

July 11, 2019

CALL TO ORDER:

Mayor Sexton called the meeting to order at 7:02 p.m. with the Pledge of Allegiance. Council members present: Joe DeGloria, Rick DeGloria, Edie Edmundson, Scott Green, Chris Loving, and James Stavig. Staff present: Jennifer Berner, Mike Ganz, Brad Johnson, Leif Johnson, Michael Luvera, Kristen Morrison, Marv Pulst, Joe Stewart, Joe Stewart, and Greg Young.

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

MINUTES:

A motion was made to approve the minutes of the June 27, 2019 council meeting by **Councilors R. DeGloria/Edmundson**. All in favor; motion carried.

AUDIT OF BILLS:

A motion was made by **Councilors J. DeGloria/Loving** to approve Accounts Payable invoices to be paid as reviewed on July 11, 2019 in the amount of \$330,110.86. All in favor; motion carried.

PUBLIC COMMENTS:

Robert Dohl – 1660 Park Lane, Burlington WA Puget Sound Energy spoke regarding looking forward to partnering with the City and introduced **Puget Sound Energy's Outreach Manager** who spoke about an upcoming outreach program called Small Business Direct Install on July 23rd – 24th. This program is a partnership with the Burlington Chamber of Commerce and will reach between 40-50 small businesses. The program will offer information on upgrades and rebates that the businesses may be entitled to as well as free upgrades from florescent tube lighting to LED bulbs.

COUNCIL COMMENTS:

No Council Comments.

MAYOR'S UPDATE:

No Mayor's update.

PROCLAMATION:

No proclamation.

SPECIAL PRESENTATION:

Mayor Sexton preformed the swearing in ceremony of **Councilmember Scott K. Green**.

Police Chief Mike Luvera stated that the police department is starting a new tradition of performing swearing in ceremonies of new police officers at City Council meetings. **Luvera** explained how this is a very memorable day in a police officers' career and something they will never forget.

Mayor Sexton preformed the swearing in ceremony of Police Officer Lucas Budrow.

PROCLAMATION:

No proclamation.

COMMITTEE & BOARD REPORTS:

Councilor Edmundson spoke about the Public Safety Committee meeting that was held on July 9th and introduced **Fire Chief Interim Mike Ganz** to give more information about the Quint and a basic status report. **Ganz** spoke about the progress that has been made

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on the Quint and his hopes to have it in service and on the road by mid-August. **Ganz** also spoke about 3 major upgrades that the Fire Department is currently undertaking: the Quint, an EMS program featuring Advanced Life Support Training for the EMTs and Basic Life Support Training for the Firefighters, and an upgrade, which involves getting the Paramedics Firefighter I Certified.

Ganz also updated Council on the progress of an Air Pack Grant; \$200,000 Federal Grant will help pay for new upgrades for the self-contained breathing apparatuses (SCBA's) for the firefighters, which are set to expire in approximately one year. **Ganz** stated that he had received an email earlier in the week from FEMA and is feeling hopeful about the progress of the Grant. **Councilor Stavig** asked how many air packs would need to be upgraded and whether the purchase of these new upgrades should be staggered out over a period of time. **Ganz** discussed the number of components of SCBA's and discussed why all packs must be upgraded at the same time.

OFFICER REPORTS:

Parks & Recreation Jennifer Berner shared info about the upcoming summer events put on by Parks and Recreation and the Library. **Berner** also spoke about the positive feedback the community had shared about the Summer Nights postcard that has been sent out in the customer's sewer bills. **Berner** further discussed upcoming Parks & Recreation summer programs.

Councilor Edmundson spoke about a Police and Fire pop-up program on July 17th that she was very interested in and thinks will be a fun event for a lot of people. **Berner** expressed her enthusiasm for the Police department's involvement and engagement with ongoing events.

Public Works Director Marv Pulst discussed the Wastewater Treatment Plant being acknowledged by the Department of Ecology with the 2018 Outstanding Performance Award for the sixth year in a row, and expressed his appreciation for all the hard work that has been put in by the staff.

Pulst added the Department of Ecology had awarded a grant for \$95,000 to offset the cost of the storm water and sewer administration hours. **Councilor Stavig** asked **Pulst** to clarify what the \$95,000 would go towards. **Pulst** explained that money would be used to fund administration hour to run outreach programs.

Pulst discussed a grant that was received in the previous year from the Transportation Improvement Board in the amount of \$2.8 million dollars to help construct the East-West Connector Project leaving the project \$430,000 short of being fully funded. **Pulst** spoke about an annual Economic Development grant that he had applied for and gave a presentation to Skagit Council of Government to get a portion of the total grant to help with the remaining cost of the project.

Pulst spoke about how the construction of the road in the East- West Connector Project and its potential to create jobs and bring in an estimated \$4 million additional dollar a year in sale tax revenue. **Councilor Loving** asked how many property owners would benefit from this project. **Pulst** stated that there would be 4 property owners that would benefit. **Councilor Stavig** asked how much money was awarded to the department. **Pulst** stated that \$430,000 had been awarded.

