

BLACK DIAMOND CITY COUNCIL MINUTES

February 7, 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 were: Gwendolyn Voelpel, City Administrator; Dan Dal Santo, Utilities Supervisor; Andrew Williamson; Acting Community/Economic Development Director; Greg Smith, Fire Chief; Loren D. Combs, City Attorney and Brenda Streepy, City Clerk.

PUBLIC COMMENTS: None

PUBLIC HEARINGS:

Draft Critical Areas Ordinance

City Attorney Combs reported the Growth Management Act requires cities and counties planning under it to periodically review, and if needed, revise their critical areas ordinance to ensure compliance with the Growth Management Act. The City's last major updates to the critical areas regulations occurred in 1993.

Mr. Combs explained this is the second public hearing on the draft ordinance; the first was held on October 4, 2007. At this hearing it was discovered that the law had changed since the preparation of the document in 2004 and Council wisely decided to hold the proposed critical areas ordinance until it could be updated to reflect the new laws.

Mayor Botts opened the Public Hearing at 7:08 p.m.

There were no public comments and Mayor Botts closed the Public Hearing at 7:08 p.m.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Ordinance No. 08-851, Code Enforcement

Acting Community/Economic Development Director Williamson stated currently the City does not have an employee performing code enforcement. The City's Municipal Code establishes the public works department responsible for code enforcement. Adoption of this ordinance would take code enforcement responsibilities away from public works and create the position of code enforcement officer and establish the authority for that position to issue civil infractions, citations and penalties. State law requires a city to adopt such an ordinance to allow a non-commissioned employee to issue infractions; the City of Black Diamond has not previously adopted such an ordinance.

Mr. Williamson also noted this ordinance allows code compliance duties to be performed by either a City employee or an independent contractor.

A **motion** was made by Councilmember Bowie and **seconded** by Councilmember Hanson to adopt Ordinance No. 08-851, regarding code Enforcement and adding new sections 2.28.050 and 2.38.055 to the Black Diamond Municipal Code. Motion **passed** with all voting in favor (5-0).

Resolution No. 08-479, Professional Services Agreement C. Brown Consulting

Acting Community/Economic Development Director Williamson reported that adoption of this resolution would authorize C. Brown Consulting to perform building and code enforcement services for the City on an as needed basis. The hourly rate is the same rate he is currently charging the City for his building official duties.

A **motion** was made by Councilmember Olness and **seconded** by Councilmember Mulvihill to adopt Resolution No. 08-479, authorizing the Mayor to enter into a Professional Services Agreement for Building Official and Code Enforcement Services with C. Brown Consulting.

Councilmember Bowie asked who will authorize and task the consultant.

Mr. Williamson stated eventually it will be the Community Development Director, but for now it will be himself.

Vote: Motion **passed** with all voting in favor (5-0).

Resolution No. 08-481, Fire Hydrant Easement

Utilities Supervisor Dal Santo reported the City has installed a fire hydrant on 32224 H.L. Botts Drive SE as part of a project to improve the water system. It was necessary for the

City to obtain permission from the property owners (Andy and Tracy Williamson) to install this fire hydrant. A sale amount of \$836.70 has been negotiated for the easement.

A **motion** was made by Councilmember Bowie and **seconded** by Councilmember Hanson to adopt Resolution No. 08-481, authorizing the Mayor to purchase a fire hydrant easement from Andy and Tracy Williamson for \$836.70. Motion **passed** with all voting (5-0).

Resolution No. 08-480, Adopting NIMS

Fire Chief Greg Smith recommends adoption of the NIMS (National Incident Management System) as the incident management system in Black Diamond. The President ordered the adoption of the National Incident Management System in 2005. The system facilitates effective and efficient emergency coordination between federal, state, local and tribal organizations. NIMS includes standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters. Responders using the same standardized procedures will all share a common focus and will be able to place full emphasis on incident management when an incident occurs, whether it is terrorism or a natural disaster. In addition, national preparedness and readiness in responding to and recovering from an incident is enhanced since all of the nation's emergency teams and authorities are using a common language and set of procedures.

Chief Smith also noted that he will forward a proposed training schedule to the City Administrator within the next couple weeks.

A **motion** was made by Councilmember Olness and **seconded** by Councilmember Boston to adopt Resolution No. 08-480, adopting the National Incident Management System (NIMS) as the basis for all incident management in the City of Black Diamond. Motion **passed** with all voting in favor (5-0).

DEPARTMENT REPORTS:

City Administrator Voelpel announced City Staff will be holding an informational meeting on February 20, 2008 at 7:00 p.m. at the Black Diamond Elementary School to discuss the EIS process for the Yarrow Bay Developments.

MAYOR'S REPORT:

Mayor Botts thanked everyone for attending this evening and expressed how encouraging it is to see so many people interested in what is going on in the City of Black Diamond.

COUNCIL REPORTS: