma called the meeting to order at 7:00 p.m., with the Pledge of Allegiance. Council Members present: Bensen, Doyle, Loving, Aslett, Valentine, Montgomery and Straathof. Staff present: City Administrator Aarstad, Police Chief Bowers, Planning Director Fleek, Administrative Assistant Sheahan, and City Attorney Thomas.

**APPROVAL OF MINUTES:**

**Councilor Valentine** noted two errors in the minutes. A motion was made by **Councilors Doyle/Montgomery** to approve the corrected minutes of the December 9, 2004 Council meeting. All were in favor. Motion carried.

**AUDIT OF BILLS:**

**Councilor Straathof** presented the bills. A motion was made by **Councilors Straathof/Bensen** to approve vouchers 42320 – 42529 in the amount of \$454,679.11. All were in favor. Motion carried.

Current Expense	\$ 94,699.56
Current Expense Cumulative Reserve	123,140.47
City Street	40,269.88
Library	7,123.83
Library Permanent Book	5,337.90
Parks & Recreation	16,455.11
Cemetery Fund	2,076.09
Stadium Fund	6,941.35
Local Capital Improvement Fund	2,613.17
Park & Recreation Reserve	13,711.50
Sewer Fund	57,272.86
Sewer Cumulative Reserve	47,696.36
Garbage Fund	1,846.35
Storm Drainage Utility	35,384.68
<b>Total</b>	<b>\$ 454,569.11</b>

**PUBLIC COMMENTS:**

Mr. Rick Lemley, Lemley Funeral Chapel, understands that the Council will reconsider cemetery fees at a future council meeting. He requested that the Council also reconsider the setting fees for headstones. He feels that some are too high. He would like the difference between single and double name markers be changed. He discussed the various pricing options. He will leave more information with **City Administrator Aarstad** which outlines his concerns. **Councilor Loving** noted that the Parks Board had reviewed the fees prior to going to the City Council. **Councilor Aslett** noted that the cemetery fees must support the cemetery expenses. The cemetery cannot be subsidized by other City funds.

Mr. Mark Kramer, 506 S. Cherry, requested the Council consider sprucing up the old sewer plant site. He noted that it hasn't changed since he's been living in Burlington. He would like to see the site cleaned up during this year or at least a plan to enhance the site so that it is not an eyesore.

**OFFICER REPORTS:**

**City Administrator Aarstad** noted that city staff has already started plans to cleanup the old sewer site.

**City Administrator Aarstad** announced that the EDASC annual meeting will be Thursday February 17, 2005. He noted that this is not a night of a regular council meeting. Council members should consider attending so that reservations can be made early.

January 13, 2005

**City Administrator Aarstad** stated that Marathon Communications, Inc. is now providing phone service to the Police Court Building and the Fire Station. He asked for approval of the new contract. A motion was made by **Councilors Bensen/Aslett** to approve the contract and authorize the Mayor to sign. All approved. Motion carried.

**City Administrator Aarstad** discussed the Streamlined Sales Tax issue. He noted that no compromise was agreed upon during this past year in the Legislature. He noted that the State Department of Revenue has estimated that if approved, Burlington would lose \$659,000 the first year up to an estimated \$1,000,000 per year by 2011. He will share more information and copy of a letter that was sent to Governor Gregoire outlining the City's concerns. Burlington is looking for mitigation to the proposed plan so that Burlington would not lose so much if the SST plan is adopted.

**City Administrator Aarstad** noted that he recently met with Gregg McConnell the Publisher of the Skagit Argus regarding publication of legal notices. The Argus has agreed to publish our legal notices each Wednesday. If we choose to publish legal notices in other publications owned by the Skagit Valley Herald, it will be at the same rate as the Argus charges. The Argus is distributed free to every household within the Burlington-Edison School District boundaries which includes the City sewer service area. The rates in 2004 were \$4.00 per column inch if sent by fax and \$3.52 if sent by email with the Skagit Valley Herald. The rates for the Argus for 2005 are \$4.30 per column inch if sent by fax and \$3.80 if sent by email.

