

March 10, 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, and Straathof. Staff present: Fire Chief Anderson, Parks Supervisor Bloodgood, Planning Director Fleek, Public Works Director Garrett, Building & Grounds Supervisor Rasmussen, Administrative Assistant Sheahan, and City Attorney Thomas.

**APPROVAL OF MINUTES:**

Councilor Doyle pointed out several corrections to the minutes. Councilor Valentine noted an additional correction. A motion was made by Councilors Doyle/Valentine to approve the corrected minutes of the February 24, 2005 Council meeting. All were in favor. Motion carried.

A motion was made by Councilors Doyle/Aslett to excuse Councilor Montgomery from tonight's meeting. All approved. Motion carried.

**AUDIT OF BILLS:**

Councilor Aslett presented the bills. A motion was made by Councilors Aslett/Valentine to approve vouchers 42893 – 43011 in the amount of \$140,645.95. All were in favor. Motion carried.

Current Expense	\$ 33,254.88
Current Expense Cumulative Reserve	57,618.60
Fire Equipment Cumulative Reserve	52.60
City Street	5,780.49
Library	5,417.56
Parks & Recreation	598.46
Cemetery Fund	47.59
Stadium Fund	3,521.29
Local Capital Improvement Fund	3,500.00
Sewer Fund	19,232.50
Sewer Cumulative Reserve	4,758.23
Storm Drainage Utility	6,863.75
<b>Total</b>	<b>\$ 140,645.95</b>

**PUBLIC COMMENTS:**

There were no public comments.

**OFFICER REPORTS:**

Fire Chief Anderson reported that the department responded to 104 calls in February (none major). Fire District 6 is moving forward with construction of BayView Ridge Station. Construction bids will be opened in early April.

Fire Chief Anderson stated that the job announcement for the career Firefighter position has been posted for current volunteers and will open to the public Monday March 14, 2005. Testing will take place in April.

Fire Chief Anderson announced that the Emergency Medical Services Commission met today and voted to authorize placement of EMT/Ambulance at the Burlington Fire Station. This service should be up and running in April. The ambulance staff will work 24-hour shifts. Fire Chief Anderson stated that he is looking forward to the association with EMS. Councilor Straathof asked if the ambulance staff would be housed at our Fire Station. Fire Chief Anderson indicated they would and that the upstairs of the Fire Station will be set up to accommodate a separate living space (away from public).

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**Planning Director Fleek** announced that on March 24, 2005 Mr. Bill Kreiger (the speaker at Honey I Shrank the Lots) will be at Burlington City Hall from 5 p.m. – 7 p.m. to give more information to the citizens and city council about planning for the future. An open house will be held at 5 p.m. with a 30-minute presentation at 6 p.m. with an opportunity for questions following.

**City Attorney Thomas** announced the AWC Annual Conference will be held in June 21-24, 2005 in the Tri-Cities. Council members can register now if interested in attending.

**City Attorney Thomas** reminded the Councilmembers that **City Administrator Aarstad** will ask for a decision regarding selection of the Library architect on March 24, 2005. He noted that the RFQ for the City Hall was mailed out this past week.

**Mayor Tjeerdsma** announced that he was voted one of the best Civic Leaders of the Year by Business Pulse Magazine. Without the support and hard work by the Councilmembers and Department Heads he would not have received this award. He thanked them for their work to benefit the City of Burlington.

#### **UNFINISHED BUSINESS:**

There was no Unfinished Business.

