

BLACK DIAMOND CITY COUNCIL MINUTES

February 18, 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: Steve Pilcher, Community Development Director; Andrew Williamson, Economic Development Director; May Miller, Finance Director; Jamey Kiblinger, Police Chief; Greg Smith, Fire Chief; Noel Treat, City Attorney and Brenda L. Martinez, City Clerk.

PUBLIC COMMENTS:

Erika Morgan, Black Diamond - passed out her stormwater bill and also her tax she sends to King County. She stated that she is offended that the City sends out a piddely bill and will probably be paying it in person.

PRESENTATIONS:

XTERRA- Patty Svedberg and Toby Mollett representing XTERRA reviewed the 2009 Event Summary from last year's event. They named the community groups and staff who helped contribute to the success of this event. They stated that local media coverage was great and the feedback received from the athletes was invaluable. Ms. Svedberg thanked the Council for support in allowing this event to take place in Black Diamond. Mr. Mollett requested permission to hold another event this year on July 31 and August 1. Mr. Mollett estimated there to be around 200 athletes and staff. He discussed overnight camping for security purposes, as well as help with the equipment and race set-up. Mr. Mollett discussed sanitation, athlete safety, insurance coverage and neighbor impact and notification process.

Mayor Olness recommended staff to work with Council so consideration could be taken at the next Council meeting.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Resolution No. 10-673, declaring certain City property as surplus

Economic Development Director Williamson reported over the period of a year the City discontinues use of or has no need for certain property and it is turned over to the Capital Facilities Coordinator for surplus. Departments have reviewed the proposed list and authorized the items to be surplus. Mr. Williamson noted that with the authorization from the City Council, surplus items are available for sale whether by sealed bid, online auction or other reasonable and allowable means.

A **motion** was made by Councilmember Hanson and **seconded** by Councilmember Boston to adopt Resolution No. 10-673, declaring certain City property as surplus and authorizing staff to make items available for sale either by sealed bid, online auction or other reasonable and allowable means. Motion **passed** with all voting in favor (5-0).

Resolution No. 10-674, authorizing the Mayor to sign contract amendment #5 with Parametrix to authorize their participation in the upcoming appeal hearings concerning the FEISs for the Villages and Lawson Hills Master Planned Developments

Community Development Director Pilcher reported this amendment would cover costs associated with Parametrix staff participating in the upcoming appeal hearings on the FEIS for The Villages and Lawson Hills Master Planned Developments.

Councilmember Goodwin questioned what the City would gain by having Parametrix at the hearings.

Community Development Director Pilcher explained that it is the City's FEIS and Parametrix would be there to help during this process as they prepared the document for the City.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Hanson to adopt Resolution No. 10-674, authorizing the Mayor to execute contract amendment #5 with Parametrix, originally authorized under Resolution 08-946, for the purposes of participating in the upcoming appeal hearings on the Final Environmental Impact Statements for The Villages and Lawson Hills Master Planned Developments. Motion **passed** with all voting in favor (5-0).

Ordinance No. 10-935, amending Chapter 18.08 and 18.98 of the Black Diamond Municipal Code to provide the Hearing Examiner with the ability to take additional time when rendering a decision on appeals and Master Planned Developments

Community Development Director Pilcher reported this was brought to Council at the last meeting on February 4 from some concerned citizens regarding the time allowed for the Hearing Examiner to rule, Council recommended that City Attorney Treat work on new language to bring forward to the Planning Commission. The Planning Commission reviewed the proposed amendment and recommended forwarding to Council for adoption.

Councilmember Goodwin thanked Ms. Wheeler and Ms. Proctor for bringing this issue forward.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Mulvihill to adopt Ordinance No. 10-935, regarding timelines for Hearing Examiner decisions on Appeals and Master Planned Development applications and amending sections 18.08.220 and 18.98.060 of the Black Diamond Municipal Code. Motion **passed** with all voting in favor (5-0).

DEPARTMENT REPORTS:

Police Chief Kiblinger discussed the Chief for a Day program. She reported that the Police Department is one of 20 agencies participating in the program this year and said it is quite an event. Chief Kiblinger noted that in order for a child to qualify, they must have a life threatening illness; she then showed a short video recapping the 2008 Chief for a Day event. Chief Kiblinger reported that this is the first year Black Diamond has been chosen to participate. She noted that they have found a child who has Cerebral Palsy and the Police Department will be doing fundraisers to help.

Councilmember Boston suggested doing a presentation to the Rotary.

Chief Kiblinger distributed the departments 2009 Final Work Plan. She also noted that the Black Diamond and Enumclaw Police Departments have joined in the Relay for Life and will be participating in a basketball game on May 7 at the Enumclaw High School. She also updated Council on Leads Online, and reported four cases have been solved using this system. Chief Kiblinger distributed the 2010 Current Report outlining training, work plan, grants, programs and year-to-date stats.

MAYOR'S REPORT:

Mayor Olness reported that she attended along with Councilmember Goodwin the Elected Official workshop put on by Association of Washington Cities. She also reminded everyone of the Council Retreat on Saturday, February 20 at Mt. View Fire and Rescue Training Facility Room from 8 a.m. to 3:00 p.m.

COUNCIL REPORTS:

Councilmember Boston reported that he attended the Suburban Cities Association meeting and Dan Satterberg and Sue Rahe provided information on a possible countywide ballot measure regarding Criminal Justice Sales Tax Measure. The committee plans to get this on the August ballot. He discussed the impacts and reported the plan is a 60/40-County/City split based on population. He stated that the committee will have to bring it forth to the King County Council, and reported that they did a straw poll and it came back at around 59% positive, so it may be on the ballot.

ATTORNEY REPORT: None

PUBLIC COMMENTS:

Ryan Kohlman, YarrowBay- reported that last year YarrowBay notified Council on King County Land and Resource Division using YarrowBay property for saving plants that will be destroyed by development. Land and Resource Division staff digs up the plants and transplants them in restoration areas. YarrowBay wanted to let Council know King County will be out in the area again on March 6.

CONSENT AGENDA:

A **motion** was made by Councilmember Hanson and **seconded** by Councilmember Boston to adopt the Consent Agenda.

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 items 5 and 6.

The Consent Agenda was approved as follows:

Claim Checks – February 18, 2010 No. 35134, No. 35185 through No. 35251 in the amount of \$127,435.66

Payroll –January 2010 No. 16820 through No. 16895 in the amount of \$257,564.86

Minutes –Council Meeting of February 4, 2010 and Joint City Council Meeting Minutes of September 22, 2009

EXECUTIVE SESSION: None


ADJOURNMENT:

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

ATTEST:



Rebecca Olness, Mayor



Rachel Pitzel, Deputy City Clerk