**City Administrator Aarstad** announced that interviews were held yesterday with six applicants for the Information Services Technician position. References are being checked and he hopes to have a decision early next week.

**Councilor Valentine** announced that SKAT came to an agreement with the Skagit Station in Mount Vernon, so the SKAT offices have moved into the multimodal center. The temporary office and portable restrooms have been removed from the site.

**Councilor Bensen** announced that he will not be in attendance at the January 27, 2005 council meeting.

#### **CONSENT AGENDA:**

Consent agenda Items:

- 1) State of Washington Department of General Administration Intergovernmental Cooperative Purchasing Agreement.
- 2) Agreement with Celtic Arts Foundation – Skagit Valley Highland Games.
- 3) Supplement to contract with Skagit County regarding access to the Spillman Public Safety System.

A motion was made by **Councilors Bensen/Aslett** to approve the Consent Agenda items 1 – 3 and authorize the Mayor to sign the necessary documents. All approved. Motion carried.

#### **UNFINISHED BUSINESS:**

##### **DISCUSSION REGARDING FIREWORKS ORDINANCE.**

**City Administrator Aarstad** noted that Council passed an Ordinance in June 2004 to ban use, sale and possession of fireworks in the City effective July 1, 2005. Some Council members have expressed interest in easing the restrictions. He asked for suggestions from Council regarding any amendments to the Ordinance restricting fireworks. **Councilor Loving** would like to see some changes in the ordinance to allow the City to make a decision based on weather as to how many days fireworks could be used. He would also like to allow sale of safe & sane fireworks. **Councilor Aslett** noted that sales people would have to order

January 13, 2005

their stock so far in advance, they would not know if the City would allow fireworks until the last minute. **Police Chief Bowers** noted his concern is having the appropriate facility for storage of confiscated fireworks for a 30 day period. **Councilor Bensen** asked if it would help if the Ordinance were changed to seizure and destruction. He suggested that Council took another look at the ordinance to reconsider and fine-tune the ordinance. A suggestion was made to hold a work session to discuss possible changes to the fireworks ordinance.

**NEW BUSINESS:**

**PRIDE OF THE NEIGHBORHOOD AWARDS FOR DECEMBER 2004.**

**Planning Director Fleek** noted that the Pride of the Neighborhood was extended through December. The committee voted on homes and businesses decorated for the Christmas season. Local citizens nominate the properties; and the committee consists of citizens and members of the Parks Foundation. She presented award certificates to six winners: the Gauthier Family, 575 Poplar Place; the Pell family, 1307 Kendra; the Pederson family, 1011 E. Fairhaven Avenue; the Lynch family, 278 Alderson Place, and two business awards; And Sew Much More; and Knot Just Yarn.

**SELECTION OF MAYOR PRO TEMPORE AND COMMITTEE ASSIGNMENTS FOR 2005.**

**City Administrator Aarstad** noted that Council must elect a Mayor Pro Tem for 2005, select a Councilmember to serve on the Investment Committee for 2005 and confirm the Mayor's recommendations for committee assignments. He suggested there be a third member on the Downtown Burlington Association committee. **Councilor Valentine** volunteered for the position. A motion was made by **Councilors Aslett/Doyle** to approve the Mayor's committee recommendations for 2005 with the addition of **Councilor Valentine** to the Downtown Burlington Association. All approved. Motion carried. **Councilor Doyle** volunteered to serve on the Investment Committee. A motion was made by **Councilors Valentine/Aslett** to elect **Councilor Doyle** to the Investment Committee. All approved. Motion carried. A motion was made by **Councilors Loving/Doyle** to elect **Councilor Bensen** as Mayor Pro Tempore. Voting in favor were **Councilors Loving, Valentine, Aslett, Doyle, Straathof** and **Montgomery**. Voting against was **Councilor Bensen**. Motion carried. The 2005 committee assignments are as follows for committees appointed by Mayor and confirmed by Council:

Audit and Finance:

Sally Straathof (Chair)  
William Aslett  
Joanne Valentine  
Ted Montgomery (Alternate)

Public Works:

Sally Straathof  
Chris Loving  
Helen Doyle  
Ted Montgomery (Alternate)

Public Safety:

