COUNCIL CHAMBERS CITY HALL BURLINGTON, WA

July 28, 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, Straathof and Montgomery. Staff present: City Administrator Aarstad, Fire Chief Anderson, Police Chief Bowers, Planning Director Fleek, Library Director Perkins, Library Assistant Burwash and Accounting Specialist Schroeder.

APPROVAL OF MINUTES:
Councilor Valentine noted errors on pages 2, and 4. A motion was made by **Councilors Valentine/Loving** to approve the corrected minutes of the July 14, 2005 Council meeting. All were in favor. Motion carried.

AUDIT OF BILLS:
Councilor Straathof presented the bills. A motion was made by **Councilors Straathof/Aslett** to approve vouchers 44033 - 44137 in the amount of $172,860.68. All were in favor. Motion carried.

Current Expense	$ 45,494.58
Current Expense Cumulative Reserve	248.65
Fire Equipment Cumulative Reserve	456.96
City Street	20,296.38
Library	2,109.51
Library Permanent Book	79.00
Parks & Recreation	8,350.04
Cemetery Fund	383.76
Local Capital Improvement Fund	49,791.05
Park & Recreation Reserve	4,808.87
Sewer Fund	39,329.88
Sewer Cumulative Reserve	1,512.00
Total	**$ 172,860.68**

PUBLIC COMMENTS:
There were no public comments.

OFFICER REPORTS:
Library Director Perkins requested council approval for Library Services Agreement with Skagit County Commissioners. The County will contribute $5,958 to the City of Burlington to assist with providing services to non-residents users of the library. A motion was made by **Councilors Aslett/Bensen** to approve the agreement. All agreed. Motion carried.

Fire Chief Anderson reported that Fire Fighter Smith is recovering well from hip surgery and is expected to return soon to light duty service.

City Administrator Aarstad requested Council approval of a supplement to the agreement with Lewis Architects regarding the new Library. The agreement would authorize hiring of Leonard, Boudinot & Skodjie to provide civil engineering services. A motion was made by **Councilors Valentine/Bensen** to authorize the agreement. All approved. Motion carried.

City Administrator Aarstad reported that discussions continue amongst various cities to find the best way to mediate the impact of the Streamlined Sales Tax legislation when implemented.

City Administrator Aarstad reported that Washington State Department of Transportation (DOT) construction at Highway 20 and Interstate 5. During the process of design, several issues brought up by the City were not addressed by DOT. City staff met with **Mayor Tjeerdsma** and decided to file an appeal with the State Director of DOT so that these issues can be addressed. We must now select two persons to sit on the appeal board. City staff

suggested that County Commissioner Ken Dahlstedt or District Court Judge David Svaren serve (as an elected official). **City Engineer Rod Garrett** has recommended Gary Norris (a person with engineering background) to serve on the appeal board. **City Attorney Thomas** noted that City council must confirm these choices, but that it can be done at a later council meeting. Hopefully this process will result in consideration being given regarding development and access on the west side of Interstate 5 along Highway 20 so that Burlington can plan appropriately for transportation issues in that area.

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

RESOLUTION DESIGNATING THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) AS THE BASIS FOR ALL INCIDENT MANAGEMENT IN THE CITY OF BURLINGTON.

City Administrator Aarstad introduced Mr. David Bond, Homeland Security Program Coordinator Skagit County Department of Emergency Management, who gave a short presentation regarding NIMS. He stated that it is the federal government's desire that all federal, state, local and tribal governments use this system of incident command to facilitate the most efficient and effective incident management by using a standardized system for incident management. To obtain this goal, the U.S. President issued Homeland Security Presidential Directive/HSPD-5 in February 2003. Beginning in Fiscal Year 2006, Federal departments and agencies will require adoption of the NIMS a requirement for providing Federal preparedness assistance through grants, contracts, or other act ivies. City Administrator Aarstad asked what future obligation or responsibility will the City of Burlington have if this resolution is approved. Mr. Bond stated that there would not be any direct costs as a result of adopting NIMS, but there might be some requirements for training for first responders. Training would be available on-line and/or at a local level. Mr. Bond noted that there are sixteen opportunities for training at various times to accommodate officers working various shifts, etc. A motion was made by **Councilors Aslet/Doyle** to approve the Resolution designating the national Incident Management System (NIMS) as the basis for all incident management in the City of Burlington. All approved. Motion carried. **(Resolution # 7-2005)**

APPOINTMENT OF EDIE EDMUNDSON TO THE BOARD OF ADJUSTMENT.

