

CITY COUNCIL AGENDA
City Hall, 833 South Spruce Street
7:00 p.m. March 28, 2019

CALL TO ORDER:

Mayor Sexton

Council Members: Aslett, J. DeGloria, R. DeGloria, Edmundson, Loving, Montgomery, and Stavig
Staff: Berner, Blaine, Dempsey, Erickson, Hampton, Harrison, Hawes, Brad Johnson, L. Johnson, Jongsma, Luvera, Marcotte, Morrison, Moser, Nelson, Peterson, Pulst, Rabenstein, Schwetz, Toth, Ward, Yengoyan

MINUTES:

[City Council Meeting March 14, 2019](#)

AUDIT OF BILLS:

PUBLIC COMMENTS:

COUNCIL COMMENTS:

MAYOR'S UPDATE:

PROCLAMATION:

SPECIAL PRESENTATION: 1) Burlington Senior Center

COMMITTEE & BOARD REPORTS:

OFFICERS REPORTS: TBD

UNFINISHED BUSINESS:

CONSENT AGENDA:

1) [Agreement between EDASC and City of Burlington](#)

NEW BUSINESS:

- 1) **PUBLIC HEARING:** [Street Vacation: Portion of Hazel Avenue from N. Oak St. to the Burlington Northern Railroad](#)
- 2) [Correct Previously Adopted Ordinance No. 1861 from December 13, 2018 City Council Meeting Regarding the State Required Revision of BMC 5.04](#)
- 3) [Correction of Mayor's 2019 Salary](#)
- 4) [Appointment of Sara Patton to the Historical Preservation Board](#)
- 5) [EMS System Delivery Contract Amendment with Skagit County](#)
- 6) [Professional Service Agreement with Mike Ganz](#)
- 7) [Dell R740 Server Purchase](#)
- 8) [Street Closure: Portion of S. Walnut Street in the Gilkey Addition on May 4, 2019](#)
- 9) [Adoption of Revised Public Participation Plan and Schedule for Comprehensive Plan Update](#)
- 10) [Procurement of Air Compressor for Street Department](#)
- 11) [Procurement of Thermoplastic Applicator for Street Department](#)
- 12) [Procurement of Melting Kettle for Thermoplastic Applicator for Street Department](#)
- 13) [Memorandum of Understanding between the City of Burlington and the Burlington Police](#)

EXECUTIVE SESSION:

- An Executive Session may be held to discuss Personnel, Litigation, and/or Land Acquisition.

ADJOURNMENT:

MEETINGS:

- 1) **DOWNTOWN BURLINGTON ASSOCIATION:** Wednesday **March 27, 2019** 9:00 a.m.
Chamber of Commerce, 520 E Fairhaven Ave
- 2) **AUDIT & FINANCE COMMITTEE:** Thursday **March 28, 2019** 4:00 p.m.
City Hall, 833 S Spruce Street

March 2019

March 2019							April 2019						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
3	4	5	6	7	1	2	7	1	2	3	4	5	6
10	11	12	13	14	8	9	14	8	9	10	11	12	13
17	18	19	20	21	15	16	21	15	16	17	18	19	20
24	25	26	27	28	22	23	28	22	23	24	25	26	27
31					29	30		29	30				

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Feb 24	25	26	27	28	Mar 1	2
2/24 - 3/1							
	3	4	5	6	7	8	9
3/3 - 8		5:30pm Parks Board (Parks & Rec Dept) - Judy Sheahan	6:00pm Library Board (Library)				
	10	11	12	13	14	15	16
3/10 - 15			4:00pm Public Safety Committee (Public Safety Building)		4:00pm Audit & Finance Committee (City Hall) 7:00pm Council Meeting		
	17	18	19	20	21	22	23
3/17 - 22			4:00pm Public Works Committee (Engineering Conf Room)	1:00pm SKAT Board (Burlington City Hall) 5:30pm 7:00pm Planning Commission (Counci			
	24	25	26	27	28	29	30
3/24 - 29				9:00am 10:00am Downtown Burlington Association (Visitor Information Center/	4:00pm Audit & Finance (City Hall) 7:00pm Council Meeting		
	31	Apr 1	2	3	4	5	6
3/31 - 4/5							

