

August 11, 2016

**CALL TO ORDER:**

**Mayor Steve Sexton** called the meeting to order at 7:02 p.m., with the Pledge of Allegiance. Council members present: Bill Aslett, Joe DeGloria, Rick DeGloria, Edie Edmundson, Chris Loving, and Ted Montgomery. Staff present: Bryan Harrison, Geoff Hawes, Brad Johnson, Brittany Johnson, Leif Johnson, Marv Pulst, Renee Sinclair, Bill Van Wieringen, and Levon Yengoyan.

A motion was made to excuse **Councilor Bieche** by **Councilors R. DeGloria/J. DeGloria**. All in favor; motion carried.

**MINUTES:**

A motion was made to approve the minutes of the July 28, 2016 council meeting by **Councilors R. DeGloria/Montgomery**. All in favor; motion carried.

**AUDIT OF BILLS:**

A motion was made by **Councilors R. DeGloria/Aslett** to approve Accounts Payable checks numbered 32457 - 32613 in the amount of \$817,541.50; July 29<sup>th</sup> payroll checks numbered 32420 – 32456 in the amount of \$547,934.86. All in favor; motion carried.

**PUBLIC COMMENTS:**

**Ron Maskell – 813 Cascade Highway** – commented that he has concerns regarding the Lions Club Park. He would like to know who is responsible for maintenance of the park, who pays the utilities, and who receives the donations that are collected at the RV dump station donation box. He stated that Lions Parks is referred to as a park, but doesn't meet the qualifications of a park. He suggested that an address to reference when calling 911 and speed limit signs would be helpful. **Mayor Sexton** answered this is a City park and that the Parks Department is currently going through a process to update the signage at all the City parks. **City Administrator Bryan Harrison** added that this park has received less attention than others in the past, but that is currently being addressed. This park is a combination of City/Railroad property. The City is responsible for the maintenance of the park. **Harrison** discussed the history of Lions Club Park and plans for the future of the park. **Harrison** added the timing of **Mr. Maskell's** comments is good and he has raised issues that the City was not aware of before. **Mr. Maskell** added that the City should not classify this property as a park as there are no restrooms or running water. **Harrison** thanked **Mr. Maskell** for his comments and concerns.

**COUNCIL COMMENTS:**

There were no Council Comments.

**MAYOR'S UPDATE:**

**Mayor Sexton** updated the council on the status of the Sterling Motor Inn. He stated he held a hearing the week prior in regards to the Sterling Motor Inn and making a potential Executive Determination of Blight. He stated he made the Executive Determination of Blight on August 11<sup>th</sup> and expects to ask council to consider an ordinance authorizing the acquisition of the Sterling Motor Inn via eminent domain at a future meeting. This was not a discussion item, information only.

**PROCLAMATION:**

There was no proclamation.

**SPECIAL PRESENTATION:**

**Community Action of Skagit County – Bill Henkel, Executive Director** – stated that he was there to present the 2015 Annual Report. He thanked the City for their support and hopes that the council finds this information helpful. He thanked the members of the board who were in attendance at the meeting, Mayor Sexton, Leif Johnson, Linda Jones,

August 11, 2016

Ron Wesen, and Lisa Janicki for their work on the board. **Henkel** reviewed the statistics of who Community Action served in Burlington in 2015, reviewed the group's strategic priorities for 2015 – 2017 and the core themes that they would like to address: Better lives, Stronger Communities, and High Impact Organization. **Henkel** reviewed the target/outcomes for Food & Nutrition, Housing, Employability, and Engagement of Community. **Henkel** closed with reviewing the process for choosing a new location for Community Action of Skagit County and the possibility of relocating to Burlington. **Henkel** reviewed the process that is taking place to determine the new location.

**Burlington Chamber of Commerce – Linda Jones** – reviewed the new Dashboard for the Burlington Chamber of Commerce and the statistics for January – July, 2016. Highlights of the year so far include adding to the Berry Dairy Days Festival, a BBQ competition was added for 2016 and was very successful. **Jones** updated on the Burlington Summer Nights Concert Series and stated this event was drawing 400 – 500 attendees for the weekly concerts. **Jones** updated that the resources have increased this year and as a result the chamber employees are able to spend more time with the visitors; **Jones** shared a couple stories from the employees highlighting visits.