Mayor Sexton spoke briefly about the history of the property that would be developed and expressed many thanks to Marv in his ongoing efforts on this project. **Councilor**

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Stavig asked when they could expect this project to start. **Pulst** stated that the project could start next spring through the summer.

Finance Director Joe Stewart spoke about Caselle, the payroll system the City currently uses and the issues that he and the Finance Department have been facing with the system. **Stewart** discussed a future proposal in which the City would revert to Springbrook, the payroll system the City had previously used. **Stewart** stated he would bring a quote for the re-implementation to Springbrook to the next City Council Meeting. **Councilor Stavig** asked Stewart how much the City spent to switch to Caselle;

Stewart explained that it would cost approximately \$30,000. Discussion was held on the challenges of Caselle and the issues faced by the Finance Department. **Stewart** stated that he cannot speak to the thought process that was presented to Council about going away from Springbrook but assured the Council that Caselle as a stand-alone system is not a good solution for payroll. **Councilor J. DeGloria** expressed his frustrations about the matter and spoke about raising taxes and how that would affect the constituents.

Mayor Sexton stated that the mention of raising taxes to pay for the switch was not discussed and spoke about frustrations with the issues in the new payroll system.

Councilor J. DeGloria discussed about additional concerns of switching back to Springbrook. **Stewart** appreciated the concerns presented and told about attending a Springbrook User Conference and spoke about additional benefits to the payroll system switch. **Councilors Stavig and J. DeGloria** expressed further frustrations about the cost of the initial switch to Caselle and commenting that the City has been using the software for less than a year and asked when the Finance Department would want to switch back to Springbrook. **Stewart** stated he hopes to switch over to Springbrook at the start of the calendar year. **Councilor Stavig** discussed the functionality of Springbrook; Stewart assured Council Springbrook is a superior system. **Mayor Sexton** asked the Council for any further questions and stated that this matter would be brought up on a future agenda.

Interim City Administrator Greg Young informed Council of their being supplied with a Mayor and City Council Member Handbook.

UNFINISHED BUSINESS:

No unfinished business.

NEW BUSINESS:

SOLE SOURCE EQUIPMENT PURCHASE FOR SEWER OPERATIONS

Public Works Director Marv Pulst explained the proposed resolution would authorize the purchase of Bioxide for Sanitary Sewer operations, and discussed the reason for its purchase from Equova Water Systems. **Councilor Stavig** asked how often Bioxide would be purchased; **Pulst** stated that it would be purchased annually.

A motion to approve a sole source resolution for the purchase of Bioxide for sewer operations and authorize the Mayor's signature was made by **Councilors Edmundson/J. DeGloria**. All in favor; motion carried.

2019 BUDGET AMENDMENT #1

Interim City Administrator Greg Young stated that this will be the first of two or more budget amendments presented to the Council for 2019, and discussed the City's having gone through a multi-month finance effort to reverse the accounting entries related to

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moving from purely Cash-Basis to a Modified Accrual-Basis for 2017 and 2018. This has resulted in two recommended changes to the 2019 accounting records which are reflected on 2019 Budget Amendment #1 - First, certain accounting entries booked in 2018 are now booked into 2019. This has changed our ending 2018 fund balance (and thus beginning 2019 balances). The second change is a revision to budgeted revenue transfers into the ER&R Fund to partially offset the cost of the cash purchase of the Quint and provide sufficient revenue for budgeted ER&R purchases in 2019. **Councilor J. Degloria** referenced the Budget Amendment #1 handout that Council had received and asked about \$825,000 being removed from the 2018 budget as a revenue source and being placed into the 2019 budget. **Young** explained that the \$825,000 is a more accurate representation of the grant funds that the city hopes to assume this year and stated that numbers in budgets are anticipated. **Councilor J. DeGloria** stated that numbers in the 2018 Budget Booklet and the numbers vary greatly. **Young** explained that the numbers match the budget that the Council had adopted at the end of 2017.

Councilor Loving discussed bad decisions made in the past but the Council needs to find a way to move forward with the budget amendment process. **Councilor Edmundson** requested to see the budget amendments handled at each meeting. **Councilor Stavig** requested Council have additional time to review the budget amendments. **Young** expressed that the amendment will not change in another 2 weeks and that Council will be presented with the second amendment at the next Council meeting as well as being presented with the first amendment again. **Young** also asked that if Councilmembers had any specific questions about the budget amendment to ask them prior to the next Council meeting. Council discussed the budget amendment process. **Councilor J. DeGloria** referenced the language stated in the Ordinance Amending the 2019 budget that stated "Whereas, certain events have transpired since the adoption of the 2019 budget that were unforeseen when the original estimated beginning balances on the 2019 budget was adopted" and asked what those events were. **Young** explained that the events mentioned are outlined on an info sheet that was presented to council.

Councilor Loving made a motion to continue the discussion at the next Council meeting.

A motion to discuss the proposed budget amendment in two weeks at the July 25th Council meeting was made by **Councilor Stavig/Loving**. All in favor; motion carried.