Planning Director Fleek noted that Edie Edmundson is a long time resident of Burlington living at 854 Northview Drive. She had an insurance business in Burlington and is now interested in getting involved in local government. Her appointment to the Board of Adjustment fills the remaining vacancy on the Board. A motion was made by **Councilors Montgomery/Valentine** to approve the appointment of Ms. Edie Edmundson to the Board of Adjustment for the City of Burlington. All approved. Motion carried.

CONTRACT REZONE TO CONSTRUCT A NEW PUBLIC LIBRARY IN BURLINGTON.

Planning Director Fleek stated that the Planning Commission conducted a public hearing on July 19 to take public comments on the proposed new Library site plan including construction of setbacks, lot coverage and provision of parking utilizing public right-of-way. A recommendation was made to grant the contract rezone. Bill Sutten and Guadalupe Zavala are parties of record, neighbors abutting Holly Street where angle parking is proposed. They are appealing the decision to provide a sidewalk and angle parking adjacent to their properties. This will eliminate long standing landscaping and reduce privacy as well as having an impact of car headlights in their windows at night. Mitigation in terms of a screening fence tall enough to block the lights would be appropriate if the council decides to install the sidewalk and angle parking at that location. **Councilor Doyle** asked how many parking spaces this involves. **Planning Director Fleek** noted 10-12 parking spaces. She described the different types of landscaping to mitigate headlight problems.

Mr. Bill Sutten noted that he would loose a lot of privacy with removal of his fence and addition of angle parking. He also noted his concern regarding children crossing the middle of the street rather than at the crosswalk. He asked if installation of parking spaces in front of his home is necessary at this time. Perhaps they can be added later to reduce costs. **Councilor Bensen** asked if the City is required to provide a certain number of parking spaces based on the size of the new Library. **Planning Director Fleek** noted that the Council can reduce the number of parking spaces by ordinance. **Councilor Aslett** noted that the number of planned parking spaces is at the low end and not all are in close proximity to the new Library. **City Administrator Aarstad** asked if the council could set the number of parking spaces at a lower number and at that later date, the council would consider if additional parking spaces need to be added. **Councilor Valentine** stated her recommendation that all of the proposed parking spaces be constructed as we often do not have enough parking around new buildings within the city. **Councilor Aslett** noted there will be a need for parking along Holly Street because of the multipurpose room planned for the new library. Mr. Sutten voiced his opposition to parking in front of his yard. **Councilor Straathof** suggested landscaping rather than a fence to mitigate the lights from parking cars. A motion was made by **Councilors Valentine/Aslett** to adopt the contract rezone ordinance which includes mitigation of impact of lights on adjacent property with fence, obscuring vegetation, or other suitable means to block the impacts of vehicle lights on adjacent properties along Holly Street. All approved. Motion carried.
(Ordinance #1579)

DISCUSSION OF DESIGN REVIEW PROGRAM FOR DOWNTOWN.
Planning Director Fleek noted that one of the key elements of the new vision for Downtown Burlington is to ensure that new development fits into the community, with high quality projects that are compatible with the history, the setting, and the vision for the future. She noted that the report included with the agenda is a discussion paper for council members to review on how to approach design review in Burlington.

DISCUSSION OF FENCES AND GUIDELINES TO ADMINISTER THE PROGRAM.
Planning Director Fleek noted that the codes regulating fences in the city have been a hot topic over the years. She proposed developing some guidelines for fences for consideration by the city council. The guidelines could be adopted by Administrative Rule so they could be readily adjusted over time. By this means, the city could provide illustrated examples of what does and does not work, in keeping with policy direction. The Planning Commission would conduct public meetings on the guidelines to gather input.

ORDINANCE TO ESTABLISH AN INDIGENT DEFENSE APPLICATION FEE.
City Attorney Thomas noted that the Burlington Municipal Court would like to assess a $10 fee to applicants who apply for Public Defender Services. Skagit County has assessed such a fee for several years. A motion was made by **Councilors Aslett/Loving** to approve the ordinance as written by the City Attorney to assess a $10 fee to applicants who apply for Public Defender Services. All approved. Motion carried.
(Ordinance #1580)

EXECUTIVE SESSION:

There was no Executive Session.

ADJOURNMENT:

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

Richard A. Patrick	Roger "Gus" Tjeerdsma
Finance Director / City Clerk	Mayor