

BLACK DIAMOND CITY COUNCIL MINUTES

January 8, 2009

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; Seth Boettcher, Public Work Director; May Miller, Finance Director; Andy Williamson, Economic Development Director; Jamey Kiblinger, Police Chief; Greg Smith, Fire Chief; Tom Guilfoil, Assistant City Attorney and Brenda L. Streepy, City Clerk.

PUBLIC COMMENTS: None

ANNOUNCEMENTS, PRESENTATION, APPOINTMENTS:

Confirmation of 2009 Council Standing Committees

Mayor Botts presented the following proposed 2009 Council Standing Committees appointments for consideration.

Budget/Finance/Human Resources Committee:

Councilmembers: Leih Mulvihill, Becky Olness

Staff: May Miller, Brenda Streepy

Cemetery/Parks Committee:

Councilmembers: Bill Boston, Becky Olness

Staff: Seth Boettcher, Aaron Nix, Dan Dal Santo

Community & Economic Development Committee:

Councilmembers: Bill Boston, Leih Mulvihill

Staff: Steve Pilcher, Andrew Williamson

Public Works/Streets Committee:

Councilmembers: Geoff Bowie, Kristine Hanson
Staff: Seth Boettcher, Dan Dal Santo

Surface Water Committee:

Councilmembers: Kristine Hanson, Geoff Bowie
Staff: Seth Boettcher, Dan Dal Santo

Public Safety Committee:

Councilmembers: Becky Olness, Bill Boston
Staff: Jamey Kiblinger

A **motion** was made by Councilmember Boston and **seconded** by Councilmember Mulvihill to confirm the 2009 appointments to the Council Standing Committees. Motion **passed** with all voting in favor (5-0).

Selection of 2009 Mayor Pro-Tem

Mayor Botts called for nominations for the 2009 Mayor Pro-Tem.

A **motion** was made by Councilmember Mulvihill and **seconded** by Councilmember Boston to nominate Councilmember Olness to serve as Mayor Pro-Tem for 2009. There were no further nominations and the motion **passed** with all voting in favor (5-0).

UNFINISHED BUSINESS: None

NEW BUSINESS:

Resolution No. 09-568, Designating 2009 Official City Newspaper

Assistant City Administrator/City Clerk Streepy reported RCW 35.23.352(7) requires the City to request bids annually for an official City newspaper for the publication of certain legal notices and bid requests. Ms. Streepy noted a request for bids was published on December 2, 2008 for the 2009 year and the City received one bid from the Voice of the Valley, a paper of high circulation within the Black Diamond zip code.

Ms. Streepy added adoption of this resolution accepts the bid from the Voice of the Valley and also designates the paper as the City's official newspaper for 2009.

A **motion** was made by Councilmember Olness and **seconded** by Councilmember Mulvihill to adopt Resolution No. 09-568, accepting the Voice of the Valley publication bid and designating it the official City newspaper for 2009. Motion **passed** with all voting in favor (5-0).

Resolution No. 09-569, Local Agency Haul Road/Detour Agreement with the Washington State Department of Transportation

Public Works Director Boettcher reported the Green River Bridge (Kummer Bridge) connecting Black Diamond and Enumclaw on State Route 169 is closed for emergency repairs due to safety concerns documented by the Washington State Department of Transportation (WSDOT). Because of the detour of traffic from State Highway 169 through Black Diamond, the WSDOT is willing to enter into an agreement taking on the responsibility for any additional maintenance and/or damage repair costs resulting from increased traffic and road wear. Mr. Boettcher added the State has also committed to assisting the City with snow and ice control, local business signs, commercial vehicle enforcement and communication with the public.

Councilmember Olness inquired about requesting more signage alerting drivers that Black Diamond businesses are open.

A **motion** was made by Councilmember Bowie and **seconded** by Councilmember Hanson to adopt Resolution No. 09-569, authorizing the Mayor to sign a Local Agency Haul Road/ Detour Agreement with the Washington State Department of Transportation. Motion **passed** with all voting in favor (5-0).

Resolution No. 09-570, 2009 Supplemental Agreement with Valley Communications for Dispatch Service

Chief Kiblinger explained this is the annual supplemental agreement for dispatch services through Valley Communications. The cost for 2009 is \$28.55 for each dispatch call, which is \$1.00 more per call than 2008.

A **motion** was made by Councilmember Olness and **seconded** by Councilmember Mulvihill to adopt Resolution No. 09-570, authorizing the Mayor to sign a supplemental agreement with Valley Communication for dispatch services for the year 2009. Motion **passed** with all voting in favor (5-0).

