

BLACK DIAMOND CITY COUNCIL MINUTES
Special Meeting - June 25, 2009
Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER, FLAG SALUTE:

Mayor Botts called the special 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 Works Director; Aaron Nix, Natural Resources/Parks Director; Andy Williamson, Economic Development Director; May Miller, Finance Director; Dan Dal Santo, Utilities Superintendent; Loren D. Combs, City Attorney and Brenda L. Martinez, City Clerk.

PUBLIC COMMENTS: None

PUBLIC HEARINGS:

Ordinance No. 09-914, Adopting 2005 Department of Ecology Stormwater Manual

Public Works Director Boettcher reported the City needs to adopt the February 2005 update of the Stormwater Management Manual for Western Washington to bring the City into compliance with our permit requirements and vest the appropriate regulations prior to the end of the moratorium.

He explained the objective of this manual is to provide guidance on the measures necessary to control the quantity and quality of stormwater produced by new development and redevelopment such that they comply with water quality standards and contribute to the protection of beneficial uses of the receiving waters.

He also noted the manual establishes minimum requirements for development and redevelopment projects of all sizes and provides guidance concerning how to prepare and implement stormwater site plans. These requirements are, in turn, satisfied by the application of best management practices from Volumes II through V. Projects that follow this approach will apply reasonable, technology-based best management practices

and water quality-based best management practices to reduce the adverse impacts of stormwater. This manual is applicable to all types of land development – including residential, commercial, industrial, and roads.

In addition, he added in order to be in compliance with our stormwater permit the City has the option of adopting the Department of Ecology Manual or an equivalent stormwater manual. King County also has a stormwater manual that has now been accepted by the Department of Ecology as an equivalent manual. However, City staff is recommending adopting the Department of Ecology Manual as it provides more flexibility than the King County Manual.

Mayor Botts opened the Public Hearing at 7:06 p.m. No comments were heard and the Public Hearing was closed at 7:07 p.m.

A **motion** was made by Councilmember Bowie and **seconded** by Councilmember Hanson to adopt Ordinance No. 09-914, adopting new stormwater management regulations and amending Chapter 14.04 of the Black Diamond Municipal Code and declaring this ordinance a public emergency. A roll call vote was taken and the motion **passed** with all voting in favor (5-0).

UNFINISHED BUSINESS: None

NEW BUSINESS:

Ordinance No. 09-915, Adoption of New Engineering Standards and Construction Standards Update

Public Works Director Boettcher reported the last major update of the Engineering Design and Construction Manual was completed in 1995 by Gray and Osborne. Although those standards served the City well, more detail and in some areas higher level standards were desired. Additionally the City wanted to make sure that the new standards would fit the needs of the City before the moratorium ends and apply to the Master Planned Developments that are expected to be under design in the near future.

These standards shall apply to all improvements within the public right of way or public easements and for all improvement and for all improvement intended for ownership, operations or maintenance by the City. Some of these standards also apply to private infrastructure that either connects to the public infrastructure or where the City by state law carries some regulatory responsibility.

Mr. Boettcher noted these standards are intended as guidelines for engineers and developers in preparing their plans and for the City in reviewing plans. However, the standards are not expected to address all situations and some deviations will be allowed by process when it can be shown that such alternate designs will provide a design equal to or superior to the standard.

He further noted it is expected and anticipated that additional updates will occur on a regular basis as new materials, methods and desires of the city change over time. Therefore, the standards will become better and more useful if they are updated every year or two.

Following discussion there was Council consensus to have the following changes made to the document: 1.) change the definition of driveway to read – A driveway is a private way for vehicle access from a public or private street to no more than three units, and 2.) change language to 3.2.06(4) to read “internal circulation streets are privately owned vehicle access corridors located within the boundaries of a commercial or multifamily development where the development is accessed directly from a public street. Internal circulation private streets shall meet the public local access street pavement section requirements and shall also provide safe pedestrian corridors.