April 2019

April 2019							May 2019						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
7	1	2	3	4	5	6	5	6	7	1	2	3	4
14	8	9	10	11	12	13	12	13	14	8	9	10	11
21	15	16	17	18	19	20	19	20	21	15	16	17	18
28	22	23	24	25	26	27	26	27	28	22	23	24	25
	29	30								29	30	31	

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Mar 31 - Apr 6	Mar 31	Apr 1	2	3	4	5	6
		5:30pm Parks Board (Parks & Rec Dept) - Judy Sheahan	6:00pm Library Board (Library)				
Apr 7 - 13	7	8	9	10	11	12	13
			2:00pm 3:00pm Historical Preservation Board (4:00pm Public Safety Committee (Public Safety Building)		4:00pm Audit & Finance Committee (City Hall) 7:00pm Council Meeting		
Apr 14 - 20	14	15	16	17	18	19	20
			4:00pm Public Works Committee (Engineering Conf Room)	1:00pm SKAT Board (Burlington City Hall) 5:30pm 7:00pm Planning Commission (Council Chambers)	6:00pm 8:00pm Council Workshop: Dr. Laurie Trautman (Council Chambers)		
Apr 21 - 27	21	22	23	24	25	26	27
				9:00am 10:00am Downtown Burlington Association (Visitor Information Center/Chamber of	4:00pm Audit & Finance (City Hall) 7:00pm Council Meeting		
Apr 28 - May 4	28	29	30	May 1	2	3	4



ITEM #: 1

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: March 28, 2019 Subject: [Street Vacation – portion of Hazel Avenue from N. Oak Street to the Burlington Northern Railroad](#)
Brad Johnson, Senior Planner

Attachments: Staff Report (with attachments) Public Hearing Required: YES () NO ()
Proposed Ordinance (with exhibit)

SUMMARY

Request to vacate a dead end portion of Hazel Avenue as described in the attached ordinance from N. Oak Street west to the Burlington Northern Railroad (approximately 91 feet deep by 60 feet wide). David Hansen Credit Trust owns both parcels (P71452 & P71458).

RECOMMENDATION

Motion to approve the street vacation requested by David Hansen Credit Trust and authorize the Mayor to sign the proposed ordinance.



ITEM #: 2

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: March 28, 2019 Subject: [Correct Previously Adopted Ordinance #1861 from December 13, 2018 regarding the State](#)
Leif Johnson, City Attorney [Required Revision of BMC 5.04](#)

Attachments: Proposed Updated BMC 5.04 and Previously Adopted Public Hearing Required: YES () NO (**X**)
Ordinance #1861 on December 13, 2018

SUMMARY

The City of Burlington has begun to use the State of Washington's Business Licensing Service (BLS) in 2019. In order to use this system, certain changes are necessary to the City's licensing ordinances (BMC 5.04, et al). Council will likely recall reviewing and approving changes to these ordinances last year.

After those ordinances were approved by Council in 2018, the City and the Washington State Department of Revenue continued review and identified some additional changes were needed so that Burlington's ordinances can be properly administered by the State. These proposed amended ordinances have been reviewed by City Staff and the Department of Revenue and make necessary changes suggested by the Department of Revenue. No changes to the actual licensing fees charged by Burlington have been changed, only language that allows the BLS system to be administered properly. The Department of Revenue's suggestions are primarily made in order to ensure consistency of language among all of the BLS entities.

RECOMMENDATION

Move to adopted the proposed Ordinance and authorize the mayor's signature.



ITEM #: 3

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: March 28, 2019 Subject: [Correction of Mayor's 2019 salary](#)

Leif Johnson, City Attorney; Diane

Marcotte, Finance Director

Attachments: BMC Chapter 2.56.030 Public Hearing Required: YES () NO (X)

SUMMARY

As per the BMC section 2.56.030: "...the Mayor shall receive a cost of living adjustment commensurate with the COLA received by nonrepresented staff, which cost of living adjustment shall become effective as of the same date that the cost of living adjustment paid to nonrepresented staff becomes effective".

In the budget adopted by council for 2019, the COLA that went into effect 1/1/19 for non-represented staff was 3.1%. However, this COLA was not put into effect for the position of Mayor.