#### **NEW BUSINESS:**

##### **PRELIMINARY SUBDIVISION FOR 4 LOTS RE-PLATTING A PORTION OF A 7-LOT SHORT PLAT. SITE IS LOCATED AT 1813 E. FAIRHAVEN AVENUE. APPLICANT IS LANDED GENTRY.**

**Planning Director Fleek** stated that the Planning Commission conducted a public hearing on February 15, 2005 and made a recommendation to grant the preliminary subdivision for four lots. This site abuts East Fairhaven Avenue where there are very few issues. Engineering was completed at the time of the initial 7-lot short plat. **Councilor Aslett** asked for clarification as to why sidewalks are not being done at this time. **Planning Director Fleek** noted that funds will be set aside so that sidewalks can be completed at a future date when the surrounding area is improved. A motion was made by **Councilors Aslett/Valentine** to approve Preliminary Subdivision subject to recommendations of the Planning Commission. All agreed. Motion carried.

##### **PROPOSED COMPREHENSIVE PLAN AMENDMENT & REZONE FROM 4-1-9.6 SINGLE-FAMILY TO R-S SEMI-PUBLIC. APPLICANT IS PAUL ERICSON.**

**Planning Director Fleek** stated that this issue has gone on since early 2004, so she has included more information in the agenda packet. The Planning Commission conducted a public hearing on January 18, 2005 and requested a legal opinion on two zoning issues; the legality of spot zoning and whether time limits on contract rezones are a local option. Final action was taken on February 15, 2005 and a recommendation was made to deny the proposal. Subsequent to that hearing, a letter was received from Mr. Ericson asking the City Council to consider rezoning the site to R-3 Multi-Family which is consistent with the current zoning to the west and south of the site. Land to the east is zoned R-2, Duplex. She noted that the Planning Commission recommends denial of the application. A motion was made by **Councilors Aslett/Loving** to deny the application. All approved. Motion carried.

##### **PROPOSED CONTRACT WITH MILLER CONSULTING TO DEVELOP THE DETAILS OF THE COMMUNITY OPEN SPACE CONNECTION PLAN.**

**Planning Director Fleek** requested that the City hire Miller Consulting, a local Landscape Architect with extensive experience in designing open space connections. His work will include details for Downtown, which is a critical element of completing the new Comprehensive Plan. Funding for this will come from the Engineering Department (pathways program) and the Parks & Recreation Department as well as the Planning Department. A motion was made by **Councilors Valentine/Doyle** to approve the agreement and authorize the Mayor to sign. All agreed. Motion carried.

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**PROPOSAL TO INITIATE THE ANNEXATION PROCESS FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF SR 20 AND PEACOCK LANE. APPLICANT IS WEN CHANG.**

**Planning Director Fleek** noted that this is a request to initiate the Annexation Process for the property located at the northwest corner of SR 20 and Peacock Lane, along Gages Slough. The Notice of Intent has been signed by two of the four owners. The City will notify other property owners in the vicinity of the site to determine if they are interested in pursuing annexation at this time, and obtain the signatures of the two parties located in Taiwan to complete the petition process. The land is located in the Burlington Urban Growth Area. A motion was made by **Councilors Valentine/Loving** to commence the annexation process, subject to complying with the City's Comprehensive Plan for the area and subject to assumption of all or part of the existing City indebtedness by the area to be annexed. All approved. Motion carried.

**REQUEST TO AUTHORIZE PAYMENT OF LODGING TAX FUNDS FOR ADDITIONAL DIRECTIONAL SIGNS TO THE VISITOR INFORMATION CENTER.**

**Planning Director Fleek** noted that Dick Irwin (Chamber Executive Director) was able to work with Washington State Department of Transportation to get authorization to place additional signs in their right-of-way. These signs direct visitors to the Visitor Information Center in Burlington. The Lodging Tax Advisory Committee met and has recommended that the City pay for these additional directional signs with Lodging Tax funds, a total amount of \$551.13. A motion was made by **Councilors Aslett/Doyle** to pay the bill for the Visitor Information Signs with Lodging Tax funds. All approved. Motion carried.