#### **OFFICER'S REPORTS:**

**Public Works Director Marv Pulst** apologized to council for the cooling system not working; they have been researching solutions to fix the problem.

**Pulst** updated the council on the status of Public Works projects and Transportation Improvement Board (TIB) Grants. **Pulst** reported that the Streets Department has been working at Skagit River Park to improve the road conditions. They have used up all the materials to date, but more materials will be available soon for more improvements. **Pulst** thanked Dike District #12 for their assistance with this project. **Pulst** reported that the Anacortes/Gilkey intersection project is nearly completed. This project was a bigger project than first planned due to the TIB funding received. This project is estimated to cost \$650,000 with only City funding of \$100,000; the intersection should be open tomorrow and clean up items and improvements will follow. **Pulst** updated on the pervious concrete projects. These projects were funded by a Department of Ecology grant in the amount of \$1.5 million. The shoulder projects will be done by the end of August and the parking lot behind Stowe's is scheduled to be completed around Labor Day. **Pulst** stated that the box culvert project on Fairhaven will begin shortly and that the Fire Department roof replacement will begin in a couple weeks. **Pulst** reviewed grant applications for TIB grants that will be awarded before Thanksgiving; the grant applications include: East to West Connector Road – Burlington Blvd to Costco: cost estimated at \$2 million and applying for 85% TIB funding, Fairhaven/Cherry 5-way intersection: construction funding in the amount of \$800,000 applied for, design funds have been awarded and is currently underway, Gardner Road improvements applying for TIB grant for \$350,000, and the overlay project for Burlington Blvd to Riverside Bridge to include Sakuma drive.

**Pulst** asked council if they had reviewed the updated information requested regarding the updates to the Parks & Recreation building. **Pulst** provided recommendations to make the building more useable, but needs to get council opinion before moving forward. **Pulst** requested that council hold a workshop to discuss updates to the Parks & Recreation building. Council agreed to hold a workshop; **Councilor Loving** asked if the Parks Board could be included in the workshop. **Pulst** stated that he would get a date for the workshop.

**Mayor Sexton** thanked **Pulst** for his work on the Costco Drive project. He stated this hasn't been any easy project, but **Pulst** has done a great job bringing all the parties together.

August 11, 2016

**Fire Chief Levon Yengoyan** updated the council on the Fire Department. He reported that there was a new incident command being used, Blue Card, which is the program the state is to adopt as IFSAC. This is an electronic data program that is used to transfer information to the medics. **Yengoyan** stated that the department is also establishing policies and he would like to implement Lexipol, a program that creates policies based on state law and case law. Lexipol is an annual subscription service that sends updates based on changes in law. This is an efficient way to implement policy and the cost is under \$5,000 per year. **Administrator Harrison** added that Lexipol is a leader in creating policies.

**City Administrator Bryan Harrison** reported that there was a very successful Parks Board meeting held earlier in the week. The board is becoming more engaged. The October Board Meeting has been scheduled in conjunction with the Maiben Park update planning and the landscape architect who the City retained, Robert Droll, will be there to gather public input on the project. The meeting will be held on Monday, October 3<sup>rd</sup>, at 5:30 p.m. The public is invited to attend.

**Administrator Bryan Harrison** asked council to add a conflict counsel agreement with Glen Hoff to the agenda. The contract has already been approved by the City of Mount Vernon and this is a contract the council has reviewed multiple times.

A motion was made to add the conflict counsel contract with Glen Hoff to the agenda by **Councilors Aslett/J. DeGloria**. All in favor; motion carried.