RECOMMENDATION

Motion to approve increase in Mayor's salary to comply with BMC section 2.56.020, effective 1/1/19.



ITEM #: 4

CHECK ONE:

NEW BUS. X

OLD BUS.

AGENDA ITEM

Council Date: March 28, 2019 Subject: [Appointment of Sara Patton to the Historical Preservation Board](#)
Jennifer Berner, Parks & Recreation Director

Attachments: Letter of Interest Public Hearing Required: YES () NO (**X**)
Resume
Member Application

SUMMARY

The following individual has been recommended by Mayor Sexton to fill a position on the Historical Preservation Board:

- Sara Patton

RECOMMENDATION

Motion to confirm the appointment of Sara Patton to the Historical Preservation Board effective March 29, 2019.



ITEM #: 5

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: March 28, 2019 Subject: [EMS System Delivery Contract Amendment with Skagit County](#)
Levon Yengoyan, Fire Chief

Attachments: EMS System Delivery Contract Amendment Public Hearing Required: YES () NO (**X**)
EMS System Delivery Contract #C20180481

SUMMARY

The City of Burlington is part of an Interlocal Agreement with Skagit County to provide EMS System Delivery. This Amendment to that contract (#C20180481) provides for the payment of one-time start-up costs to Aero Skagit and the transfer of additional equipment to the four (4) participating cities.

RECOMMENDATION

I motion to approve the proposed EMS System Delivery contract amendment with Skagit County and authorize the Mayor to sign.



ITEM #: 6

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: March 28, 2019 Subject: [Contract with Mike Ganz – Interim Fire Chief Services](#)
Brittany Nelson, HR Manager
Leif Johnson, City Attorney

Attachments: Proposed Professional Services Agreement Public Hearing Required: YES () NO (X)

SUMMARY

The City's Fire Chief, Levon Yengoyan, has submitted his resignation effective April 30, 2019. Attached is a Professional Services Agreement for Interim Fire Chief Services between the City of Burlington and Mike Ganz, who served as the interim Fire Chief at the City of Burlington from November 2015 until June 2016. The attached agreement has been reviewed by City staff, WCIA (City's insurance carrier), and Mike Ganz; the scope of work has been agreed upon by all parties. City staff is working with Mike Ganz to come to an agreement on the following language: insurance, indemnification, and termination clause. City staff is confident that all parties will reach an agreement and a final contract will be given to council for approval.

RECOMMENDATION

Move to approve the attached Professional Services Agreement with Mike Ganz for Interim Fire Chief services and authorize the Mayor's signature.



ITEM #: 7

CHECK ONE:

NEW BUS. X

OLD BUS.

AGENDA ITEM

Council Date: March 28th 2019 Subject: [Dell R740 server purchase](#)

Geoff Hawes, IT Manager

Attachments: Dell R740 CDWG 031119.pdf Public Hearing Required: YES () NO (**X**)

SUMMARY

The 2019 budget had several servers and other equipment marked for replacement.

One of the servers I had identified for replacement in the 2019 budget is a Dell R720 server.

This quote is for a replacement Dell R740 server which will be one of four high powered servers for running all our virtual servers.

There were 4 vendors quotes, The results below;

CDWG \$8,335.00 with tax \$9,043.48

Davenport \$9,555 no tax shown

DPE Systems \$10,294 no tax shown

Right Systems \$9,845 no tax shown

CDWG is the lowest cost and quoted NASPO (WA State approved) pricing.

The Dell R720 will be reused for the Library Evergreen software, the current Dell R710 will be surplus and removed from service.

RECOMMENDATION

Motion to approve the purchase of a Dell R740 server from CDWG.



ITEM #: 8

CHECK ONE:

NEW BUS. X

OLD BUS.

AGENDA ITEM

Council Date: March 28, 2019 Subject: [Street Closure – portion of S. Walnut Street in the Gilkey Addition on May 4, 2019](#)
Brad Johnson, Senior Planner

Attachments: Map

SUMMARY

The Block Watch team in the Gilkey Addition would like to close a portion of S. Walnut Street for a block party on Saturday, May 5, 2019 from Noon-5:00 p.m. The proposal was reviewed by the Technical Review Committee (Planning, Building, Fire Marshal, Public Works and Police) and there were no concerns.

