

BLACK DIAMOND CITY COUNCIL MINUTES

January 17, 2008

Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER, FLAG SALUTE:

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

ROLL CALL:

PRESENT: Councilmembers Hanson, Bowie, Boston, and Olness.

ABSENT: Councilmember Mulvihill (Excused), Mayor Botts

Staff present were: Gwendolyn Voelpel, City Administrator; Kaaren Woods, Court Administrator; Andy Williamson, Community/Economic Development Director; Steve Munson, Planner; May Miller, Finance Director; Dan Dal Santo, Utilities Supervisor; Greg Smith, Fire Chief; Loren D. Combs, City Attorney and Brenda Streepy, City Clerk.

PUBLIC COMMENTS: None

PUBLIC HEARING:

City Planner Munson reported that in September of 2006 the City started the process of updating its Comprehensive Plan. Since that time the Council and Planning Commission have held several meetings and workstudies. On December 7, 2007 a notice was sent out to all property owners within the Black Diamond zip code announcing the opportunity to file applications for Land Use Map or other Comprehensive Plan amendments. These applications were to be submitted no later than close of business on January 4, 2008.

The City received 12 applications and the immediate decision for the City Council will be to determine which of these submittals merit further consideration by the City. Depending upon the Council's decision, some, all, or none of these may move forward. Once it is determined which of these are to move forward, the next step will be for staff to review and analyze each proposal (based upon its own merits) and prepared a staff report on the proposals to be provided to the Planning Commission for its review and consideration at a public hearing before that body.

It is staffs recommendation that the City Council accept all submitted applications and authorize staff to conduct further review and study of proposed amendments to the City's Draft Comprehensive Plan Update in preparation for review, discussion, and

recommendations by the City Planning Commission to the City Council as part of the City's major update of the Comprehensive Plan.

Mayor Botts opened the Public Hearing on the Comprehensive Plan Amendment Applications at 7:08 p.m.

Brett Habenicht 23901 231st SE, Maple Valley discussed that he is a property owner of two parcels in Black Diamond. He explained that one of his parcels will not be affected by the proposed changes, however he is concerned with the other parcel that is currently zoned community/commercial and thought that there would be no down zoning of parcels during this process. He stated that it is his goal to create a very nice commercial plat on this property that would blend nicely with other surrounding properties and asked Council to look favorably on his application.

Mayor Botts closed the Public Hearing at 7:12 p.m.

A **motion** was made by Councilmember Boston and **seconded** by Councilmember Olness to accept the submitted Comprehensive Plan Amendments Applications and to authorize staff to conduct further review and study of the proposed amendments. Motion **passed** with all voting in favor (4-0).

UNFINISHED BUSINESS: None

NEW BUSINESS:

Resolution No. 08-474, Weinman Consulting PSA, Design Standards Update

Economic Development Director Williamson reported that in a joint study session the City Council and Planning Commission agreed that it would be in the City's best interest to update the Design Standards and Guidelines in order to have a clear intent as well as to provide a graphic representation of the desired outcome (vision).

A **motion** was made by Councilmember Olness and **seconded** by Councilmember Boston to adopt Resolution No. 08-474, authorizing the Mayor to execute the Professional Services Agreement between Weinman Consulting and the City for the Design Standards and Guidelines Update. Motion **passed** with all voting in favor (4-0).

Resolution No. 08-475, ILA, KC for 2008-2009 Waste Reduction Recycling Program

Public Works Supervisor Dal Santo reported that in 2001 the City of Black Diamond and King County adopted the King County Comprehensive Solid Waste Management Plan, which includes waste reduction and recycling goals. In order to help meet these goals, King County Solid Waste Division established a waste reduction and recycling grant program to help cities who operate under this plan.

Grant funds will be used to host a yearly Special/Recycle Clean Up Collection Event scheduled for April 5th 2008 at 25510 Lawson Street. While this Grant does not pay for the entire event, this money in combination with other grant funds pays for the entire Collection Event.

This grant is a reimbursement grant with no matching funds required.

A **motion** was made by Councilmember Hanson and **seconded** by Councilmember Boston to adopt Resolution No. 08-475, authorizing the Mayor to enter into an Interlocal Agreement with King County and accepting King County Solid Waste Division Grant D36965D for the 2008-2009 Waste Reduction Recycling Program. Motion **passed** with all voting in favor (4-0).

Resolution No. 08-476, Local Government Stormwater Grants Program

Public Works Supervisor Dal Santo discussed that in July of 2007 the City applied for a Local Government Stormwater Grant to help fund improved management and water quality protection associated with the development and implementation of a stormwater management program.

