

January 27, 2005

CALL TO ORDER: Mayor Tjeerdsma called the meeting to order at 7:02 p.m., with the Pledge of Allegiance. Council Members present: Doyle, Loving, Aslett, Valentine, Montgomery and Straathof. Staff present: City Administrator Aarstad, Fire Chief Anderson, Parks Supervisor Bloodgood, Police Chief Bowers, Planning Director Fleek, Administrative Assistant Sheahan, City Attorney Thomas and Library Assistant Burwash.

APPROVAL OF MINUTES:

A motion was made by **Councilors Valentine/Loving** to approve the minutes of January 13, 2005 Council workshop. All were in favor. Motion carried. A motion was made by **Councilors Valentine/Montgomery** to approve the minutes of January 13, 2005 Council meeting. All were in favor. Motion carried.

AUDIT OF BILLS:

Councilor Straathof presented the bills. She noted that there was a large payment for storm drainage utility work. A motion was made by **Councilors Straathof/Aslett** to approve vouchers 42530 – 42657 in the amount of \$280,040.76. All were in favor. Motion carried.

Current Expense	\$ 82,901.47
Current Expense Cumulative Reserve	43,961.87
Fire Equipment Cumulative Reserve	3,776.13
City Street	27,165.88
Library	670.44
Parks & Recreation	5,612.42
Cemetery Fund	340.90
Stadium Fund	11,818.28
Local Capital Improvement Fund	1,106.19
Park & Recreation Reserve	3,447.94
Sewer Fund	25,462.03
Sewer Cumulative Reserve	4,698.03
Storm Drainage Utility	69,079.18
Total	\$ 280,040.76

PUBLIC COMMENTS:

There were no public comments.

OFFICER REPORTS:

City Administrator Aarstad asked Council to let him know if they wish to attend the EDASC Economic Forecast Dinner by February 3rd. The dinner meeting is scheduled for Thursday February 17, 2005.

City Administrator Aarstad asked Council to let him, Margaret or Judy know if they are planning to attend the forum “Honey I Shrank the Lots” on Thursday February 10, 2005. The forum will be held at the Lincoln Theatre in downtown Mount Vernon.

City Administrator announced that payroll procedures have been changed to comply with IRS regulations that require taxes be withheld each time pay is issued. Rather than having a mid-month draw with no taxes withheld, the City now pays twice each month. Pay dates are the 15th and the last working day of each month. Councilmembers will be paid one half of their monthly salary each payday.

A motion was made by **Councilors Doyle/Valentine** to excuse **Councilor Bensen** from tonight’s meeting. All were in favor. Motion carried.

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Councilor Aslett announced he will be out of town the week of February 6-11, 2005 and will not attend the forum on February 10th or the Council meeting on February 8, 2005.

Councilor Loving discussed sending a letter to the board of County Commissioners regarding the future of solid waste in the County. It was agreed that the letter would be signed by **Mayor Tjeerdsma**.

Fire Chief Anderson reviewed the call response statistics for 2004. He handed out a packet listing call response statistics compiled by zone within district and type of call. The department had 1563 calls in 2004. Of that, 1206 were in the City of Burlington, 328 were in Fire District #6, and 29 were mutual aid. He noted that the busiest days are Fridays and Saturdays.

Fire Chief Anderson announced that **Firefighter Todd Wigal** has submitted his resignation effective February 6, 2005. Todd has accepted a position with Snohomish Fire District #1. **Fire Chief Anderson** is working to fill the position through the Civil Service process. There are a number of volunteer firefighters who have expressed an interest in the vacant position.

