

August 25, 2016

**CALL TO ORDER:**

**Mayor Steve Sexton** called the meeting to order at 7:00 p.m., with the Pledge of Allegiance. Council members present: Bill Aslett, Tonya Bieche, Joe DeGloria, Edie Edmundson, Chris Loving, and Ted Montgomery. Staff present: Craig Bloodgood, Bryan Harrison, Brad Johnson, Brittany Johnson, Leif Johnson, Tom Moser, Marv Pulst, Bill Van Wieringen, and Levon Yengoyan.

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

**MINUTES:**

A motion was made to approve the minutes of the August 11, 2016 council meeting by **Councilors Aslett/Loving**. All in favor; motion carried.

**AUDIT OF BILLS:**

A motion was made by **Councilors J. DeGloria/Aslett** to approve Accounts Payable checks numbered 32637 - 32746 in the amount of \$270,433.45; August 15<sup>th</sup> payroll checks numbered 32614 – 32636 in the amount of \$369,369.35. All in favor; motion carried.

**PUBLIC COMMENTS:**

**Ruth Wright Phelps – 1172 Decatur Circle** – commented she would like to discuss all of the cities who get their water from the Skagit River, which include, Whidbey Island, Oak Harbor, N. Whidbey, Naval Air Base, Anacortes, Burlington, and Mount Vernon. Ms. Phelps voiced her concerns for the railroad bridge over Skagit River and the disaster that could occur if an oil train was to wreck on the bridge and contaminate the Skagit River, a water source for Skagit County. Ms. Phelps stated that she recognizes the jobs that the refineries and the railroad provide, but she is very concerned about oil trains traveling over the Skagit River. Ms. Phelps suggested that the Burlington City Council hold a conference with cities' Mayors to discuss the problem. Ms. Phelps commented that she feels this is an urgent problem and deserves to be discussed. Ms. Phelps commented that she hopes the Mayor and Council will think of the problem and work to solve it.

**Mayor Sexton** responded that yes, the bridge is problematic for a number of reasons and that these reasons have been discussed with BNSF. **Public Works Director Marv Pulst** added that Ms. Phelps brings up a great point, this is a real threat. BNSF has a desire to replace existing bridge and the City is currently looking for grant dollars to fund the replacement of the bridge; replacing the bridge could cost \$50 - \$70 million. This is an issue for the community. Discussion followed regarding the water sources for Skagit County and the threat of contaminating the supply.

**COUNCIL COMMENTS:**

**Councilor Bieche** commented that she attended the Skagit Coalition Against Human Trafficking's even presenting the Nordic Model. Val Ritchey, King County Prosecutor, reviewed the Nordic Model that is being used by King County to fight human trafficking. **Councilor Beiche** highlighted the information that was presented at the event and the positive impact that it has on the communities who have adopted the Nordic Model.

**MAYOR'S UPDATE:**

There was no Mayor's Update.

**PROCLAMATION:**

There was no proclamation.

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**SPECIAL PRESENTATION:**

**Skagit Domestic Violence Sexual Assault Services – Nancy Tiffany** – thanked the City of Burlington for the support and for being a privileged partner in making neighborhoods and residences safer. **Ms. Tiffany** reviewed the highlights of Skagit DVSA for 2015, the organization provides emergency shelter, and participation in support groups, and stresses the respect for yourself and others. **Ms. Tiffany** reviewed the new program that will be used by Skagit DVSA, the Skagit Lethality Assessment Program (LAP) and how implementing the program will benefit the victims of domestic violence and sexual assault.

**OFFICER'S REPORTS:**

**Public Works Director Marv Pulst** updated council on the grant applications that were submitted for the Transportation Improvement Board (TIB) Grants. There were four grant applications submitted:

1. East – West Connector Road – Design & Construction – TIB Funds \$2,398,700; City funds \$423,300 – 15% match
2. Cherry/Fairhaven (5-Way Intersection) – Construction – TIB Funds \$400,000; City Funds \$175,000 – 30% match
3. Sidewalk – Gardner Rd (Fairhaven to Rio) Design & Construction – TIB Funds \$299,500; City Funds \$75,000 – 20% match
4. Overlay – Burlington Blvd – Riverside Bridge to Sakuma Drive – TIB Funds \$225,000; City Funds \$40,500 – 15% match

The TIB will award the grants at their November 18, 2016 meeting.

**Councilor Bieche** raised her concerns regarding the East – West connector road and made a suggestion for the location of the signal. **Pulst** stated that location had been looked at, but was not feasible.

**Director Pulst** stated the next week the paving from Gilkey Avenue to Anacortes Street will be completed and explained the process for the Whitmarsh Road paving and future road closures as a result of the paving.

**UNFINISHED BUSINESS:**

There was no Unfinished Business.

**CONSENT AGENDA:**

There was no Consent Agenda.

**NEW BUSINESS:**

**DONATION OF DRINKING FOUNTAIN FROM THE KIWANIS CLUB OF BURLINGTON TO BE PLACED AT SKAGIT RIVER PARK**

**Parks Supervisor Craig Bloodgood** stated that the Kiwanis Club of Burlington has voted to approve the donation of the full purchase cost of replacing the drinking fountain at Skagit River Park. The fountain is located north of the playground at the restroom/concession building. The Kiwanis Club has requested that a plaque recognizing their donation be placed on both sides of the fountain and another plaque may be placed at the foot of the fountain on the cement if it will be sustainable there.

A motion was made to accept the donation of a drinking water fountain from the Kiwanis Club of Burlington to the City of Burlington for placement at Skagit River Park by **Councilors Aslett/Bieche**. All in favor; motion carried.

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**REQUEST TO CONSTRUCT A STRUCTURE TALLER THAN THE PERMITTED 35 FEET IN THE B-P BUSINESS ZONING DISTRICT. APPLICANT: SCRATCH & PECK FEED**

Senior Planner Brad Johnson stated that the business has purchased the site at 880 North Hill Business Park and need to construct a row of grain silos and associated structures to the east side of the building that exceed the maximum height permitted in the Business Park zone. BMC 17.43.080.F states that buildings in BP zone are limited to 35 feet. However, this code section also allows the City Council to approve taller buildings and structures. Discussion ensued regarding the effect on the community, possible view obstructions to surrounding businesses and the residences on Burlington Hill, and if this needed to go to Planning Commission. Brad Johnson clarified that no, it is not necessary for this to go to Planning Commission and clarified that 35 feet is a common height limit throughout the BMC.

A motion was made to approve the height limit for the addition of the grain silos and associated equipment by Councilors Aslett/Loving. All in favor; motion carried.

**EXECUTIVE SESSION**

An Executive Session will be held Per RCW 42.30.110 to discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency. The executive session should take approximately twenty minutes and no action is expected as a result of the executive session. Council and city staff adjourned for Executive Session at 7:50 p.m.

**ADJOURNMENT:**

Mayor Sexton adjourned the meeting at 8:24 p.m.

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Renee Sinclair  
Director of Budget & Accounting

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Steve Sexton  
Mayor