RECOMMENDATION

Motion to approve the street closure.



ITEM #: 9

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: March 28, 2019 Subject: [Adoption of revised Public Participation Plan and Schedule for Comprehensive Plan Update](#)
Brad Johnson, Senior Planner

Attachments: "1" – Public Participation Plan Public Hearing Required: YES () NO (X)
"2" – Signed Planning Commission Findings and Recommendation

SUMMARY

The City is required by Washington State law to adopt a plan and schedule for public participation in the Comprehensive Plan Update. The City previously adopted a public participation plan and schedule but the Comprehensive Plan Update has been delayed to accommodate scheduling conflicts and other City priorities. A revised plan has been developed to include updated dates and to remove items that have already been completed.

RECOMMENDATION

Accept the Planning Commission's recommendation and adopt the revised Public Participation Plan and Schedule by authorizing the Mayor to sign the attached Resolution.



ITEM #: 10

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: March 28, 2019 Subject: [Procurement of Air Compressor for Street Department](#)
Marv Pulst, Public Works Director

Attachments: Low Quote Public Hearing Required: YES () NO (**X**)

SUMMARY

Attached is the low quote for purchase of an Air Compressor for the Street Department. This will be funded by the Streets ER&R fund. The total cost for this purchase is 15,205.00 plus applicable sales tax.

RECOMMENDATION

Motion to authorize the procurement of an Air Compressor from Construction PACO Equipment for the Street Department.



ITEM #: 11

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: March 28, 2019 Subject: [Procurement of Thermoplastic Applicator for Street Department](#)
Marv Pulst, Public Works Director

Attachments: Low Quote Public Hearing Required: YES () NO (**X**)
Picture

SUMMARY

Attached is the low quote for procurement of a Thermoplastic Applicator for the Street Department. This will be funded by the Streets ER&R fund. The total cost for this purchase is \$11,880.75.

This will allow Street Department to install thermoplastic on pavement surfaces, primarily crosswalks and stop bars. Staff saw a significant increase in cost for this type of specialty work over the years. In addition, fewer contractors were submitting bids for City thermoplastic work.

RECOMMENDATION

Motion to authorize procurement of Thermoplastic Applicator for Street Department from Rodda Paint.



ITEM #: 12

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: March 28, 2019 Subject: [Procurement of Melting Kettle for Thermoplastic Applicator for Street Department](#)
Marv Pulst, Public Works Director

Attachments: Low Quote Public Hearing Required: YES () NO (**X**)
Picture

SUMMARY

Attached is the low quote for procurement of a thermoplastic melting unit (attachment for the Thermoplastic Applicator) for the Street Department. This will be funded by the Streets ER&R fund. The total cost for this purchase is \$12,091.40.

This melting machine is for use with the Thermoplastic Applicator (prior agenda item). It heats and stores the thermoplastic for the applicator.

RECOMMENDATION

Motion to authorize procurement of Melting Kettle from Rodda Paint for the Street Department.



ITEM #: 13

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: March 28, 2019 Subject: [Memorandum of Understanding between the City of Burlington and the Burlington Police Employees' Guild – Pitman 12 Hour Work Schedule](#)
Mike Luvera, Police Chief
Brittany Nelson, HR Manager

Attachments: MOU Approved by Council on 09/27/2019 Public Hearing Required: YES () NO (**X**)
Proposed MOU adopting the Pitman 12 hour schedule
into the CBA

SUMMARY

Staff presented Council with a Memorandum of Understanding (MOU) between the City of Burlington and Burlington Employees' Police Guild pertaining to the trial implementation of the Pitman 12 Hour schedule on September 27, 2018. The MOU addressed the effected personnel, hours of work, lunches and breaks, scheduling of training, and staffing strengths. The trial implementation was for the period of 10/05/2018 to 04/05/2019.

Attached is a MOU adopting the 12 hour Pitman Schedule into the Burlington Police Employees' Guild collective bargaining agreement effective 04/01/2019.

RECOMMENDATION

Move to approve the MOU between the City of Burlington and the Burlington Police Employees' Guild adopting the 12 hour Pitman Schedule into the Collective Bargaining Agreement and authorize the Mayor's signature.