

BLACK DIAMOND CITY COUNCIL MINUTES

July 10, 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 Bowie, Boston, Olness and Mulvihill.

ABSENT: Councilmember Hanson (Excused)

Staff present were: Gwendolyn Voelpel, City Administrator; Steve Pilcher, Community Development Director; May Miller, Finance Director; Aaron Nix, Natural Resources Director; Andy Williamson, Economic Development Director; Seth Boettcher, Public Works Director; Greg Smith, Fire Chief; Loren D. Combs, City Attorney and Brenda Streepy, City Clerk.

PUBLIC COMMENTS: None

APPOINTMENTS, PRESENTATIONS, ANNOUNCEMENTS

Chief Kiblinger presented Officer Justin Cripe with a Life Saving Award in recognition of his heroic actions. On April 6th Officer Cripe responded to a call that was not in our immediate jurisdiction and he and two citizens helped free a man who was trapped in a burning car.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Resolution No. 08-523, Adopting General Fee Schedule

Community Development Director Pilcher reported the current fee schedule needs to be amended to include a fee for the Binding Site Plan Land Use Application and process created and authorized by the adoption of Ordinance No. 08-858. Staff advises that this fee be set at \$1,500 per application and also recommends that this and selected other land use fees be reviewed later this year for possible applicable deposit fees in addition to the basic application fee.

A **motion** was made by Councilmember Mulvihill and **seconded** by Councilmember Olness to adopt Resolution No. 08-523, adopting a current fee schedule to include a \$1,500 fee for a Binding Site Plan Land Use Application. Motion **passed** with all voting in favor (4-0).

Resolution No. 08-524, Bitco Software Contract – Permit Tracking Software

Community Development Director Pilcher explained that currently staff does not have software to manage the land use, building permit or business license application review and approval process. With increased development and business activity anticipated with the potential lifting of the development moratorium later this year, it is important to have modern, efficient permit tracking software to effectively manage these processes and provide good customer service.

Mr. Pilcher reported two months ago a Request for Proposals was published and three software providers responded with proposals. Permit Center and Finance staff, together with the IS Manager, visited other jurisdictions using the top two software systems. The staff consensus was that the Bitco Software product was the best fit for the City and its needs. The basic fee from Bitco is approx. \$99,500.00 (tax included). It may also be necessary to purchase an additional server at a cost of approx. \$3,000.00. Funding will be provided through the YarrowBay Funding Agreement.

A **motion** was made by Councilmember Olness and **seconded** by Councilmember Mulvihill to adopt Resolution No. 08-524, authorizing the Mayor to execute a contract with Bitco Software, LLC to provide permit tracking software, including installation, configuration and staff training. Motion **passed** with all voting in favor (4-0).

Resolution No. 08-525, Generator Purchase

Economic Development Director reported adoption of the resolution would accept and authorize the purchase of generator for the modular buildings on Roberts Drive. All costs associated with this purchase will be paid through the funding agreement.

A **motion** was made by Councilmember Bowie and **seconded** by Councilmember Boston to adopt Resolution No. 08-525, authorizing the purchase of a generator from EC Power Systems under State Contract No. 06605 for the amount of \$40,712.50. Motion **passed** with all voting in favor (4-0).

Resolution No. 08-526, Amendment #1 to O’Byron and Associates Purchase Agreement

Economic Development Director Williamson reported recently the City entered into an agreement with O’Byron & Associates for furniture for the Community Development building and the current City Hall offices. Now with the new lease of the old Library for City Hall offices we need to order additional furniture to outfit that space. Mr.

Williamson also noted that authorization of this amendment allows staff to order at the current contract price.

A motion was made by Councilmember Boston and **seconded** by Councilmember Bowie to adopt Resolution No. 08-526, authorizing the Mayor to execute Amendment No. 1 to the Purchase Agreement with O'Bryon and Associates. Motion **passed** with all voting in favor (4-0).

