

September 14, 2006

**CALL TO ORDER:** Mayor Tjeerdsma called the meeting to order at 7:02 p.m., with the Pledge of Allegiance. Council Members present: Bensen, Doyle, Loving, Aslett, Valentine, Straathof and Montgomery. Staff present: Aarstad, Fleek, Harmon, Martin, Sheahan and Thomas.

**APPROVAL OF MINUTES:**

A motion was made by **Councilors Doyle/Aslett** to approve the minutes of the August 24, 2006 Council workshop. All were in favor. Motion carried. A motion was made by **Councilors Valentine/Doyle** to approve the minutes of the August 24, 2006 Council meeting. All were in favor. Motion carried.

**AUDIT OF BILLS:**

**Councilor Aslett** presented the bills. A motion was made by **Councilors Aslett/Bensen** to approve vouchers 47461 – 47621 in the amount of \$1,184,625.66. All were in favor. Motion carried.

Current Expense	\$ 136,781.92
Current Expense Cumulative Reserve	6,049.73
Fire Equipment Cumulative Reserve	745.74
City Street	109,656.70
Library	2,132.79
Parks & Recreation	30,931.05
Cemetery Fund	2,609.62
Stadium Fund	7,409.46
Local Capital Improvement Fund	623,107.29
Parks & Recreation Reserve	6,322.33
Sewer Fund	85,427.93
Sewer Cumulative Reserve	172,646.50
Storm Drainage Utility	804.60
<b>Total</b>	<b>\$ 1,184,625.66</b>

**PUBLIC COMMENTS:**

Mr. Lindsey Gear, Pacific Coast Auto Center, made a public statement to complain about Cascade Mall subletting mall property to allow out of the area car dealers to display and sell cars on parking lot property. This is not beneficial to the city or the citizens. He asked the city to send a letter to the Mall in opposition to this action.

Robert Guffie, Ralley Auto Sales, agreed with Mr. Gear in his statement to restrict out of the area car dealers to sell areas of the city not zoned for automotive sales.

**OFFICER REPORTS:**

**Planning Director Fleek** discussed the CTGB grant application noting that the area city and county planners will be working together to submit a grant application.

**Public Works Director/City Engineer Martin** announced that construction may begin within the next month or two which will close a portion of Hillcrest Drive for a couple of months during construction. Details are yet to be worked out at a meeting scheduled this next week.

**Councilor Bensen** reported on his flood tour trip to California. He went on the trip with seven other representatives of the County and Dike Districts. They toured areas subject to

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flooding and how they are protected. He noted that it was a very informative tour. The Yolo Bypass near Sacramento takes away 80% of flood potential water from the cities and towns.

**PROCLAMATION:**

**City Administrator Aarstad** read the proclamation proclaiming the week of September 17 – 23, 2006 as Constitution Week.

**SPECIAL REPORT:**

Ms. Jeanette DeGoede reported that she and Kathy Larson will accompany Ms. Cindy Verge, Skagit Valley Tulip Festival Executive Director, on a trip to Australia to learn more about a tulip festival held there and to share information about how we run our festival and how it has become a successful event to draw tourists to the area. They will take along Lee Mann photographs of Skagit Valley tulips mounted on large panels to be viewed by thousands of visitors to the Australia Festival. The Skagit Valley Tulip Festival brings 350,000 tourists here and estimates are that more than 14 million dollars are spent in the area.

**UNFINISHED BUSINESS:****ORDINANCE TO AMEND 2006 BUDGET & SALARY ORDINANCE #1585.**

**City Administrator Aarstad** stated that a public hearing regarding this ordinance was held on August 24, 2006. This ordinance will reflect the change to the salary range for the Public Works Director/City Engineer position and includes the new positions of Assistant Public Works Director/Engineer, Sewer Pretreatment Coordinator, and Part-time Construction Inspector. At the last meeting a vote of the majority of the council members in attendance (3) voted in favor of the ordinance, but there needed to be a majority of the entire council (4) voting in favor of the Ordinance for it to pass. A motion was made by **Councilors Loving/Valentine** to amend the 2006 Budget & Salary Ordinance #1585. All approved. Motion carried.

**(Ordinance 1585)**

**BID AWARD FOR NEW STORAGE BUILDING.**

**Assistant Public Works Director/Engineer Harmon** stated that bids were opened August 15, 2006 and that all were higher than the engineer's estimate of \$225,000. Awarding the low bid plus alternates will result in a total project cost including engineering of about \$435,000. This is \$85,000, or 24% above the total project budget. However, he believes we can reduce the total by about \$20,000. As an alternative, the project could be re-bid using a design-build concept. This has the potential of producing a somewhat more modest building within the original budget, although construction would be delayed. **City Administrator Aarstad** noted that **Finance Director Patrick** stated that the Real estate excise tax has been larger than expected which would cover some of the extra cost of the base bid. Some of the savings will be realized by moving the expense to next year and doing site prep and landscaping by city departments. A motion was made by **Councilors Bensen/Loving** to award the bid to Roosendaal Honcoop including Alternate #1 and Alternate #2 of \$320,882.00. All approved. Motion carried.

