

BLACK DIAMOND CITY COUNCIL MINUTES

October 15, 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: Leonard Smith, City Administrator; May Miller, Finance Director; Seth Boettcher, Public Works Director; Greg Smith, Fire Chief; Loren D. Combs, City Attorney and Brenda L. Martinez, City Clerk.

PUBLIC COMMENTS:

David Vines – 32600 Fifth Avenue, Black Diamond- asked Council if they had come to a decision on the issues he presented to Council on the October 1, 2009 meeting.

Mayor Botts stated that staff is currently doing research. City Administrator Smith added the City will contact all interested parties when the report is complete.

June Vines – 32600 Fifth Avenue, Black Diamond- clarified to Council that she was interested in Railroad Avenue not the Railroad grade access issue.

PUBLIC HEARINGS: None

PRESENTATION: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

Resolution No. 09-643, authorizing the Mayor to execute Amendment “A” to the State Military Emergency Management Agreement

Public Works Director Boettcher reported that the City has an existing agreement with the State Emergency Agency that allowed 75 percent share of eligible costs. This amendment will provide the City with an additional 12.5 percent cost share of State

Funds for eligible expenses incurred in repairing the damage to Roberts Drive at the Ginder Creek culvert from the 2009 winter storm disaster event.

A **motion** was made by Councilmember Bowie and **seconded** by Councilmember Boston to adopt Resolution No. 09-643, authorizing the Mayor to execute Amendment “A” to the agreement with the State of Washington Military Department Emergency Management Division for an additional 12.5 percent of state funding to assist the City with the costs not covered by the Federal Emergency Management Agency. Motion **passed** with all voting in favor (5-0).

Resolution No. 09-644, authorizing the Mayor to execute Amendment “B” to the State Military Emergency Management Agreement

Public Works Director Boettcher reported that there are two changes to the current agreement, 1) change to the Audit in Section A.26 (which does not affect the City) and 2) establishes new limits of signature authority, which states that the Mayor is the only one with authority to sign or alter the agreement.

A **motion** was made by Councilmember Bowie and **seconded** by Councilmember Boston to adopt Resolution No. 09-644, authorizing the Mayor to execute Amendment “B” to the agreement with the State of Washington Military Emergency Agreement for the Washington Severe Winter Storm event of 2009. Motion **passed** with all voting in favor (5-0).

Resolution No. 09-645, authorizing the Mayor to execute a Department of Ecology Phase II Stormwater pass-through Grant

Public Works Director Boettcher reported that the State came through with additional funding for stormwater which will help in many areas. He reported that the city did spend money on illicit discharge training for staff and public education costs and the City intends to utilize the grant funds to help with those costs.

Councilmember Hanson stated that children are a great advocate for the environment and suggested that the City do a presentation at the school assemblies. She said that children grab on to what they learn and will teach parents and others. She stated it’s a great avenue to use and it wouldn’t cost that much.

Councilmember Bowie asked if this resolution came about because the City formed a stormwater utility.

Public Works Director Boettcher stated it was more about the City being a NPDES Phase II City.

A **motion** was made by Councilmember Hanson and **seconded** by Councilmember Bowie to adopt Resolution No. 09-645, authorizing the Mayor to execute a Department of Ecology Phase II Stormwater pass-through Grant. Motion **passed** with all voting in favor (5-0).

Resolution No. 09-646, authorizing Public Works to proceed with the Lawson Street Intersection Repairs at Newcastle Drive

Public Works Director Boettcher explained that the department put this project out to bid on the small works roster and marked up areas of pavement to be replaced. Bids were received well beyond the available budget. Mr. Boettcher noted that he discussed with the lowest bidder (Cascade Utilities) to pair the project down and expects bids back within a week. Mr. Boettcher is proposing that this project be a city managed project and will accomplish as much as possible with city forces and then hire out paving and striping and maybe trucking.

A **motion** was made by Councilmember Boston and **seconded** by Councilmember Olness to adopt Resolution No. 09-646, authorizing Public Works to proceed with the Lawson Street intersection repairs at Newcastle Drive as a City executed project not to exceed \$25,000. Motion **passed** with all voting in favor (5-0).

DEPARTMENT REPORTS:

Public Works Director Boettcher updated Council on finished projects such as, the water project on Railroad Avenue, In-City Forest project, working on the close-out paper work for the Court and Warehouse Roof projects.

Mr. Boettcher also reported that he was getting into a lot of different policy issues and right-of-way issues brought up by Mr. and Mrs. Vines which will be coming through the Public Works Committee as well as the bridge inspection on Rock Creek involving getting it on the State Register. He added the water meter replacement project is moving along nicely and roughly 100 meters have been installed and will continue through the end of the year.

Councilmember Boston asked if the City is seeing any change in revenue.

Mr. Boettcher stated that not all data has been compiled yet and it may take some time to get an analysis on individual meters that were replaced.

Mr. Boettcher updated Council on the Railroad Avenue project and stated that the Public Works Supervisor Dan Dal Santo will host a meeting with Qwest and PSE to look into sharing one trench. Gray and Osborne completed their survey on Morgan Street and discussed issues on how to handle stormwater and right-of-way issues.

MAYOR'S REPORT:

Mayor Botts reported that former City Administrator Voelpel wished everyone the best and announced she got a temporary job with the City of Snoqualmie. Mayor Botts updated everyone on the preparedness of flooding in the Valley because of the Howard Hanson Dam and said that everyone is working hard to help those folks.

COUNCIL REPORTS:

Councilmember Boston announced that there will be a Parks Committee meeting on Tuesday, October 20 at 2 p.m. in the Council Chambers.

ATTORNEY REPORT: None

PUBLIC COMMENTS:

David Vines – 32600 Fifth Avenue, Black Diamond- asked Council if there were any plans in the future to do any repairs on Lawson Street from the bottom to the top.

June Vines – 32600 Fifth Avenue, Black Diamond- asked how long it took for Dennis Boxx to receive his permit to extend his driveway on Railroad Avenue.

Mayor Botts stated that he could not answer that question and would have staff look into it.

Ms. Vines stated that the delay of a report on Railroad Avenue is a hardship on them to sell their firewood.

EXECUTIVE SESSION: None

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 (5-0). The Consent Agenda was approved as follows:

Claim Checks – October 15, 2009, No. 34093 through 34094, 34694 through 34696, No. 34697 through 34749 in the amount of \$96,461.18


Payroll Checks – September 30, 2009, No. 16260 through 16340 in the amount of \$287,477.31

Minutes – Council Meeting of August 20, 2009, September 17, 2009, Special Council Meeting September 24, 2009, October 1, 2009 and Workstudy Notes of September 17, 2009 and October 1, 2009


ADJOURNMENT:

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

ATTEST:



Howard Botts, Mayor



Rachel Pitzel, Deputy City Clerk