Resolution No. 09-571, Emergency Storm Proclamation

Mayor Botts stated due to the existing and potential damage to roads and other public and private property within the City because of the recent weather conditions it was necessary to issue an Emergency Proclamation. Mayor Botts added the next step in the process is adoption of this Resolution, which formalizes that Council agrees that an emergency existed and the Mayor's Emergency Proclamation was appropriate and proper.

A **motion** was made by Councilmember Bowie and **seconded** by Councilmember Hanson to adopt Resolution No. 05-571, affirming the determination of the Mayor that a weather-related emergency exists within the City and authorizing the Mayor to take action as needed to protect public health and safety and public property. Motion **passed** with all voting in favor (5-0).

DEPARTMENT REPORTS:

Finance Director Miller discussed with Council the November financial report and briefly reviewed each revenue and expenditure fund explaining the status and why it fell above or below its projected trend.

Public Works Director Boettcher reported on the department's response during the two recent weather events - snow and flooding. Mr. Boettcher explained the department was ready for the snow. As the season approached the public work's crew worked diligently to have its equipment ready and supplies such as sand and salt in stock at the City Shop. Mr. Boettcher also addressed Council on the flooding within the City. He reported the most significant damage was the undermining of a culvert on Roberts Drive, which forced the closure of the road between State Route 169 and Morgan Street. He added staff is looking into options as well as coordinating with Fish and Wildlife on this project. He also noted it is not clear on the time frame for this project, but hopes to have it completed in two weeks.

Councilmember Hanson thanked the crew for doing a great job of keeping the City's streets plowed and sanded during the snow event.

Mr. Boettcher discussed with Council a policy decision on whether or not to require the power for the Railroad Avenue project to be put underground. Our current code requires this for new construction but not for redevelopment and also asked should we do this for all redevelopment.

Councilmember Mulvihill expressed she likes the idea of having the power being underground for the Railroad Avenue project.

Councilmember Bowie explained he is not sure if this is a good idea and asked should we allow existing overhead to remain on development and restrict the outside diameter.

Following discussion there was council consensus to continue this discussion at the next Council meeting.

MAYOR'S REPORT:

Mayor Botts asked for Council's approval to hold the City's 50th Birthday party and Council meeting at the Black Diamond Community Center on February 19th. He added he would like to invite dignitaries from surrounding communities as well as previous Mayor's, Councilmember's and staff. There was Council consensus to start working on this event.

Mayor Botts announced the City of Buckley is holding a Veteran's Event at the Armory in Buckley on Saturday, January 10, 2009 from 12:00 p.m. – 4:00 p.m. and invited Councilmembers and Citizens to attend.

COUNCIL REPORTS:

Councilmember Olness commended both staff and the fire department for all their hard work during the recent weather events.

Councilmember Boston reported the Public Safety Committee recently met and discussed signage at Lake Sawyer Park and are currently working on verbage for the signs stating what is prohibited in the park.

Councilmember Mulvihill reported King County Emergency Management recently met with business owners regarding the closure on State Route 169 and the financial impact it has had on their businesses. She was pleased to announce the Governor signed a declaration declaring Black Diamond an economic disaster and businesses can now apply for low interest loans.

Councilmember Bowie requested a ten minute executive session on potential litigation with possible action to follow.

ATTORNEY REPORT: None

PUBLIC COMMENTS:

Erika Morgan, Black Diamond thanked staff for the quick response during the recent flooding. She also spoke in regards to her experience with Puget Sound Energy and underground power.

CONSENT AGENDA:

A **motion** was made by Councilmember Mulvihill and **seconded** by Councilmember Olness to adopt the Consent Agenda. Motion **passed** with all voting in favor (5-0). The Consent Agenda was approved as follows:

Claim Checks - January 8, 2009 No. 32727 through 32733, No. 32741 through 32792 in the amount of 199,635.51.

Minutes – Workstudy Notes of December 13, 2008 and Council Meeting Minutes of December 23, 2008.

EXECUTIVE SESSION:

Mayor Botts recessed the regular meeting for an Executive Session at 8:35 p.m. to discuss potential property acquisition. Possible action may follow the Executive Session, which was expected to last ten minutes.

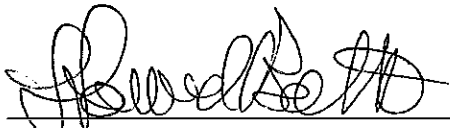
The regular meeting was reconvened at 8:41 p.m.

A **motion** was made by Councilmember Bowie and **seconded** by Councilmember Hanson to terminate the property acquisition of the parcel below the Bakery for the Railroad Avenue Project. Motion **passed** with all voting in favor (5-0).

ADJOURNMENT:

A **motion** was made by Councilmember Olness and **seconded** by Councilmember Boston to adjourn the meeting. Motion **passed** with all voting in favor (5-0).

ATTEST:



Howard Botts, Mayor



Brenda L. Streepy, City Clerk