

BLACK DIAMOND CITY COUNCIL MINUTES

May 21, 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; Steve Pilcher, Community Development Director; Aaron Nix, Natural Resources/Parks Director; May Miller, Finance Director; Seth Boettcher, Public Works Director; Greg Smith, Fire Chief; Tom Guilfoil, Assistant City Attorney; Loren D. Combs, City Attorney and Rachel Pitzel, Deputy City Clerk.

PUBLIC COMMENTS:

Paula Boyd- 30409 Blaine Avenue, Black Diamond stated that the Diamond Glen Housing Development entry was becoming a sight hazard for motorist with all of the overgrown sticker bushes and debris. She stated that it is also a huge eyesore for people coming into town as it is the first thing they see.

PUBLIC HEARINGS: None

PRESENTATION:

Allied Waste - Awarding Contest Winner Free Garbage Service for a Year

Allied Waste presented award to contest winner Josie Sheridan for one year of free garbage service.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Mayor Botts announced that items number AB09-062 and AB09-063 have been pulled from the agenda.

Resolution No. 09-601, allowing the Mayor to enter into a contract with B.C. Pavers, Inc. for an amount not to exceed \$34,860 for the construction of a pervious parking lot system at the Lake Sawyer Boat Launch Facility

Natural Resources/Park Director Nix reported to Council that one of the selling points for the money that was given for the improvements to the boat launch and parking facilities was low impact development projects. Mr. Nix explained that B.C. Pavers came in as the lowest bidder. Mr. Nix handed out a flyer that showed the type of material that will be used as the “pervious” parking area.

A **motion** was made by Councilmember Olness and **seconded** by Councilmember Mulvihill to adopt Resolution No. 09-601, accepting B.C. pavers, Inc. as lowest bidder and authorizing the Mayor to execute a contract, therefore allowing the work to begin on the pervious parking system at the Lake Sawyer Boat Launch Facility, not to exceed \$34,860. Motion **passed** with all voting in favor (5-0).

Resolution No. 09-602, authorizing the Mayor to execute a contract with Parametrix to update the Transportation Element of the Draft Comprehensive Plan

Community Development Director Pilcher reported to Council the information which the transportation model was based on had subsequently changed by the two proposed Master Planned Developments (MPDs). Mr. Pilcher explained that the draft transportation analysis for the two Environmental Impact Statements (EISs) showed greater traffic impacts to various arterial routes. Mr. Pilcher also stated that since the Transportation Plan has not been adopted it needs to be updated to ensure there is consistency between the information it contains and the analysis contained in the pending EIS documents. Mr. Pilcher noted that since Parametrix is the City’s consultant for the MPD EIS process, that staff determined it would be more efficient to have them complete the final adjustment to the Plan.

Councilmembers questioned the Level of Service (LOS) part and possible changes needing to be done once Parametrix updates the traffic modeling. Council determined that changes needed to be made to section 2.3 of the contract.

A **motion** was made by Councilmember Bowie and **seconded** by Councilmember Boston to adopt Resolution No. 09-602, authorizing the Mayor to execute a contract with Parametrix to update the Transportation Element of the Draft Comprehensive Plan, provided Parametrix shall not proceed with task 2.3 or any associated traffic modeling efforts until level of service decisions and street network decisions are made by the City

and Parametrix receives notice to proceed with performing these tasks from the Public Works Director. Motion **passed** with all voting in favor (5-0).

Resolution No. 09-603, updating the City's Official Fee Schedule to amend certain fees

Finance Director Miller reported to Council that there have been a few housekeeping budget changes for small errors that were found in the staff fee portion of the document adopted on May 7, 2009.

A **motion** was made by Councilmember Mulvihill and **seconded** by Councilmember Olness to adopt Resolution No. 09-603, updating the City's Official Fee Schedule to amend certain fees. Motion **passed** with all voting in favor (5-0).

Ordinance No. 09-907, amending the budget for calendar year 2009 as adopted by Ordinance No. 08-888 by means of appropriations, adjustments and transfers within various funds in accounts in the 2009 budget and amending the 2009 salary schedule

Finance Director Miller reported to Council that this technical housekeeping budget change adds an additional \$834,514 to the original 2009 budget for Council approved budget changes for contractors and carryover contract and Capital Improvement Projects. Another addition relates to carryover Funding Agreement Consultant contracts primarily the Parametrix EIS/SEPA contract. Ms. Miller explained that the second piece is the budget cuts that the Mayor has implemented. Ms. Miller also noted that on the last page was the amended salary schedule that added a Capital Project Manager and also set a salary range for a possible City Attorney position. Ms. Miller stated that all changes on the salary schedule were highlighted in yellow.

