

BLACK DIAMOND CITY COUNCIL MINUTES

April 3, 2008

Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER, FLAG SALUTE:

Mayor Botts called the regular meeting to order at 7:00 p.m. and lead us all in the Flag Salute.

ROLL CALL:

PRESENT: Mayor Botts, Councilmembers Hanson, Bowie, Boston, Olness and Mulvihill.

ABSENT: None

Staff present: Dan Dal Santo, Utilities Supervisor; Greg Smith, Fire Chief; Loren D. Combs, City Attorney; Jamey Kiblinger, Acting Police Chief; Kaaren Woods, Court Administrator; May Miller, Finance Director; and Brenda Streepy, City Clerk.

PUBLIC COMMENTS: None

PUBLIC HEARINGS:

Hearing Examiner Ordinance

City Attorney Combs reported that last month Council held a workstudy to discuss options for structuring the duties of the hearing examiner and this ordinance incorporates those decisions made by Council. Adoption of this ordinance creates the position of the Hearing Examiner for certain land use matters and outlines their duties.

Mayor Botts opened the Public Hearing at 7:19 p.m.

No public comments were heard or received and Mayor Botts closed the Public Hearing at 7:20 p.m.

Binding Site Plan Ordinance

City Attorney Combs discussed that adoption of this ordinance allows for a different procedure to be used as an alternative to the subdivision process for commercially or industrially zoned property.

Mr. Combs recommended that Council consider whether or not to have this ordinance apply to mixed-use zones as it could be structured either way – just need to clarify in the motion if you want mixed-use zones added.

Mayor Botts opened the Public Hearing at 7:40 p.m.

Hans Corvy, DMP Engineering, Auburn, WA representing Diamond Square addressed Council on how this ordinance specifically affects his clients. He would like to see the five year limit changed to a more reasonable time frame and urged Council to consider this. Item E language should be changed so there is clarity. In Section 17.34.060 he feels the 30 day timeline is unreasonable as it seems to be too short of a time period and asks Council to extend this to a more reasonable amount of time. He would also like to see an expedited review process for sites that are already developed.

City Attorney Combs asked Mr. Corvy to submit these comments in writing to the City Clerk.

Mayor Botts closed the public hearing 7:55 p.m.

City Attorney Combs requested that the written public comment period on the Binding Site Plan be left open for two weeks and set this item to come back before Council on May 1st.

There was Council consensus on Mr. Comb's request.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Resolution No. 08-490, Confirming Community Development Director

Mayor Botts asked Council to confirm his appointment of Steve Pilcher as the City's Community Development Director. Mr. Pilcher has nearly three decades of public planning experience and currently serves as the Development Services Coordinator for the City of Auburn. Steve was chosen after an open recruitment process and an interview panel screening as the most qualified candidate. On March 17th, Steve accepted the position of Community Development Director for the City of Black Diamond, pending Council confirmation, with plans to begin work on April 14th at \$7,750 per month.

A **motion** was made by Councilmember Boston and **seconded** by Councilmember Mulvihill to adopt Resolution No. 08-490, confirming the appointment of Steve Pilcher to the position of Community Development Director. Motion **passed** with all voting in favor (4-0).

Resolution No. 08-491, Accepting, Awarding and Authorizing purchase of police boat

Acting Police Chief Kiblinger reported the Police Department is requesting authorization to purchase a marine patrol boat in the amount of \$53,824.82, which was approved in the 2008 budget. Advertisement and bidding for this purchase was completed in February of 2008.

A **motion** was made by Councilmember Olness and **seconded** by Councilmember Mulvihill to adopt Resolution No. 08-491, accepting bids, awarding bid and authorizing the purchase of a marine patrol boat. Motion **passed** with all voting in favor (4-0).

Resolution No. 08-492, Authorizing purchase of three police vehicles

Acting Chief Kiblinger reported the Police Department is requesting authorization to purchase three police vehicles for the price of \$65,408.31. The amount budgeted for the vehicles in 2008 is \$60,246.00, putting us \$5,162.31 over budget. The reason for ordering three cars, as opposed to two is that we are getting two Impala's for almost the same cost as one Dodge Charger. Also, we are surplusng five police vehicles this year, to include all the administrative vehicles, so we will make up the cost of the \$5,000.00 to cover the overage.

A **motion** was made by Councilmember Olness and **seconded** by Councilmember Mulvihill to adopt Resolution No. 08-492, authorizing the purchase of three police vehicles through Washington State Procurement in the amount of \$60,246.00. Motion **passed** with all voting in favor (4-0).

Ordinance No. 08-859, Civil Service

City Attorney Combs reported adoption of Ordinance No. 08-859 will amend chapter 2.16.30, the Police Chief shall be appointed by the Mayor, subject to confirmation by a majority vote of the City Council. This ordinance will also amend chapter 2.64.040, which shall include all full-time, fully commissioned officers of the City's Police Department subject to civil service regulations.

A **motion** was made by Councilmember Olness and **seconded** by Councilmember Hanson to adopt Ordinance No. 08-859, amending Black Diamond Municipal Code section 2.16.030 and 2.64.040 making all full time fully commissioned police officers subject to civil service regulations. Motion **passed** with all voting in favor (4-0).

DEPARTMENT REPORTS:

Public Works

Utilities Supervisor Dal Santo asked Council for authorization to apply for Community Development Block Grant funding for the second phase of the sidewalk improvements.

A **motion** was made by Councilmember Bowie and **seconded** by Councilmember Hanson authorizing the Utilities Supervisor to apply for Community Development Block Grant funding for the second phase of the sidewalk improvements. Motion **passed** with all voting in favor (4-0).

Mr. Dal Santo reminded everyone of the recycling event that will take place this Saturday, April 5th at the Police Department from 9:00 a.m. to 3: 00 p.m.

Police Department

Acting Chief Kiblinger updated Council on the crime statistics for the month of March.

MAYOR'S REPORT: None

COUNCIL REPORTS: None

ATTORNEY REPORT:

City Attorney Combs asked Council if there was consensus on whether or not they would like to have the Binding Site Plan ordinance include mixed-use.

Councilmember Bowie expressed he would like to get more information before moving forward with this decision.

Mr. Combs reported he will bring back examples for Council to review.

PUBLIC COMMENTS: None

CONSENT AGENDA:

A **motion** was made by Councilmember Olness and **seconded** by Councilmember Mulvihill to adopt the Consent Agenda. Motion **passed** with all voting in favor (4-0). The Consent Agenda was approved as follows:


- 1.) **Minutes** – Council Meeting of January 3, 2008, March 6, 2008, March 20, 2008 and Workstudy Notes of March 6, 2008 and March 20, 2008.
- 2.) **Claim Checks** – April 3, 2008, No. 31458 thru 31463, 31485 thru 31487, checks 31489 thru 31529 in the amount of \$99,263.51
- 3.) **Payroll Warrants** – February 2008 – No. 14513 through 14573 in the amount of \$196,484.41

EXECUTIVE SESSION: None

ADJOURNMENT:

A **motion** was made by Councilmember Bowie and **seconded** by Councilmember Boston to adjourn the meeting. Motion **passed** with all voting in favor (4-0). Meeting adjourned at 8:46 p.m.

ATTEST:


Howard Botts, Mayor


Brenda L. Streepy, City Clerk