

January 27, 2022

Mayor Steve Sexton called the meeting to order at 7:00 p.m. with the Pledge of Allegiance. Council members present: Bill Aslett, Keith Chaplin, Joe DeGloria, Rick DeGloria, Scott Green, James Stavig, and Jamie Weiss. Staff present: Janice Burwash, Scott Green, Geoff Hawes, Brad Johnson, Leif Johnson, Sandra Kottke, Mike Luvera, Kristen Morrison, Marv Pulst, Jim Rabenstein, Travis Schwetz, Joseph Stewart, Robert Toth, and Greg Young.

MINUTES:

Councilor Bill Aslett noted a necessary correction to the minutes to add **Councilor Jamie Weiss** to the list of members present. **Councilor Jamie Weiss** made a correction to the minutes wherein he was assigned to asking a question about the Skagit Speedway track, when in fact, it was a comment from a citizen attendee.

A motion was made by **Councilors Aslett/R. DeGloria** to approve the minutes of the January 27th, 2022 City Council meeting. All in favor; motion carried.

AUDIT OF BILLS:

Councilor Green presented on the finance committee meeting with **City Administrator Greg Young**, **Finance Director Joe Stewart**, and **Councilor Keith Chaplin** in attendance. Green stated that the Accounts Payable detail list was not prepared for the January 27th meeting. The short list of expenses and questions regarding sales tax were answered. **Councilor Green** followed up on a discussion about furlough reimbursement total payment to employees, the amount of which was \$47,575.82.

A motion was made by **Councilors Scott Green/Keith Chaplin** to approve Accounts Payable invoices to be paid as of December 31, 2021, in the amount of \$29,964.03 and Payroll Expenses for Pay Period ending January 15, 2022, in the amount of \$812,839.67. All in favor; motion carried.

PUBLIC COMMENTS:

No public comments were submitted.

City Attorney Leif Johnson stated that members of the public may submit comments or questions by mail to City Hall at 833 S. Spruce Street, ATTN: Greg Young, or by email to badministration@burlingtonwa.gov. Contact information for all the City Departments is available at www.burlingtonwa.gov.

COUNCIL COMMENTS:

Councilor James Stavig expressed an opposition to hiring a Community Service Officer and suggested the role could be linked to the Streets Department. **Councilor Stavig** would like the citizens' patrol to be advertised to the community. **Mayor Sexton** discussed the Community Service Officer position and growing concern of animal control and hulk vehicles. **Chief of Police Mike Luvera** listed several examples of cases of dog bites, investigations, and surgeries that have created a need for the created position to take the workload off current staff.

MAYOR'S UPDATE:

Mayor Sexton revisited the merit of Zoom as an alternative meeting format and requested feedback from the council. **Councilor Joe DeGloria** suggested the use of tech such as a 360° video camera for hybrid meetings. **Councilor Weiss** inquired if Zoom was the only technology platform used. **Councilor Chaplin** noted the benefit for Zoom meetings when referencing shared

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materials or graphics. **J.DeGloria** requested to hear from all council members. In-person City Council meetings were considered the most favorable by council members but that call-in council meetings provided the most secure and stable connection and ensured the easiest accessibility for community members compared to video conferencing. **Mayor Sexton** concluded that until it was safe for in-person council meetings they will continue via phone with some workshops conducted over Zoom and when council meetings resume in-person there will be a hybrid video teleconferencing option for citizens that prefer to attend remotely.

Mayor Sexton gave an update on the continued progress for the architecture plans for the Skagit First Steps project which will be presented to the council soon.

PRESENTATION:

Skagit First Steps was scheduled to give a briefing but the presentation was canceled due to a scheduling conflict. **Mayor Sexton** stated that it will be rescheduled and there will be a quarterly update from Skagit First Steps at council meetings.

PROCLAMATION:

No Proclamation.

COMMITTEE & BOARD REPORTS:

Finance Director Joe Stewart presented the Month-End November report, which shows that the City is on track except for a reimbursement payment due from the county and the December report will be coming after the open period that closes January 20, 2022. Stewart highlighted the taxes 3-year trend from 2020 to 2021 the retail & sales use tax is up by \$1.37 million and overall taxes for the city are up \$2.93 million, but 2022 figures are lower than 2021.