Chris Loving (Chair)  
Garnor Bensen  
Helen Doyle  
Sally Straathof (Alternate)

Parks & Recreation Board & Cemetery Board:

Joanne Valentine  
Ted Montgomery  
Chris Loving  
Helen Doyle (Alternate)

January 13, 2005

Traffic Safety:

William Aslett (Chair)  
Ted Montgomery (Alternate)

Board of Trustees of the Volunteer Firefighter's Relief and Compensation Fund:

Joanne Valentine

Land Use:

Garnor Bensen (Chair)  
Sally Straathof  
Helen Doyle

Americans with Disabilities:

Ted Montgomery (Chair)  
William Aslett

Downtown Burlington Association:

Helen Doyle  
Garnor Bensen  
Joanne Valentine

The 2005 committee assignments are as follows for committees recommended by the Mayor and confirmed by Council:

Lodging Tax:

Helen Doyle (Chair)  
Joanne Valentine (Alternate)

Emergency Service Council:

Chris Loving

Museum Board:

Joanne Valentine (Chair)  
Garnor Bensen

Skagit Transit Board:

Joanne Valentine  
Chris Loving (Alternate)

SCOG / RTPO /MPO:

Chris Loving (Alternate)

Municipalities Committee:

Garnor Bensen  
Chris Loving (Alternate for Mayor)

**SEWER EASEMENT TRANSFER FROM PORT OF SKAGIT COUNTY TO CITY OF BURLINGTON.**

**City Administrator Aarstad** noted that the Port of Skagit County wishes to transfer a newly developed portion of the Bay View Industrial Park sewer system to the City of Burlington. This transfer request has been reviewed by the Public Works Department, Sewer Department and City Attorney. A motion was made by **Councilors Bensen/Loving** to approve the Conveyance and Easement Agreement and authorize **Mayor Tjeerdsma** to sign this agreement on behalf of the City of Burlington. All approved. Motion carried.

**CONTRACT FOR PROSECUTING ATTORNEY SERVICES.**

**City Administrator Aarstad** stated that he recently met with Craig Cammock regarding prosecuting attorney services for the City of Burlington in 2005. The contract presented

January 13, 2005

reflects a fixed annual fee arrangement rather than an hourly fee. The negotiated price is \$59,400. In comparison to other cities in Skagit County, this fee is at or below par and provides the necessary coverage for all services required of our Prosecutor representing the City at Municipal and In-Custody Courts as well as providing access for our Police staff regarding questions relating to criminal matters. A motion was made by **Councilors Loving/Doyle** to approve the contract for professional services for prosecution with Craig E. Cammock effective January 1, 2005 – December 31, 2005 and authorize **Mayor Tjeerdsma** to sign the agreement on behalf of the City of Burlington. All approved. Motion carried.

**JAIL CONTRACT WITH OKANOGAN COUNTY:**

A motion was made by **Councilors Aslett/Bensen** to approve the agreement with Okanogan County effective through December 31, 2008 and authorize **Mayor Tjeerdsma** to sign the agreement on behalf of the City of Burlington. All approved. Motion carried.

**EXECUTIVE SESSION:**

**Mayor Tjeerdsma** and the Councilmembers adjourned to Executive Session for the purpose of discussing land acquisition at 7:42 p.m. **Mayor Tjeerdsma** and the Councilmembers returned from Executive Session at 7:54 p.m.

**DECISION FOLLOWING EXECUTIVE SESSION:**

A motion was made by **Councilors Bensen/Loving** to approve a contract with Mr. James D. McCallum & Associates, Inc for appraisal of development land located at 224 E. Sharon Street and authorize the expenditure of \$3,500 from the Capital Improvement Fund. Voting in favor were **Councilors Bensen, Loving, Valentine, Doyle, Straathof** and **Montgomery**. Voting against was **Councilor Aslett**. Motion carried

**ADJOURNMENT:**

A motion was made by **Councilors Doyle/Montgomery** to adjourn the meeting at 7:58 p.m. All were in favor. Motion carried.

---

Richard A. Patrick  
Finance Director / City Clerk

---

Roger "Gus" Tjeerdsma  
Mayor