

BLACK DIAMOND CITY COUNCIL MINUTES
Special Meeting September 24, 2009
Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER, FLAG SALUTE:

Mayor Botts called the regular meeting to order at 7:02 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: Steve Pilcher, Community Development Director; Steve Munson, City Planner; Loren D. Combs, City Attorney and Brenda L. Martinez, City Clerk.

PUBLIC COMMENTS: None

PUBLIC HEARING:**Resolution No. 09-640, Consideration of South Annexation Petition**

City Planner Munson reported an annexation petition was filed with the City by YarrowBay and he gave a brief run down of the timeline that has taken place since this notice of intent was filed. Mr. Munson stated that staff recommends Council approval of the petition and direct staff to forward the notice of intent package to the Boundary Review Board. Mr. Munson gave a brief explanation of the steps and time line that will take place.

Mayor Botts opened the Public Hearing at 7:05 p.m.

Jami Balint- BD Village Partners, Kirkland, WA – stated that BD Village Partners are clearly, fully in support of the South Annexation moving forward. She stated that this would complete one of the two remaining items left on the Black Diamond Urban Growth Area Agreement. Ms. Balint thanked Council for the consideration and looking forward to having the property be a part of the City.

Mayor Botts closed the Public Hearing at 7:06 p.m.

Resolution No. 09-641, Consideration of East Annexation Petition

City Planner Munson reported an annexation petition was filed with the City by YarrowBay and he gave a brief run down of the timeline that has taken place since this notice of intent was filed. Mr. Munson stated that staff recommends Council approval of the petition and direct staff to forward the notice of intent package to the Boundary Review Board. Mr. Munson gave a brief explanation of the steps and time line that will take place.

Mayor Botts opened the Public Hearing at 7:09 p.m. No public testimony was heard and the hearing was closed at 7:09 p.m.

Councilmember Boston clarified that the City is just moving this on to the next step and there is still time for folks to comment on this annexation.

A **motion** was made by Councilmember Mulvihill and **seconded** by Councilmember Olness to adopt Resolution No. 09-640, regarding the South Annexation Petition and direct staff to prepare the Notice of Intent package for filing with the King County Boundary Review board for its consideration. Motion **passed** with all voting in favor (5-0).

A **motion** was made by Councilmember Olness and **seconded** by Councilmember Boston to adopt Resolution No. 09-641, regarding the East Annexation Petition and direct staff to prepare the Notice of Intent package for filing with the King County Boundary Review board for its consideration. Motion **passed** with all voting in favor (5-0).

UNFINISHED BUSINESS: None

NEW BUSINESS:

Additional Work for VSI Regarding Mediation with YarrowBay

Mayor Botts reminded Council of the mediation with YarrowBay and discussed who would carry forth on that work. Mayor Botts stated that Council has in front of them a letter of engagement from VSI for approving additional work regarding the mediation with YarrowBay.

A **motion** was made by Councilmember Olness and **seconded** by Councilmember Bowie to authorize additional work for VSI regarding mediation with YarrowBay and not to exceed \$25,000. Motion **passed** with all voting in favor (5-0).

DEPARTMENT REPORTS: None

MAYOR'S REPORT:

Mayor Botts announced that there will be an executive session on personnel and not real estate.

COUNCIL REPORTS:

Councilmember Mulvihill reminded everyone that the pushcart derby would be held on Saturday and invited all to either enter the race or attend the event. She stated that Black Diamond Labor Days would be picking this event up for next year.

Councilmember Hanson explained that the Public Works Committee is trying to get together to move the Water Comprehensive Plan forward.

Councilmember Boston commented on the Tri-City Council meeting the members attended and noted how amazing it is that all cities are demographically the same. He also commented that the presentation from the three cities Parks department was well done.

Councilmember Hanson reported it was very exciting to see how quickly the Diesel Motorized Unit project (DMU) is progressing.

Councilmember Boston replied that the three cities are doing a feasibility study and also lobbied Reichert for more funding to get into Phase II of the project.

Councilmember Boston reported on Make a Difference Day. He stated that there is preliminary sign off from Lake Sawyer Christian Church and volunteers to cut a trail by hand to the Regional Park to help alleviate entrance from 312th. He also noted that trees will be planted at the boat launch park and breakfast would be held the Black Diamond Community Center on October 24, 2009.

ATTORNEY REPORT:

Attorney Combs reported there will be a twenty minute executive session on personnel to review the performance of a public employee pursuant to RCW 42.30.110(1) (g) and real estate acquisition with no action to follow.

PUBLIC COMMENTS: None

EXECUTIVE SESSION:

Mayor Botts recessed the regular meeting for an Executive Session at 7:39 p.m. on personnel to review the performance of a public employee pursuant to RCW

42.30.110(1)(g) and real estate acquisition. No action was anticipated to follow the Executive Session, which was expected to last twenty minutes.

The regular meeting was called back to order at 8:00 p.m.

ADJOURNMENT:

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

ATTEST:



Howard Botts, Mayor



Rachel Pitzel, Deputy City Clerk