SPECIAL REPORT – SKAGIT RIVER FLOOD FEASIBILITY STUDY – UPDATE:

Ms. Lorna Ellestad, Skagit County Public Works Surface Water Management, reviewed the progress of the Skagit River Flood Feasibility Study during the past year. She gave a Power Point presentation that included many pictures of prior flooding events in the Skagit Valley and Burlington. She noted the areas and particular infrastructure that would be at risk during a serious flooding event. Construction to set back levees has already begun with one of the Dike Districts acquiring a \$900,000 grant to mitigate salmon as well as reducing flooding problems. She noted the project objectives through 2007. She thanked Burlington for being a partner in funding the studies to reduce the risk of flooding from the Skagit River. She noted that research done by Mr. Larry Kunzler has paid off in many ways in that the USGS and Army Corps of Engineers reviewed prior studies and made some revisions based on this new information. Skagit County Public Works is working with Washington DOT, USGS, Army Corps of Engineers and Skagit County Dike Districts to review very old records regarding flooding events and dike construction. Mr. Dan Berentson, Skagit County Communications Director, noted that a part of his job is Flood Awareness. He handed out copies of a document compiled by himself and Larry Kunzler researching 80 years of flooding in Skagit County. The book is in the Burlington Library and is also available “on-line” He thanked the council for allowing them time on the agenda to give this presentation.

UNFINISHED BUSINESS:

FINAL ENVIRONMENTAL IMPACT STATEMENT ON SITE SELECTION FOR CITY HALL & LIBRARY AND NEXT STEP IN THE PROCESS.

Planning Director Fleek noted that the Planning Commission held a Public Hearing on the E.I.S. on January 18, 2005. It was very well attended and the resulting comments are included in the final EIS packets distributed to the Council. Many of the citizens voiced their opinion that they would like the City Council to hold their own public hearing. **City Administrator Aarstad** asked Council if they would like to consider renovating the current City Hall site for Library as another alternative. Council indicated they would want to consider the renovation of current City Hall as an option for a new City Library. He recommended that the City Council hold a public hearing on February 24, 2005. This would give the Council nearly a month to review the information in the final Environmental Impact Statement prior to a public hearing. **Mayor Tjeerdsma** encouraged Council to hold a public hearing. **Councilor Aslett** suggested even a later date (March 10) might be more helpful to allow additional time to review all the documents and provide more information to the public. **Councilor Loving** spoke in favor of holding the public hearing in late February so that this process would not be delayed further. **Councilor Valentine** asked **Planning Director Fleek** about a timeline for the historical review of the Park. Planning Director Fleek indicated that research has to be done regarding the history of the park and then send a report to the state department historical preservation. We also have to put together a mitigation plan to use park land for changing park land to another use. **Councilor Aslett**

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asked if we had to do research like this prior to expansion of the senior center and the addition of the water-park at Maiben Park. **Planning Director Fleek** noted that the addition to the senior center was an addition to an existing building, not a change of use. She stated that the City would be required to write a report on historical and cultural resource value of it as a park. Once you change it from a park to a library and parking lot and remainder a park. This would be a change from a park to something else. **Councilor Aslett** noted that all the other site options for the Library would require a parking lot across the road rather than onsite. If the Library were located at Maiben Park, the parking could also be at the same site. **Planning Director Fleek** noted that no comments were received from residents living near the Catholic Church site regarding placement of the Library at that location. It is the Planning Commission's recommendation that the City Council also consider conducting a Public Hearing or meeting prior to making a final decision on site selection so citizens have the opportunity to speak directly to the City Council. **Councilor Aslett** suggested a notice in the newspaper that the council will hold a public hearing. **Mayor Tjeerdsma** noted that he will do all in his power to prevent the library from going into Maiben Park. He will use his veto power if needed. A motion was made by **Councilors Valentine/Doyle** to conduct a Public Hearing regarding site selection for City Hall and Library at the regular City Council meeting of Thursday February 24, 2005. All agreed. Motion carried. **Councilor Loving** noted he is leaning towards having the Library at the Fairhaven site and City Hall at Bates site. **City Administrator Aarstad** stated that he will have Lewis Architects do cost estimates on all three suggested sites for a Library. A motion was made by **Councilor Loving/Doyle** to drop the Maiben Park site from the E.I.S. Voting in favor **Councilor Loving** and **Councilor Doyle**. Voting against: **Councilors Montgomery, Straathof, Aslett, and Valentine**. Motion failed.