#### **UNFINISHED BUSINESS:**

#### **RASPBERRY RIDGE INTERLOCAL AGREEMENT; PARTIES: CITY OF BURLINGTON, SKAGIT COUNTY, AND THE HOUSING AUTHORITY OF SKAGIT COUNTY**

**City Administrator Bryan Harrison** stated that this interlocal agreement has been worked on for months based upon council direction. This is a three party agreement that if approved, would allow existing and future phases of the Raspberry Ridge public housing development to connect to the City of Burlington sewer system. The agreement imposes conditions and requirements on the parties to construct infrastructure improvements in conjunction with various phases of development. Skagit County has included this property within the Urban Growth Area (UGA); the City will make the decision to add the property to the UGA in the comprehensive plan for the City of Burlington. **Harrison** reviewed the responsibilities of each party within the agreement. **City Attorney Leif Johnson** stated that he and **Harrison** have reviewed the contract and are comfortable with the agreement. **Councilor J. DeGloria** raised concerns regarding the responsibility of the County, enforcement of code violations, and the termination clause. **Assistant Public Works Director – Skagit County – Ryan Walters** stated that the County attorney modified the language and explained the modifications specifically to the code enforcement language that was modified to reflect departments not individuals. Discussion ensued regarding the responsible parties for code enforcement and the definition of terms within the termination clause.

A motion was made to approve the proposed interlocal agreement between the City of Burlington, Skagit County, and the Housing Authority of Skagit County and authorize the Mayor's signature by **Councilors Loving/Aslett**. **Councilors Edmundson/Montgomery** in favor; **Councilors J. DeGloria/R. DeGloria** opposed. Motion carried.

#### **CONSENT AGENDA:**

There was no Consent Agenda.

August 11, 2016

**NEW BUSINESS:**

**INTERLOCAL DRUG TASK FORCE AGREEMENT**

This item was removed from the agenda by **Police Chief Bill Van Wieringen** as additional changes were being made to the agreement.

**INTERLOCAL AGREEMENT FOR THE SKAGIT COUNTY FIBER GRANT**

**IT Manager Geoff Hawes** stated that Skagit County has awarded the grant in the amount of \$295,833.00 for the expansion of fiber for economic and business development in the North Burlington Business Park and the South Burlington Business Park on Port Drive. The grant requires all work to be substantially completed by June 30<sup>th</sup>, 2017.

A motion was made to approve the interlocal agreement with Skagit County for grant funding and authorize the Mayor's signature by **Councilors Aslett/R. DeGloria**. All in favor; motion carried.

**AGREEMENT WITH TRANSPORTATION SOLUTIONS, INC. FOR CONSULTING FOR UPDATE TO THE TRANSPORTATION ELEMENT OF THE COMPREHENSIVE PLAN**

**Public Works Director Marv Pulst** reviewed the history of this agreement and the necessity of the agreement as related to the transportation portion of the comprehensive plan. Skagit Council of Governments (SCOG) advised that the surrounding cities have contracted with Transportation Solutions, Inc. (TSI) to complete the study. The original quote from TSI was for \$69,000.00, but **Pulst** was able to negotiate the price down to \$39,550.00. These funds are not budgeted for 2016. A portion of the funds, \$20,000.00, to be paid out of the arterial street fund in 2016 and another portion will be budgeted for in 2017.

A motion was made to approve the agreement with TSI for consultant services on the transportation plan and authorize the Mayor's signature by **Councilors J. DeGloria/Montgomery**. All in favor; motion carried.

**CONFLICT COUNSEL AGREEMENT WITH GLEN HOFF**

**City Administrator Bryan Harrison** stated that this agreement is for conflict counsel for Indigent Defense. Glen Hoff is a very experienced attorney. **Harrison** reviewed the agreement. This is a two year agreement with options to extend.

A motion was made to approve the conflict counsel agreement with Glen Hoff and authorize the Mayor's signature by **Councilors Loving/R. DeGloria**. All in favor; motion carried.

**EXECUTIVE SESSION**

There was no Executive Session held.

**ADJOURNMENT:**

**Mayor Sexton** adjourned the meeting at 8:27 p.m.

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Renee Sinclair  
Director of Budget & Accounting

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Steve Sexton  
Mayor