

# **BLACK DIAMOND CITY COUNCIL MINUTES**

**April 15, 2010**

Council Chamber, 25510 Lawson Street, Black Diamond, Washington

## **CALL TO ORDER, FLAG SALUTE:**

Mayor Olness called the regular meeting to order at 7:00 p.m. and lead us all in the Flag Salute.

## **ROLL CALL:**

**PRESENT:** Councilmembers Hanson, Goodwin, Boston, Saas and Mulvihill.

**ABSENT: None**

Staff present were: Andrew Williamson, Economic Development Director; May Miller, Finance Director; Seth Boettcher, Public Works Director; Steve Pilcher, Community Development Director; Jamey Kiblinger, Police Chief; Greg Smith, Fire Chief; Chris Bacha, City Attorney and Brenda L. Martinez, City Clerk

## **PUBLIC COMMENTS:**

**Cindy Proctor, Black Diamond** – commented on the Hearing Examiner process; communication and how to get the information without using the website; changes in code.

**Cindy Wheeler, Black Diamond** – commented agreed with previous speaker on communication issues.

**PRESENTATIONS: None**

**UNFINISHED BUSINESS: None**

**PUBLIC HEARING: None**

## **Ordinance updating Tree Preservation**

Community Development Director Pilcher reported this has been before the Planning Commission twice and is now here tonight to conduct a public hearing only. In the packet are the proposed changes and also a strike out format is included with highlighted major changes to the ordinance.

**Mayor Olness opened the public hearing at 7:23 p.m.**

**Erica Morgan, Black Diamond** – commented on replacement trees.

**Judy Carrier, Green Valley Road** – commented on living on the Green Valley Road and concerned about the Ordinance.

**Lisa Garvich, Black Diamond** – commented on why changes are being made; enforcement factors.

**Cindy Proctor, Black Diamond** – commented on the ordinance being clearer.

**Rich Estrasky, Black Diamond** – commented that his opinions on the ordinance were different from the other speakers.

**Bob Edelman, Black Diamond** – commented on the mitigation fund.

**Cindy Wheeler, Black Diamond** – commented on an incident where trees were cut down and asked about the fund.

**Sheila Hoefig, Black Diamond** – commented on the fee designated for a heritage tree.

**Mayor Olness closed the public hearing at 7:51 p.m.**

## **NEW BUSINESS:**

**Resolution No. 10-681, providing for the video recording of City Council meetings, and that such recordings are available on the City's website following Council meetings**

Mayor Olness read a statement she prepared regarding this Resolution.

Councilmember Goodwin suggested modifications be made so that staff could do some research and report back to Council.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Boston to adopt Resolution No. 10-681 as modified, providing for the video recording of City Council meetings, and that such recordings are available on the city's website and hereby requests that the Mayor direct staff to research the alternatives available and costs for video recording of Council meetings and report back to the Council on May 20, 2010. Motion **passed** with all voting in favor (5-0).

**Resolution No. 10-682, authorizing the Mayor to execute Amendment to Interlocal Agreement between King County and the City of Black Diamond for Jail Services**

Police Chief Kiblinger addressed Council on this issue.

A **motion** was made by Councilmember Boston and **seconded** by Councilmember Goodwin to adopt Resolution No. 10-682, authorizing the Mayor to execute Amendment to Interlocal Agreement for Jail Services. Motion **passed** with all voting in favor (5-0).

## **DEPARTMENT REPORTS:**

Community Development Director Pilcher discussed with Council the tentative schedule should the Hearing Examiner rule the FEIS as adequate. He discussed the amount of time for speakers and gave examples.

Discussion took place between Council on what order material should be reviewed as far as written record, audio or closed record hearing.

## **MAYOR'S REPORT:**

Mayor Olness reported that King County Executive visited Black Diamond and she also updated everyone on the third Tri-City Council meeting, animal control, earthquake drill on April 21 that staff will be participating in and discussed Earth Day.

## **COUNCIL REPORTS:**

Councilmember Mulvihill recommended that Council minute reflect action minutes only.

Consensus with all Council was to continue starting action minutes.

Councilmember Boston thanked staff for their hard work and dedication.

Councilmember Hanson asked Economic Development Director Williamson to give an update on the Railroad Avenue project.

Economic Development Director Williamson briefed everyone on the project.

## **ATTORNEY REPORT: None**

## **PUBLIC COMMENTS:**

**Cindy Wheeler, Black Diamond** – commented on communication and encouraged Council to do certain things in the upcoming process.

**Rich Estrasky, Black Diamond** – commented using different format for audio on website; Council viewing transcript before the hearings.

**Cindy Proctor, Black Diamond** – commented on the previous comments; re-occurring inaudible during the EIS hearings; submitted an affidavit to be placed with the March 4 minutes.

**Vicki Harp, Black Diamond** – submitted an affidavit to be placed with the March 4 minutes.

**Tom Mulvihill, Black Diamond** – thanked the Mayor and Council for all the time they serve in their capacity.

**Judith Carrier, Green Valley Road** – commented on the tremendous amount of material and that Council does as people have asked.

**Erica Morgan, Black Diamond** – asked that the Council study the material and teach citizens what it says.

**Arlene Parkin, Black Diamond** – commented on how fantastic the crew on Railroad Avenue is and submitted an affidavit to be placed with the March 4 minutes.

**Sheila Hoefig, Black Diamond** – commented on the sound system; discussed communication and website; submitted an affidavit to be placed with the March 4 minutes.

**Vicki Harp, Black Diamond** – Thanked Council and asked for a round of applause.

Mayor Olness stated to Council that it's up to them how they go through the material and suggested that it does make sense to go through the information first.

**Cindy Proctor, Black Diamond** – commented that the website needs to reflect what Council has decided to do; discussed action minutes reflecting public comments.

## **CONSENT AGENDA:**

A **motion** was made by Councilmember Boston and **seconded** by Councilmember Goodwin to adopt the Consent Agenda. Motion **passed** (5-0)

Councilmember Goodwin recused himself from item #4-Claim Checks on the consent agenda due to a conflict; as he is employed and a shareholder for one of the vendors.

Motion **passed** (4-0) on item 4 and all voting in favor (5-0) on item 5.

The Consent Agenda was approved as follows:

**Claim Checks** – April 15, 2010 No. 35416 through No.35477 (voided checks 35417, 35418) in the amount of \$192,913.69

**Payroll** – March 31, 2010 No. 16968 through No.17041 (voided check 17011) in the amount of \$256,636.12

## **EXECUTIVE SESSION: None**

**ADJOURNMENT:**

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

ATTEST:

  
\_\_\_\_\_  
Rebecca Olness, Mayor

  
\_\_\_\_\_  
Rachel Pitzel, Deputy City Clerk