**PUBLIC HEARING TO CONSIDER CHANGES TO RESOLUTION ESTABLISHING CEMETERY FEES.**

**Mayor Tjeerdsma** opened the Public Hearing. **Parks Supervisor Bloodgood** noted that when new cemetery fees were implemented in January a mistake was made in the price for oversized burials listed as \$805.00. The price should be \$1,005.00. The Cemetery Board met with representatives of Lemley's and Hulbush Funeral Homes to discuss the proposed change. In that meeting it was determined that the setting fees for headstones has caused come confusion. To remove some confusion the price for headstone setting fee should be changed. He noted that the recommended by the Cemetery Board is for the headstone setting fee be based on the size rather than if the headstone is a single or double name. The recommended price would be \$.40 per square inch with a minimum of \$35.00 and a maximum of \$175.00. **Councilor Bensen** suggested further clarification of this issue prior to making a decision. Mr. Jim Splane of Bay View Monuments stated he has been unhappy with the new prices for setting fees. He would like a flat fee for the headstones rather than price per square inch. **Mayor Tjeerdsma** suggested that Mr. Splane meet with **City Administrator Aarstad** and **Finance Director Patrick** to determine if he has been overcharged for setting fees since the beginning of the year. A motion was made by **Councilors Bensen/Aslett** to close the Public Hearing. All agreed. Motion carried. A motion was made by **Councilors Bensen/Loving** to adopt the Resolution changing the setting fee to \$.40 per square inch for all headstones with a minimum of \$35.00 and a maximum of \$175.00 and correcting the price of oversize burials to \$1,005.00. All approved. Motion carried.

**(Resolution # 1-2005)**

**BID FOR HOSE REEL IRRIGATION SYSTEM.**

**Parks & Recreation Director Cavanaugh** stated that a notice for bids for a hose reel irrigation system was put out on February 2 and 16, 2005. On March 1, 2005 one bid was received from Farmers Equipment Company in the amount of \$18,038.72. This system will be used to irrigate the west side of Skagit River Park. A motion was made by **Councilors Bensen/Aslett** to award the bid to Farmers Equipment Company in the amount of \$18,038.72. All agreed. Motion carried.

**AMENDMENT TO AGREEMENT WITH SKAGIT COUNTY DISTRICT COURT PROBATION FOR 2005.**

**City Attorney Thomas** stated that the agreement with Skagit County District Court expired December 31, 2004. This amendment will extend the same contract, with no changes,

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through December 31, 2005. A motion was made by **Councilor Aslett/Loving** to approve Amendment #2 to Skagit County Original Agreement #C20030023 for Skagit County District Court Probation services and authorize the Mayor to sign. All agreed. Motion carried.

**TRADE IN A TEN-YEAR OLD JOHN DEERE LAWN MOWER FOR THE PURCHASE OF A NEW JOHN DEERE MOWER.**

**Buildings & Grounds Supervisor Rasmussen** noted that Barnett Implement will give the City \$500.00 in trade for the old John Deere LX-178 for purchase of a new John Deere LX-280. The old mower has had a lot of mechanical problems and now needs a new gear box at an estimated cost of \$900. **Mayor Tjeerdsma** asked if we've looked at better (commercial) mowers. **Buildings & Grounds Supervisor Rasmussen** noted he has looked into other mowers, but that replacement parts can be difficult to obtain in a timely manner. He's found that the John Deere parts can usually be obtained within 24 hours. He noted that John Deere is available on the state bid. **Councilor Doyle** asked about the cost for the new mover. **Buildings & Grounds Supervisor Rasmussen** stated that the new mower will cost \$4,000 including the trade-in mower. The size of the cut is 36" – 38" and that a mower with a larger cut would not be able to get between various poles and fences. A motion was made by **Councilors Bensen/Loving** to approve purchase of a new John Deere LX-280 mower with trade in of old John Deere LX178 mower. All approved. Motion carried.