CORRECTION OF THE LOT NUMBERS IN THE CONDITIONS OF THE HOMESTEAD PLACE PLAT, AND A PROPOSED AMENDMENT TO CONDITION #8 TO ALLOW 1 ½ STORY DWELLINGS ON LOTS 8, 9, 10, 11, 23 AND 24 WITH NO WINDOWS ON THE UPPER STORY FACING ADJACENT NEIGHBORS REAR YARD.

Planning Director Fleek stated that sometime between final City Council approval of the Homestead Place subdivision and the final plat was recorded, the lot numbers on the face of the plat changed. She requested that Council authorize a correction to lot numbers in the Conditions of plat; a proposed amendment to Condition #8 to limit Lots 4 and 5 to one story dwellings only; and add Condition #8a that Lots 8, 9, 10, 11, 23 and 24 would be limited to 1-½ story dwellings with no windows on the upper story facing the rear yard of adjacent neighbors. A motion was made by **Councilors Valentine/Loving** to approve corrections of the Lot Numbers on the face of the plat as listed in the Staff Report. Amend Condition #8 to read: Lots 4, 5 are limited to one story dwellings only. Add Condition #8a: Lots 8, 9, 10, 11, 23 and 24 are limited to 1 ½ story dwellings with no windows on the upper story facing adjacent neighbor's rear yards. All agreed. Motion carried.

NEW BUSINESS:

PUBLIC HEARING TO CONSIDER RESOLUTION TO AMEND CEMETERY FEES.

This item was removed from the agenda.

CONTRACT WITH PUBLIC SAFETY TESTING INC.:

Police Chief Bowers stated that the Police Department contracted with Public Safety Testing Inc. three years ago to advertise for, process applications for and administer written and/or physical agility examinations for entry level Police Officer personnel through their web site, Public Safety.Com. The contract is now expiring. Public Safety Testing Inc. provides this service for many other law enforcement agencies so an applicant can select several employers with one application process. After testing, an eligibility list in rank order is provided to the City of Burlington. **Fire Chief Anderson** would like to also include the Fire Department in the new contract. From this list, further background testing and interviews are conducted by the City. This process has relieved the Police Department from the time consuming process and expense of advertising, reviewing applications and conducting

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written and physical agility testing. The new agreement would begin January 1, 2005 and can run for one year or three years at the choice of the City. **Mayor Tjeerdsma** asked why we would need to include the Fire Department on this contract as the Fire Department has a very small department with low turnover. **Fire Chief Anderson** explained that this process would allow the Department to maintain an eligibility list so that if there were to be a vacancy, it could be filled easily and quickly. It keeps the City away from the liability of performing our own physical and written testing. He would recommend that the Fire Department be included in this new contract. The current vacancy in the Fire Department will be filled through the current civil service process, not through this new contract. **Councilor Loving** asked how long an eligibility list is good. **Fire Chief Anderson** stated that a list is good for two years. He noted that the applicants pay a fee to Public Safety Testing.Com to submit one application for up to five agencies and go through the testing process. A motion was made by **Councilors Valeninte/Doyle** to approve the agreement for the Police Department and Fire Department with Public Safety Testing Inc. effective January 1, 2005 through December 31, 2007 and authorize **Mayor Tjeerdsma** to sign the agreement. All approved. Motion carried.

EXECUTIVE SESSION:

Mayor Tjeerdsma and the Councilmembers adjourned to Executive Session for the purpose of discussing personnel and land acquisition at 8:10 p.m. **Mayor Tjeerdsma** and the Councilmembers returned from Executive Session at 8:34 p.m.

ADDITIONAL BUSINESS:

A motion was made by **Councilors Aslett/Montgomery** to approve a contract with Sound Employment Solutions in the amount of \$5,950 plus travel expenses as a meeting facilitator from the Legislative Fund. All approved. Motion carried.

A motion was made by **Councilors Valentine/Valentine** to approve a contract with Clay Learned for land acquisition services in the amount of \$150.00 per hour not to exceed \$5,000. All approved. Motion carried.

ADJOURNMENT:

A motion was made by **Councilors Doyle/Montgomery** to adjourn the meeting at 8:37 p.m. All were in favor. Motion carried.

Richard A. Patrick
Finance Director / City Clerk

Roger "Gus" Tjeerdsma
Mayor