The State of Washington Department of Ecology has offered the City of Black Diamond a \$75,000 grant under the Local Government Grants Program. This grant is a reimbursement grant with no matching funds.

This grant will be used to help get the process started in order to assess the City's needs.

A **motion** was made by Councilmember Olness and **seconded** by Councilmember Boston to adopt Resolution No. 08-476, accepting Department of Ecology Grant G0800380 for the Local Government Stormwater Grants Program in the amount of \$75,000.

Councilmember Boston asked if the City is required to meet any deadlines and if so, is this something staff can do.

Mr. Dal Santo responded yes we will be required to meet deadlines. He also noted that the City submitted our first progress report, which keeps us in compliance with the required deadlines.

Vote: Motion **passed** with all voting in favor (4-0).

Resolution No. 08-477, Amendment #3, Jones & Stokes PSA

Economic Development Director Williamson reported that Jones & Stokes and Mirai have been consultants on the comprehensive plan update and the City will need their services to review our individual comprehensive plan updates for traffic impacts and S.E.P.A reviews on all applications.

A **motion** was made by Councilmember Olness and **seconded** by Councilmember Boston to adopt Resolution No. 08-477, authorizing the Mayor to execute Amendment #3 to the Jones & Stokes Professional Services Agreement. Motion **passed** with all voting in favor (4-0).

Resolution No. 08-478, Public Defender Contract, Cordi & Bejarano, Inc.

Court Administrator Woods recommends approval of the professional services agreement with Cordi & Bejarano, Inc., for public defender services for 2008.

Michael Bejarano has consistently met the needs of the City of Black Diamond for a public defender for several months. This contract would retain the same fee previously charged by the defender at \$125 per defendant. In addition, Cordi & Bejarano will provide standby attorney services at a rate of \$50 per arraignment calendar and assume responsibility for finding an alternate public defender should a conflict arise.

Ms. Woods also noted that the contract will renew annually unless terminated.

A **motion** was made by Councilmember Hanson and **seconded** by Councilmember Boston to adopt Resolution No. 08-478, authorizing the Mayor to execute a contract with Cordi & Bejarano, Inc., for Public defender services for 2008. Motion **passed** with all voting in favor (4-0).

DEPARTMENT REPORTS:

Fire Chief Smith reported to Council that he is currently working with City Administrator Voelpel on scheduling NIMS (National Incident Management System) training for all city staff and elected officials. He also reported that he is helping update the City's Disaster Preparedness Plan.

City Administrator Voelpel stated that once NIMS training is complete the City will then be in compliance and able to receive federal money to help our City should a disaster occur. Ms. Voelpel also noted that the schedule for training will be February–March, however these classes can be taken online.

MAYOR'S REPORT: None

COUNCIL REPORTS:

Councilmember Bowie reported the Street Committee met with the Consultant selected for the Jones Lake Reconstruction Project to discuss options that are available for this project in order to move forward into the design stage.

ATTORNEY REPORT:

City Attorney Combs stated that there will be an executive session to discuss several items. It is anticipated that it will last approximately 30 minutes, with no action to follow.

PUBLIC COMMENTS:

Mario Sorci, 24301 Roberts Drive, Black Diamond, commented that a priority for the Jones Lake Reconstruction Project should be to fix the intersection as it is a hazard.

David MacDuff, a representative of Yarrow Bay reminded everyone of the upcoming open house they are holding on Saturday, January 19, 2008 from 10 a.m. to 3 p.m. at Sawyer Woods Elementary located at 3115 – 228th Avenue SE, Black Diamond, WA.

CONSENT AGENDA:

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

- 1.) **Claim Warrants** – January 17, 2007 No. 31084 through No. 31138 (void warrants 31088, 31090, 31092, 31093, 31094, 31097) in the amount of \$79,229.24
- 2.) **Payroll Warrants** – December 2007, No. 14374 through No. 14443 in the amount of \$330,338.43

EXECUTIVE SESSION:


Mayor Pro-Tem Bowie recessed the regular meeting for an Executive Session at 7:51 p.m. to discuss potential litigation and a personnel issue pursuant to RCW 42.30.110(1). No action was anticipated as a result of the Executive Session, which was expected to last thirty minutes.

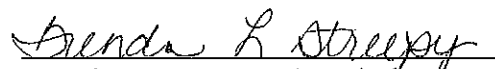
The regular meeting was reconvened at 8:18 p.m.

ADJOURNMENT:

A **motion** was made by Councilmember Boston and **seconded** by Councilmember Hanson to adjourn the meeting. Motion **passed** with all voting in favor (4-0).

ATTEST:


Howard Botts, Mayor


Brenda L. Streepy, City Clerk