OFFICERS REPORTS:

City Administrator Greg Young outlined the presented reports from **Marv Pulst** for the Library and Whitmarsh rebuild. **Public Works Director Marv Pulst** updated Council on the repair rebuild utilizing in-house forces. **Pulst** stated the road will be replaced with reinforced concrete, and that the labor costs will be around \$17K and material costs \$23K, but there is a pending FEMA relief fund claim for \$75K. **Pulst** thinks this rebuild could also be funded from the 301 Capital Improvement Funds, to be discussed at a future council meeting. **Pulst** believes this project will start in the next couple of weeks, conditions permitting. **Councilor Bill Aslett** inquired on the repair timeline; **Pulst** indicated that it would be 2-3 weeks and Streets Department Supervisor **Travis Schwetz** confirmed the timeline depending on the river flooding forecast, weather, and a full crew. **Aslett** asked if there would be concrete shortages like seen in other parts of the country; **Schwetz** believes it is not a large concern.

Pulst discussed in length the structural concerns with the sagging beams in the library. In summary, **Pulst** sought several engineering firms and experts to analyze the glue lams, truss system and the reports concluded there was creep in the glue lams resulting in the excessive deflection. **Pulst** reported the concern is if there is continued deflection the structural integrity would be impacted. **Pulst** and the engineering consultants determined pin pilings would be the least disruptive and the most cost effective. **Pulst** offered an estimated repair cost of \$20K, to be determined and presented to Council at a later date. **Councilor Chaplin** asked if the original structural engineer was contacted; **Pulst** could not locate the firm but found a copy of the design. **Chaplin** commented that building better at the outset saves money. **Pulst** agreed. **Councilor Scott Green** proposed using the reinforcement to be a collaborative community opportunity with a local artist. **Pulst** informed Council that a powder coated steel posts would

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eventually be encased in wood cubbies to look intentional. **Chaplin** inquired if there could be legal compensation or if there was a failure of materials. **Pulst** did not find any violation of code or incorrect installation of beams or failure of materials.

A programming note presented by **Greg Young** explained that the Burlington Fiber workshop on February 10, 2022 meeting moved to February 17, 2022 and a fire hall remodel workshop will be held February 10, 2022 from 6PM-7PM.

UNFINISHED BUSINESS:

No Unfinished Business.

CONSENT AGENDA:

No Consent Agenda.

NEW BUSINESS:

Changes to PR Zoning Regulations

Community Development Director Brad Johnson presented the fifth batch of plans with an edit to the Parks and Recreation zones, creating two zone distinctions between City held and privately owned property, and stated that prior to the edits there was only one zone. **B. Johnson** explained that some of the zoning code date back to the 1950s, and there is an effort from the Planning Commission to rewrite and make updates. **Councilor Chaplin** requested future agenda items with zoning references to include an accompanying map. **B. Johnson** will provide maps with future change requests. **Councilor Stavig** appreciated **B. Johnson's** work, in particular, the annotated details in the accompanying attachments and would be interested in explanation of the change. **B. Johnson** explained that a comprehensive effort had been requested from the planning commission to a rewrite of zoning regulations. **Councilor Chaplin** asked for clarification between the zones. **B. Johnson** provided clarification.

A motion was made by **Councilors Bill Aslett/James Stavig** to approve the changes to PC zoning regulations. All in favor; motion carried.

Changes to PET Zoning Regulations

Brad Johnson discussed the zoning inaccuracies with public facilities, which are currently in incorrect zones. **B. Johnson** explained historically there was a semi-public zone, public facilities on parcels not zoned for public zoning and public facility zoning where there were no public facilities. Updated PET regulations would assign two zoning designation with regulations to match such as commercial or institutional facilities (i.e. city hall) and industrial (i.e sewer treatment plant) zones.

A motion was made by **Scott Green/Bill Aslett** to approve the changes to the PET zoning regulations. All in favor; motion carried.

Skagit River Park Irrigation-Equipment Purchase

City Administrator Greg Young presented the equipment purchase request for irrigation boom carts for Skagit River Park that would be closer to the ground and 40% more efficient. Bids were sought and one quote was submitted. **Councilor Stavig** inquired if other bids besides Farmers Equipment Co. were received. **Young** confirmed there was only one bid, however this is a specialty item and the cost was in the expected price ranges.

