

BLACK DIAMOND CITY COUNCIL MINUTES

November 19, 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 and Mulvihill.

ABSENT: Councilmember Olness (excused).

Staff present were: Leonard Smith, City Administrator; May Miller, Finance Director; Seth Boettcher, Public Works Director; Andrew Williamson, Economic Development Director; Steve Rosen, Municipal Court Judge; Greg Smith, Fire Chief; Loren D. Combs, City Attorney and Brenda L. Martinez, City Clerk.

PUBLIC COMMENTS: None

UNFINISHED BUSINESS: None

PUBLIC HEARING:

2010 Budget Revenues and Expenditures

Finance Director Miller reported that tonight we are here with a very preliminary budget to hear citizen comments. Ms. Miller discussed the amount of decrease this year and stated that the budget will be coming back for another workstudy on December 3. Ms. Miller also reported that Public Safety is 85 percent of the total general fund budget with another big part being Public Works. She stated that revenue has been very flat with only a \$5,000 increase over last year.

Mayor Botts opened the public hearing at 7:06 p.m. There was no public testimony and Mayor Botts closed the public hearing at 7:07 p.m.

Ordinance No. 09-924, approving adoption of the voter approved Property Tax lid lift and rate of \$2.15 per \$1,000 of assessed valuation for a total of \$1,205,665 for 2010 to be used for Public Safety including Fire, Police and Emergency

Finance Director Miller stated that before Council is a result of a passed levy. She noted that it may be back before Council possibly on December 3 should the public safety levy fail.

Mayor Botts opened the public hearing at 7:20 p.m. There was no public testimony and Mayor Botts closed the public hearing at 7:20 p.m.

A **motion** was made by Councilmember Hanson and **seconded** by Councilmember Boston to adopt Ordinance No. 09-924, approving adoption of the voter approved Property Tax lid lift and rate of \$2.15 per \$1,000 of assessed valuation for a total of \$1,205,665 for 2010 to be used for Public Safety including Fire, Police and Emergency Services. Motion **passed** with all voting in favor (4-0).

NEW BUSINESS:

Resolution No. 09-648, authorizing the Mayor to execute an Addendum to the Agreement for Police Service for Valley Communications for 2010

A **motion** was made by Councilmember Boston and **seconded** by Councilmember Mulvihill to adopt Resolution No. 09-648, authorizing the Mayor to execute an addendum to the agreement for Police Service for Valley Communications for the year 2010. Motion **passed** with all voting in favor (4-0).

Resolution No. 09-649, authorizing the Mayor to execute a Memorandum of Understanding for the Diesel Multiple Unit (DMU) Feasibility and Planning Study

Councilmember Boston reported that he has been elected to represent the City in looking at the possible use of a commuter rail line serving Black Diamond, Covington and Maple Valley using the old abandoned railroad.

A **motion** was made by Councilmember Bowie and **seconded** by Councilmember Hanson to adopt Resolution No. 09-649, authorizing the Mayor to execute a Memorandum of Understanding for the Diesel Multiple Unit (DMU) Feasibility and Planning Study. Motion **passed** with all voting in favor (4-0).

Resolution No. 09-650, authorizing the Mayor to execute an Interlocal Agreement for the Southeast King County Commuter Rail Transit Centers Project

Councilmember Boston highlighted the key points and mentioned the error on page 6 regarding the City Administrator.

A **motion** was made by Councilmember Mulvihill and **seconded** by Councilmember Hanson to adopt Resolution No. 09-650, authorizing the Mayor to execute an Interlocal Agreement with the cities of Maple Valley and Covington for the Southeast King County Commuter Rail and Transit Centers Project, with the amendment of the City Administrator's name. Motion **passed** with all voting in favor (4-0).

Resolution No. 09-651, accepting the court remodel project according to the contract with STM as complete

Public Works Director Boettcher reported that this is a standard housekeeping item to close out the court remodel project.

A **motion** was made by Councilmember Bowie and **seconded** by Councilmember Boston to adopt Resolution No. 09-651, accepting the Court and Jury room remodel project as complete. Motion **passed** with all voting in favor (4-0).

Resolution No. 09-652, confirming the Mayor's appointment of Steve Rosen as Municipal Court Judge and authorizing the Mayor to execute a Professional Services Agreement

Mayor Botts asked Council to confirm the re-appointment of Judge Rosen as the Municipal Court judge. City Administrator Smith clarified Judge Rosen has agreed to a fixed rate for the budget and has agreed to accept this risk.

A **motion** was made by Councilmember Mulvihill and **seconded** by Councilmember Boston to adopt Resolution No. 09-652, confirming the Mayor's appointment of Steve Rosen as Municipal Court Judge and authorizing the Mayor to execute a Professional Services Agreement. Motion **passed** with all voting in favor (4-0).

Mayor Botts congratulated Judge Rosen and Councilmember's Mulvihill and Boston commended him for the advances made to the court.

DEPARTMENT REPORTS: None

MAYOR'S REPORT:

Mayor Botts stated that a rumor was going around that he has conceded, but said that he is waiting until the election is certified to do this.

COUNCIL REPORTS:

Councilmember Boston thanked Council for passing the Memorandum of Understanding and the Interlocal Agreement and appreciated it very much. Mayor Botts seconded this.

ATTORNEY REPORT: None

PUBLIC COMMENTS: None

CONSENT AGENDA:

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

1. **Minutes** – Council Meeting of November 5, 2009
2. **Claim Checks** – November 19, 2009 No. 34833 through No. 34892 in the amount of \$121,053.88

EXECUTIVE SESSION: None

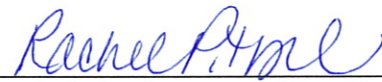
ADJOURNMENT:

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

ATTEST:



Howard Botts, Mayor



Rachel Pitzel, Deputy City Clerk