A **motion** was made by Councilmember Bowie and **seconded** by Councilmember Hanson to adopt Ordinance No. 09-915, relating to construction standards, repealing chapter 12.04 of the Black Diamond Municipal Code and amending chapter 15.08 to adopt an official “Engineering Design and Construction Standards Manual” for public works projects in the City with agreed upon changes. A roll call vote was taken and the motion **passed** with all voting in favor (5-0).

Resolution No. 09-613, Vision Municipal Solutions Contract

Finance Director Miller explained in January a financial software selection committee was established to begin the process of replacing our outdated Application Software Products (ASP) financial software. She noted the committee included the Finance department, Assistant City Administrator, Information Services Manager, and the Permit Technician Supervisor. A Request for Proposals was issued, with the city receiving five detailed proposals for software for a new Financial System to include Budget, Payroll, Cash Management and Utility Billing. The committee reviewed the detailed proposals and selected two vendors who met the budget criteria and were deemed to be the best match to the selection criteria. Staff notified the two vendors and scheduled onsite demonstrations of their software modules. In addition to the presentations, the companies provided references which the city used to contact for follow up questions.

Ms. Miller stated both companies offered excellent solutions and references and the committee chose Vision Municipal Solutions, LLC, a municipal software developer from Spokane, Washington as the lowest bid, lowest future maintenance costs and the best match to provide the City with a software solution that will grow with the City’s needs in the future. She explained the software was developed for Microsoft SQL with the .Net framework to allow the highest levels of security and data integrity with the power of Microsoft as a partner. Vision Municipal Solutions has 34 Washington State municipalities as customers and 3 fire districts and utilized the State Auditor’s office for internal control and extensive accounting reviews. The ease of use and real time environment will provide our users immediate improvements. The Finance and Payroll systems will be installed first, and the cash management and utility systems will be

installed later this year or early next year. The YarrowBay Funding Agreement budget includes the money to pay for the software and associated equipment costs such as the cashier drawers and laser printer.

A **motion** was made by Councilmember Olness and **seconded** by Councilmember Mulvihill to adopt Resolution No. 09-613, authorizing the Mayor to execute a software purchase contract with Vision Municipal Solutions, LLC for budget, payroll, cash management and utility software systems. Motion **passed** with all voting in favor (5-0).

DEPARTMENT REPORTS: None

MAYOR'S REPORT:

Mayor Botts announced the three winners from the "What Does Black Diamond Mean to You" contest at the Black Diamond Elementary School. Winners were: K-1st, Sawyer Anderson, 2nd-3rd, Tyler Miller, and 4th-5th, Adrianna Moroz. All received a \$25 gift certificate from Baker's Books and a ride on the fire truck.

COUNCIL REPORTS:

Councilmember Bowie commented that with the adoption of the NC zone at the last meeting there appears this would best fit a new area and when we dropped this zone into Morganville it created a non-conforming use for an existing business and wonders if this was the intent.

Community Development Director Pilcher stated we could clearly list under sections 18.36.020(G) and 18.36.030(I) language that would provide businesses opportunity to do some things until Council revisits this issue.

Councilmember Hanson agreed and would like to see this language added.

A **motion** was made by Councilmember Hanson and **seconded** by Councilmember Olness to reconsider Ordinance No. 09-909. Motion **passed** with all voting in favor (5-0).

A **motion** was made by Councilmember Mulvihill and **seconded** by Councilmember Bowie to amend Ordinance No. 09-909 to add language to section 18.36.020(G) Existing light manufacturing uses, provided no expansion is allowed and change the current (G) to (H), and adding language to section 18.36.030 and add (I) Any expansion of the space, volume or facilities of any light manufacturing use that existed before June 27, 2009. Any such expansion must be contained within the same lot as the existing use. Motion **passed** with all voting in favor (5-0).

A **motion** was made by Councilmember Bowie and **seconded** by Councilmember Hanson to adopt Ordinance No. 09-909 as amended. Motion **passed** with all voting in favor (5-0).

ATTORNEY REPORT: None

PUBLIC COMMENTS: None

CONSENT AGENDA: None

EXECUTIVE SESSION: None

ADJOURNMENT:

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

ATTEST:



Howard Botts, Mayor



Brenda L. Martinez, City Clerk