**YARD WASTE RECYCLING CENTER.**

**Buildings & Grounds Supervisor Rasmussen** announced that the City's Yard Waste Recycling Center is scheduled to open on Saturday March 12, 2005. As is the past, the public will be able to pick up two free \$40 punch cards at City Hall for use at the center. Once their cards are used up, they can purchase an additional \$10 card at City Hall. The center will be open two days per week: Wednesday 2 p.m. to 6 p.m. and Saturday 10 a.m. to 4 p.m. through November. **Councilor Aslett** asked if there is some way for residents to get a card on a Saturday (when City Hall is closed). **Buildings & Grounds Supervisor Rasmussen** stated he will look into that possibility. **Councilor Valentine** asked if many residents have signed up for the curbside yard waste service through Waste Management. **Buildings & Grounds Supervisor Rasmussen** noted that about 135 have signed up for the service. The cost is \$7.25 per month. **Councilor Valentine** spoke in support of the Waste Management yard waste service. A motion was made by **Councilors Valentine/Doyle** to approve the Yard Waste program for 2005. All approved. Motion carried.

**ORDINANCE TO AMEND BMC 2.74.020 LODGING TAX ADVISORY COMMITTEE COMPOSITION.**

**City Attorney Thomas** noted that in order to comply with the intent of RCW 67.28.1817, the lodging tax committee has recommended removing the position of "at-large member" from the Lodging Tax Advisory Committee. A motion was made by **Councilors Aslett/Doyle** to approve the ordinance to amend BMC 2.74.020 Lodging Tax Advisory Committee composition. All approved. Motion carried.

**(Ordinance # 1569)**

**RESOLUTION APPOINTING MEMBERS TO THE LODGING TAX ADVISORY COMMITTEE.**

**City Attorney Thomas** noted that as a result of the approval of the Ordinance during the last agenda item, and a resignation of a lodging tax committee member, a new Resolution needs to be approved appointing members to the committee. The new member is Doug Bergren of the Holiday Inn Express representing a business required to collect the lodging tax. All other current members would remain the same. A motion was made by **Councilors Aslett/Doyle** to approve the Resolution and authorize the Mayor to sign. All approved. Motion carried.

**(Resolution # 2-2005)**

**REPLACEMENT OF FIRE DEPARTMENT COPIER.**

**Fire Chief Anderson** reported that the five-year lease agreement has expired on the Fire Department copier. The current copier is not always dependable and requires frequent service calls. The cost of the annual maintenance contract has more than doubled due to its age. He has requested a replacement copier at a lower rental cost and lower maintenance cost

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than the current unit. The requested copier is on the state bid contract which will allow purchase directly without having to advertise for bids. **Councilor Doyle** asked if renting is more economical than purchasing. He noted that over a five year period, it is more economical to rent. At the end of five years you would own the machine, but because of technology improvements it wouldn't have much value and repair costs would increase dramatically. A newer machine would cost less to rent/lease for the five year period. A motion was made by **Councilors Bensen/Loving** to authorize the Fire Department to enter into a rental agreement for a replacement copier. All approved. Motion carried.

**HOSE TESTING CONTRACT.**

**Fire Chief Anderson** stated that fire hose is required to be pressure tested annually to maintain compliance with national standards. National Hose Testing Specialties, Inc. has been performing our annual testing of fire hose since 2001. It is time to enter into the agreement for testing for this year in order to get on the schedule for the testing. A motion was made by **Councilors Bensen/Loving** to authorize the entering into contract with National Hose Resting Specialties for fire hose testing for 2005. All approved. Motion carried.

**EXECUTIVE SESSION:**

The Mayor and City Council adjourned to Executive Session at 7:58 p.m. for the purpose of discussing litigation and land acquisition. The Mayor and City Council returned from Executive Session at 8:37 p.m.

**ADJOURNMENT:**

A motion was made by **Councilors Valentine/Doyle** to adjourn the meeting at 8:38 p.m. All were in favor. Motion carried.

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Richard A. Patrick  
Finance Director / City Clerk

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Roger "Gus" Tjeerdsma  
Mayor