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A motion was made by **Chaplin/Aslett** to approve the equipment purchase for Skagit River Park Irrigation. All in favor; motion carried.

Proposed Countywide Planning Policy (CPP) Changes

B. Johnson presented some background, related to the proposed CPP: all the cities and the county itself need to have comprehensive planning policies per state law and they need to agree with each other. As such, Countywide Planning Policies are a high level code for the county. CPPs are a guide for coordinating countywide development. An annexation policy was not developed, instead the Boundary Review Board was kept to govern annexations. But now for simplification of processes there is a request to disband and replace the BRB. Boundaries were fixed during the late 1990s. **B. Johnson** explained that the UGA is separate from the city and part of countywide planning, and that policy 12.17 verbiage helps regulate growth, and there is a goal statement that tracks with state law. **B. Johnson** explained that at some juncture annexed areas will be governed by cities, and the concern is insufficient services that fail due to resources overload. **Councilor Stavig** supports the policy changes and asked whether it's known who is on Boundary Review Board; **B. Johnson** explained that it is a member appointed by the county commissioner and governor. **Joe DeGloria** requested further explanation of the Burlington UGA map specifically a UGA location of off the west side of Burlington and east of Gardner & north of Highway 20. **J. DeGloria** opposed intent to grow boundaries and had concerns about verbiage in 12.17. **B. Johnson** responded, saying the City of Burlington's urban growth area of the CPP has remained in place since last revisions in the 1990s. The concern is the issue is allowing a semi-urban development with minimal infrastructure likely to fail and fall to the cities responsibility. **B. Johnson** highlighted amendment 12.171, wherein annexing land is at the lowest priority.

Mayor Steve Sexton highlighted brief history of improvements that qualified for services as a result of proper zoning. **Bill Aslett** recalled a past map with conservation easements secured by the selling of development rights. **Aslett** requested a map with updated zoning and conservation easements. **B. Johnson** will provide a map at a future date. **Councilor Green** thanked **B. Johnson** for his presentation and explanation. **Green** summarized that the 12.17 revision is not as much about annexation as eliminating an exterior party having a part of the decision.

A motion was made by **Stavig/Green** to support the proposed revisions to CPP 12.17. All in favor; motion carried.

Agreement Amendment with Gray & Osborne for Comprehensive Stormwater Management Plan

Marv Pulst outlined a permit change that the Department of Ecology has required to provide a SMAP, which is a plan related to the watershed in Burlington. Grey and Osborne have already been working with the City of Burlington on putting together a stormwater plan. The amendment is for \$32K and would be added to the Comp plan tasking.

A motion was made by **Chaplin/R. DeGloria** to authorize the proposed Agreement Amendment with Gray & Osborne for Comprehensive Stormwater Management. All in favor; motion carried.

DISCUSSION:

Mayor Steve Sexton presented the agenda item pertaining to the Burlington Municipal Code - Emergency Procurement. **City Administrator Greg Young** compiled sections of the code with the emergency procurements workings and spending limits. **Mayor Sexton** opened up the council for discussion and inquiries. **Councilor Stavig** appreciated the inclusion of procurement information and requested the Council be informed of such emergencies. **Mayor Sexton**

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addressed the concerns of the Council, and stated that in the past 10 year history there have been 2 emergency spending issues. When emergencies occur an email will go out to alert the council with a future briefing but there will not be four council members called for prior approval.

EXECUTIVE SESSION:

City Attorney Leif Johnson recited the following: pursuant to RCW 42.30.10, RE: Real Estate, an executive session will be held in order to consider the selection of a site or the acquisition of real estate by lease or purchase from public knowledge regarding such consideration would cause a likelihood of increased price. **L. Johnson** stated that the executive session will last about 20 minutes, extended as necessary, and that there is no expected action at the conclusion of the session. A 5 minute break was had and the session began at 8:45 p.m. **Mayor Sexton** called for additional time at 9:07 p.m. and 9:43 p.m. Session adjourned at 9:54pm.

ADJOURNMENT:

Mayor Sexton adjourned the meeting at 9:54 p.m.