COMPREHENSIVE PLAN UPDATE – PRELIMINARY ADOPTION OF REVISED LAND USE ELEMENT

Community Development Director Brad Johnson discussed the Planning Department's completion of, and process entailed in creating a draft Land Use Element for Council's consideration. **B. Johnson** explained that this is an initial step and a work in progress and is proposing a resolution from Council in the support of the concept of the plan. **Councilor Stavig** asked if this plan will be done in sections. **B. Johnson** explained that each element is like a chapter, wherein each element will be presented to Council to for their approval.

A motion to adopt the Planning Commission's recommendation dated February 20, 2019 and authorize the Mayor to sign the attached resolution was made by **Councilors Edmundson/R. DeGloria**. All in favor; motion carried.

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COMPREHENSIVE PLAN UPDATE – PRELIMINARY ADOPTION OF REVISED HOUSING ELEMENT

Community Development Director Brad Johnson discussed the Planning Department's completion of, and process entailed in creating a draft Housing Element for Council's consideration, and explained that draft Housing Element is intended to codify current city practices, and to reflect comments made by the Planning Commission, City Council, City departments and the public. **Councilmember Scott Green** discussed the possibility of including zoning for housing above businesses. **B. Johnson** explained that the objective of the plan is to put more people near business.

A motion to adopt the Planning Commission's recommendation dated February 20, 2019 and authorize the Mayor to sign the attached resolution was made by **Councilors Satvig/Edmundson**. All in favor; motion carried.

POLICE DEPARTMENT RIFLE REPLACEMENT – PHASE 1

Police Chief Luvera stated in 2018 the Police Department completed the replacement purchase and issuance of handguns, and that in 2019, \$18,000 was budgeted as phase 1 for the replacement of rifles. This submission reflects the replacement of 14 rifles and associated equipment. The purchase will include rail mounts, optics and slings. Some of these rifles are approximately 15 years old and have gone beyond industries standards. **Luvera** also stated that the department had used some of the budgeted money to purchase a safe for the firearms. **Councilor J. DeGloria** asked what will happen to the old rifles. **Luvera** responded that the rifles will be traded in to a Federally Licensed dealer, Adamson.

A motion to approve the purchase of police rifles and associated rifle equipment in the amount of \$12,925 dollars was made by **Councilors J. DeGloria/Edmundson**. All in favor; motion carried.

HEARING EXAMINER AND PERMIT APPEALS – DISCUSSION ITEM ONLY

Interim City Administrator Greg Young spoke about a previous appeal involving parking issues with a church located on Fairhaven Avenue and felt as though both the Council and appellants left the proceedings frustrated and unsatisfied. **Young** offered to discuss the current process by which we allow appeals of Hearing Examiner permit decisions to the City Council and explore if it achieves the local review function as originally intended. **Young** added that it may be appropriate to remove the Council from a process that seldom changes the Hearings Examiner permit decision, and in some instances potentially holds out false hope for those wishing to change the Hearing Examiner interpretation of City Code, and limits the Council's review to those arguments and pieces of evidence already reviewed by the Hearing Examiner. **Councilor Edmundson** spoke in favor of removing Council from this process as Council is often left out as it is.

City Attorney Leif Johnson gave a brief history on the origin of the option of Council to be removed from the process. Leif stated that this option would be something for Council to think about and added that any decision made by Council will be enforced.

Councilor Loving spoke in opposition of removing Council from the process and expressed the importance of giving the public the option to have a voice at City Council

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meetings. **Loving** also spoke about frustrations involving the parking issues with the church in the previous preceding. **Councilor J. DeGloria** spoke in opposition of Council being removed from the process, and added that having the issues presented to Council challenges Council members to come up with solutions.

Councilor Edmundson stated that Council is so far removed from the process and expressed confusion on what Council's role is. **Councilor Loving** emphasized the importance of giving the community the opportunity to present their issues to Council.

Councilor Stavig agreed with **Councilor Loving** asked **L. Johnson** how Council would know about the issues and the code changes if the Council were to remove themselves from the process altogether. **L. Johnson** added that Council would have to find a legal or factual error in order to actually do anything, and expressed that this can be a frustrating position for Council to be in when they are presented with issues that the public cares about are very limited in what they can do. **L. Johnson** stated that he was not advocating for one side or the other but wanted Council to know all the options that are available to them. **Councilor Edmundson** asked how much business has been lost because of the parking issues and what were the other variables involved; were the hours of lost business during church hours. **Community Development Director Brad Johnson** stated that the Hearing Examiner would create a report that would be sent to the Planning Department and then presented to Council in order for Council to be informed of any important issues. **B. Johnson** further explained the Hearing Examiner process and offered that an annual report could be brought to Council if Council wanted more information about the types of code issues that were being presented.

EXECUTIVE SESSION:

No Executive Session.

ADJOURNMENT:

Mayor Pro Tem Aslett adjourned the meeting at 9:39 p.m.

Joe Stewart
Finance Director

Steve Sexton
Mayor