A **motion** was made by Councilmember Mulvihill and **seconded** by Councilmember Olness to adopt Ordinance No. 09-907, amending the budget for calendar year 2009 as adopted by Ordinance No. 08-888 by means of appropriations, adjustments and transfers within various funds in accounts in the 2009 budget and amending the 2009 salary schedule. Motion **passed** with all voting in favor (5-0).

Resolution No. 09-604, authorizing the Mayor to execute a contract with Parametrix to provide the necessary engineering services for the Water Main Replacement Project

Public Works Director Boettcher reported to Council that this project is funded by a grant that has a tight timeframe. He explained that the Public Works Committee evaluated the project and wanted the City to take it through the NEPA process which Utilities Supervisor Dal Santo was able to work on and get done. Mr. Boettcher stated the project is fairly simple and the intent is to spend as much money of the grant without going over budget.

A **motion** was made by Councilmember Bowie and **seconded** by Councilmember Boston to adopt Resolution No. 09-604, authorizing a contract with Parametrix for engineering services for the In-City Forest Water Transmission Main Replacement. Motion **passed** with all voting in favor (5-0).

Resolution No. 09-605, authorizing Second Supplement to the Professional Services Agreement with Hammond Collier Wade Livingstone for the Railroad Avenue Street Improvement Project

Public Works Director Boettcher reported to Council that several issues have come up that have delayed the progress of the Railroad Avenue project including working through stormwater issues, installing the water main before the street work, underground power issues and more recently right of way issues. Mr. Boettcher explained that with more time having passed than expected both parties felt it would be prudent to clarify the final actions needed and the expectations of both parties before the design project concluded.

A **motion** was made by Councilmember Bowie and **seconded** by Councilmember Hanson to adopt Resolution No. 09-605, authorizing the Mayor to execute the Second Supplement to the Professional Services Agreement with Hammond Collier Wade Livingstone for the Railroad Avenue Street Improvement Project. Motion **passed** with all voting in favor (5-0).

Resolution No. 09-607, authorizing the Mayor to execute a contract with SRI Technologies Inc. to provide planning assistance in the review and processing of Master Planned Development applications

Community Development Director Pilcher reported to Council that staff is recommending hiring a Certified Planner on a temporary basis to perform the primary review and processing of the applications, under the direction of the Community Development Director. This will allow the individual to solely concentrate on these projects without the other work demands that the Director and City Planner experience on a daily basis. The position will be paid only for hours worked which is estimated to be approximately 20 hours per week, with the work to be performed in City offices at one of the cubicle workstations in the Community Development building.

A **motion** was made by Councilmember Hanson and **seconded** by Councilmember Boston to adopt Resolution No. 09-607, authorizing the Mayor to execute a contract with SRI Technologies Inc. to provide planning assistance in the review and processing of Master Planned Development applications. Motion **passed** with all voting in favor (5-0).

DEPARTMENT REPORTS:

Public Works Director Boettcher reported that he applied for a grant for sidewalk widening on the south side to Morgan Street including bike lanes. The project is listed on the Capital Improvement Plan.

MAYOR'S REPORT:

Mayor Botts reported that he attended the Survivor 5 seminar regarding Economic Development along with City Administrator Voelpel and Economic Development Director Williamson. Mayor Botts stated that there were a lot of ideas that might work for the City of Black Diamond.

COUNCIL REPORTS: None

Councilmember Boston updated everyone on the South County Area Transportation Board (SCATBD) meeting he attended.

Councilmember Olness reminded everyone to attend the Memorial Day Ceremony at the Black Diamond Cemetery on May 25 at 1:00 p.m.

Councilmember Bowie brought up the issue of swimming on Lake Sawyer.

ATTORNEY REPORT:

Attorney Combs announced there will be a short executive session tonight regarding potential and pending litigation, and property acquisition.

PUBLIC COMMENTS: None

CONSENT AGENDA:

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

Claim Checks – May 21, 2009, No. 33507 through No. 33574, Handwrites No. 33493-No. 33505 (voided check No. 33506) in the amount of \$147,778.74

Payroll Checks – April 30, 2009, No. 15796 through No. 15911 in the amount of \$295,843.09

Minutes – Council Meeting of May 7, 2009 and Workstudy Notes of April 30, 2009

EXECUTIVE SESSION:

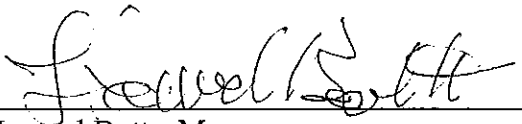
Mayor Botts recessed the regular meeting for an Executive Session at 8:30 p.m. to discuss potential and pending litigation, and property acquisition. No action was anticipated to follow the Executive Session, which was expected to last thirty minutes.

The regular meeting was called back to order at 9:00 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 (5-0).

ATTEST:



Howard Botts, Mayor



Rachel Pitzel, Deputy City Clerk