**PARKING ADJACENT TO FIBREX CORPORATION.**

**Public Works Director/City Engineer Martin** stated that the Technical Advisory Committee met with Mr. McGuire of Fibrex to discuss the feasibility of the City leasing a parcel of land to Fibrex and/or CB Wholesale for the purpose of developing a parking facility which would meet city standards to include a 10 foot wide landscape setback. It is expected that Fibrex and/or CB Wholesale would pay an annual fee, in addition to the expenses associated with the capital improvement. **Public Works Director/City Engineer Martin** distributed a concept drawing showing landscaping and design. **Planning Director Fleek** suggested that there is other vacant land in the area that could be used for parking and still keep the city property as a green space. She would be available to assist in finding creative ways to acquire additional off-street parking. **Public Works Director/City Engineer Martin** indicated Fibrex would be agreeable to provide water to the site for keeping green in the area. **Councilor Bensen** asked about how many parking spaces would be created at this

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location. He also asked for clarification of current ownership of the property designated as BNRR on the drawing she distributed. Mr. McGuire indicated about 17 spaces would be added. Council discussed other possible areas that might be available for parking. **Public Works Director/City Engineer Martin, Planning Director Fleek & Mr. McGuire** agreed to work together and come back to council at a later date with additional options. A motion was made by **Councilors Bensen/Doyle** to ask **Public Works Director/City Engineer, Planning Director Fleek & Mr. McGuire** to work together to come back to council with additional options. All agreed. Motion carried.

#### **NEW BUSINESS:**

#### **INTERLOCAL AGREEMENT WITH THE TOWN OF HAMILTON FOR INSPECTIONS.**

**Planning Director Fleek** stated that the previous interlocal agreement with the Town of Hamilton expired July 31, 2006. This is the same agreement with The Town of Hamilton for the City of Burlington to provide inspection and code compliance work as requested by the Town of Hamilton for five years beginning August 1, 2006. During the five-year period of the last agreement, there were only three inspections made. The Town of Hamilton will reimburse the City of Burlington based on actual costs plus 9% for overhead costs for accounting, billing and administrative services. **City Administrator Aarstad** read a memo from **Finance Director Patrick** regarding the prior Hamilton Interlocal Agreement. He noted that the city did not bill Hamilton for prior services, which could create an audit finding. The City must bill for services provided as outlined in the agreement. **Councilor Bensen** confirmed with **Planning Director Fleek** that future inspections will be billed to the Town of Hamilton as outlined in the agreement. A motion was made by **Councilors Loving/Bensen** to approve the interlocal agreement with the Town of Hamilton for building inspections. All agreed. Motion carried.

#### **AGREEMENT WITH LEARNED COMMERCIAL, INC. TO DETERMINE VALUE OF PROPERTY FOR LEASE.**

**Planning Director Fleek** stated that on August 24, 2006 city council discussed the possibility of leasing property from Burlington Northern Railroad for use as parking in the downtown area (behind Stowe's Department Store). She recommends that the City hire Mr. Clay Learned to determine comparable lease rates. This agreement will be effective upon date of approval through June 2007. She has funds in her professional services budget to cover this expense. A motion was made by **Councilors Aslett/Montgomery** to approve the agreement with Learned Commercial, Inc. All agreed. Motion carried.

#### **PROPOSED CONDITIONAL USE PERMIT AND VARIANCE TO CONSTRUCT A DUPLEX ON A LOT LOCATED AT 604 E. RIO VISTA. APPLICANT IS THOMAS FLADEBO.**

**Planning Director Fleek** stated that this is a request for a conditional use permit to build a duplex in a single family residential zoning district. A variance is also required because there is another duplex located within three hundred feet of the site as measured along a public right-of-way, in this case an alley (271 feet). One letter was received in opposition to the permit. The Planning Commission recommends approval of this Conditional Use Permit. **Councilor Loving** voiced some concern about adding a duplex in the single family residential area. He wants to keep neighborhoods as they are. He worried that approval would encourage other residents to request the same. **Planning Director Fleek** noted that the variance is because it was learned that there is a duplex 271 feet down a driveway; if measured on the street it would be 321. A motion was made by **Councilors Loving/Valentine** to deny the Conditional Use Permit #3-06 and Variance #8-06. Mrs. Linda Fladebo spoke in favor of the duplex, noting that her husband is a builder so their duplex will improve the neighborhood because they will construct a new home where there was a very old house and improve the landscape. Their original plan was to put a new foundation, but during construction it was determined not feasible. Taking down this very old house was at an expense they cannot recover from. She believes their home will be an enhancement to the neighborhood. **Mayor Tjeerdsma** called for the vote. Voting in favor of the motion were **Councilors Loving, Valentine, Aslett, Doyle, and Straathof**. Voting against were **Councilors Montgomery and Bensen**. Motion carried.

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**EXECUTIVE SESSION:**

The Mayor and Councilmembers adjourned to Executive Session at 7:54 p.m. to discuss personnel and litigation. The Mayor and Councilmembers returned from Executive Session at 8:34 p.m.

**ADJOURNMENT:**

A motion was made by **Councilors Doyle/Straathof** to adjourn the meeting at 8:35 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