Resolution No. 08-527, King County Grant Agreement – Boat Launch Facility

Natural Resources Director Nix explained the City is a recipient of a \$50,000 grant from the Capital Planning and Development Section from King County. The money will be utilized to develop a concept design for an enhancement to the Lake Sawyer Boat Launching Facility and to create additional parking stalls at the west end of the facility.

Mr. Nix mentioned conceptual design for the boat launch should be completed by July 2009 and the parking area constructed by the end of summer 2008.

A motion was made by Councilmember Boston and **seconded** by Councilmember Olness to adopt Resolution No. 08-527, authorizing the Mayor to execute a Grant Agreement with King County for concept design for the Lake Sawyer boat launch facility. Motion **passed** with all voting in favor (4-0).

Resolution No. 08-528, Microflex, Inc., Contract

Finance Director Miller reported Microflex, Inc. has been in business since 1994 providing sales tax audit as well as summary and detailed sales tax reports for Municipal and County governments. Each month, they will specifically audit the sales of autos and boats in Washington State to ensure that all the sales tax that is due to Black Diamond is credited to Black Diamond. When they find taxes that were incorrectly remitted to another jurisdiction, they notify the state and the monies are then remitted to us. As a fee they charge 22% of the discovered sales tax. Many cities use this service and have verified its effectiveness.

Ms. Miller also noted in addition Microflex, Inc will provide is a series of detailed and summary sales tax comparison reports which are a very valuable tool to use in analyzing and budgeting sales tax and even more important in assessing sales tax as it relates to economic development.

Ms. Miller recommended that Council approve this Resolution.

A motion was made by Councilmember Boston and **seconded** by Councilmember Olness to adopt Resolution No. 08-528, authorizing the Mayor to execute a contract with Microflex, Inc. to audit sales tax and provide monthly detail and summary reports to the City. Motion **passed** with all voting in favor (4-0).

DEPARTMENT REPORTS: None

MAYOR'S REPORT: None

COUNCIL REPORTS:

Councilmember Olness noted the Parks Committee recently met to discuss the parking at the boat launch area.

Councilmember Bowie reported the Utilities Committee met with folks from Nestle Water America Inc. The company is interested in building a Northwest plant and are searching for an area that would accommodate their needs. Councilmember Bowie asked for the Council's blessing to have staff gather more information to see if this is anything the City is interested in. Following discussion there was Council consensus for staff to spend time to determine if this would be feasible.

ATTORNEY REPORT:

City Attorney Combs announced there would be a fifteen minute Executive Session on pending litigation with no action to follow.

PUBLIC COMMENTS:

Mario Sorci, 24303 Roberts Drive, Black Diamond inquired about the streamline sales tax and how it will be tracked by the City. He also noted that the parking lot at 24301 Roberts Drive will be striped again as there was a slight error with the size of the spaces.

CONSENT AGENDA:

A **motion** was made by Councilmember Mulvihill 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:

Minutes – Council Meeting of May 15, 2008 and Workstudy of May 15, 2008
Claim Checks – July 3, 2008, No. 31859, 31861 through 31868 and 31871 through 31896 and 31900 through 31903 and 31905 through 31931 (voided checks 31860, 31897, 31898, 31899, 31904) through in the amount of \$94,762.54.

EXECUTIVE SESSION:

Mayor Botts recessed the regular meeting for an Executive Session at 8:05 p.m. to discuss pending litigation. No action is to follow the Executive Session, which was expected to last twenty minutes.

Mayor Botts announced at 8:20 p.m. that the Executive Session would last an additional twenty minutes.

The regular meeting was reconvened at 8:38 p.m.

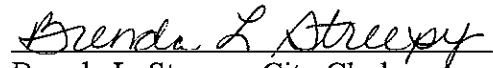
ADJOURNMENT:

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).

ATTEST:



Howard Botts, Mayor



Brenda L. Streepy, City Clerk